Appendix A: NOP and NOP Comment Letters

CITY OF LA VERNE
CITY HALL
3660 "D" Street, La Verne, California 91750

NOTICE OF PREPARATION AND SCOPING MEETING

DATE: March 30, 2023

SUBJECT: Notice of Preparation (NOP) and Scoping Meeting for the La Verne General Plan and Zoning Ordinance Update Environmental Impact Report

TO: State Clearinghouse, State Responsible Agencies, State Trustee Agencies, Other Public Agencies, Interested Organizations, Members of the Public, and the county clerk

LEAD AGENCY: City of La Verne, Community Development Department

PROJECT TITLE: City of La Verne General Plan and Zoning Ordinance Update

NOTICE IS HEREBY GIVEN that the City of La Verne will prepare an Environmental Impact Report (EIR) for the City of La Verne General Plan and Zoning Ordinance Update. The City is the lead agency for the project. The purpose of this notice is (1) to serve as a Notice of Preparation (NOP) of an EIR pursuant to the State CEQA Guidelines § 15082, (2) to advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared for the proposed project, and (3) to notice the public scoping meeting.

The City determined that the proposed project would require preparation of a full-scope EIR; thus, an Initial Study was not prepared in conjunction with this Notice of Preparation (NOP). Consistent with § 15168 of the State CEQA Guidelines, the City will prepare an EIR to address the environmental impacts associated with the project at a programmatic level. The proposed project is a long-term plan consisting of policies that will guide future development activities and City actions and an update to the Zoning Ordinance to support policy implementation. No specific development projects are proposed as part of this General Plan and Zoning Ordinance Update. However, the program EIR can serve to streamline environmental review of future projects.

Notice of Preparation 30-Day Comment Period: The City of La Verne, as Lead Agency, requests that responsible and trustee agencies, and the Office of Planning and Research, respond in a manner consistent with § 15082(b) of the CEQA Guidelines. Pursuant to Public Resources Code § 21080.4, responsible agencies, trustee agencies and the Office of Planning and Research must submit any comments in response to this notice no later than 30 days after receipt. In accordance with the time limits established by CEQA, the NOP public review period will begin on March 30, 2023 and end on April 28, 2023.

Comments in response to this notice must be submitted in writing at the address or email below by the close of the 30-day NOP review period, which is 6:00 PM on April 28, 2023:

Candice Bowcock, Principal Planner
City of La Verne
3660 D Street
La Verne, CA 91750
Planning@cityoflaverne.org

Scoping Meeting: The City will hold a scoping meeting in conjunction with this NOP in order to present the project and the EIR process and to provide an opportunity for agency representatives and the public to assist the lead agency in determining the scope and content of the environmental analysis for the EIR. The date, time and place of the meeting is as follows:

April 19, 2023
6:00 p.m. to 7:00 p.m.
City of La Verne
3660 D Street
La Verne, CA 91750

Public Agency Approvals: The City Council is the final decision-making body for the General Plan and Zoning Ordinance Update. Before the City Council considers the proposed project, the Planning Commission will review it and make recommendations to City Council. While other agencies may be consulted during the General Plan and Zoning Ordinance Update process, their approval is not required for adoption of the General Plan and Zoning Ordinance Update. However, subsequent development under the General Plan and Zoning Ordinance Update may require approval of state, federal and responsible trustee agencies that may rely on the programmatic EIR for decisions in their areas of expertise.

Project-Related Documents: Extensive outreach has been conducted with the La Verne community as part of the General Plan and Zoning Ordinance Update process, including coordination with the City's General Plan Advisory Committee (GPAC). Additionally, the La Verne Planning Commission and City Council have received periodic public briefings regarding the General Plan and Zoning Ordinance Update. La Verne's existing General Plan documents and materials for the General Plan and Zoning Ordinance Update and Program EIR, including the Existing Conditions Report, Community Vision Statement, GPAC meeting materials, and public presentations are available at: https://laverne.generalplan.org/

PROJECT LOCATION

As shown on Figure 1, the City of La Verne is located at the eastern edge of the San Gabriel Valley in Los Angeles County, approximately 30 miles east of Los Angeles and approximately 23 miles east of Pasadena. The City is located adjacent to the San Gabriel Mountains. State Route 210 runs through the City, with the City lying approximately two miles north of Interstate 10 and three miles east of State Route 57.

The Planning Area is the geographic area for which the Plan provides a framework for long-term growth and resource conservation. State law requires the Plan to include all territory within La Verne's incorporated area as well as "any land outside its boundaries which in the planning agency's judgment bears relation to its planning" (California Government Code Section 65300). The Planning Area, as shown in Figure 2, includes the entire city limits (approximately 5,450 acres) as well as the City of La Verne's Sphere of Influence (approximately 1,500 acres); the entire Planning Area is approximately 6,950 acres (10.5 square miles).

PROJECT DESCRIPTION

State law requires the City to adopt a comprehensive, long-term general plan for the physical development of its planning area. The General Plan must include land use, circulation, housing, conservation, open space, air quality, noise, safety, and environmental justice elements, as specified in Government Code Section 65302, to the extent that the issues identified by State law exist in the City's planning area; the City of La Verne is not required to prepare an environmental justice element. The City's 2021-2029 Housing Element was adopted on November 21, 2022 and is not part of this update. Additional elements that relate to the physical development of the City may also be addressed in the General Plan. The degree of specificity and level of detail of the discussion of each General Plan Element need only reflect local conditions and circumstances. The City of La Verne is preparing a comprehensive update to its existing General Plan. The General Plan is being prepared to address the requirements of State law and the relevant items addressed in Government Code Section 65300 et seq. The La Verne General Plan will include all of the State-mandated elements, and will address five optional topics: Community Design, Community Services and Facilities, Economic Development, Fiscal Sustainability, and Health and Wellness.

The updated La Verne General Plan is expected to be adopted in 2024 and will guide the City's development and conservation through land use objectives and policy guidance. The General Plan is intended to be an expression of the community's vision for the City and Planning Area and constitutes the policy and regulatory framework by which future development projects will be reviewed and public improvements will be implemented. The La Verne General Plan will include a comprehensive set of goals, policies, and actions (implementation measures), as well as a revised Land Use Map (Figure 3). The revisions to the Land Use Map will include simplifying how Specific Plans are shown on the map through utilization of the new Specific Plan – Residential and Specific Plan – Mixed-Use land use designations and various other updates to reflect amendments to the land use map reviewed and approved since the last comprehensive update. A new Very High Density Residential land use category allowing for up to 32 dwelling units per acre will also be provided for potential future development. The City will implement the General Plan by requiring development, infrastructure improvements, and other projects to be consistent with its policies and by implementing the actions included in the General Plan.

A goal in the General Plan is the broadest statement of community values. It is a generalized ideal which provides a sense of direction for action. They are overall statements of desired future conditions. The essence of the General Plan is contained within its policies. Policies are statements which further refine the goals, and guide the course of action the City must take to

achieve the goals in the General Plan. It is important to note that policies are guides for decision makers, not decisions themselves. Action items are steps or actions the City should take to implement the General Plan.

The La Verne General Plan Update is intended to reflect the desires and vision of La Verne residents, businesses, the Planning Commission, and City Council. The following objectives were identified for the proposed update to the General Plan:

1. Reflect the current goals and vision and address issues and concerns expressed by city residents, businesses, decision-makers, and other stakeholders;
2. Celebrate La Verne's family-oriented environment, character, and sense of community;
3. Provide a range of high-quality housing options;
4. Accommodate new growth around the future Metro L Line Station and along the community's transportation corridors;
5. Support the initiatives of community partners including the University of La Verne;
6. Attract and retain businesses and industries that provide high-quality and high-paying jobs so that residents can live and work in La Verne;
7. Expand retail opportunities to provide better local services and increased sales tax revenues;
8. Continue to maintain the road network and improve active transportation opportunities;
9. Maintain strong fiscal sustainability and continue to provide efficient and adequate public services; and
10. Address new requirements of State law.

The City's Zoning Ordinance, codified in Title 18, Zoning of the City of La Verne Municipal Code, is to designate and regulate, the best location, use and design of buildings, structures and land for residence, commerce, trade, industry, water conservation, environmental preservation, or other purposes in appropriate places and in accordance with the La Verne General Plan. The City's Zoning Ordinance is the tool for implementing the City General Plan, and by State law, must be consistent with the General Plan. Thus, the Zoning Ordinance update revisions will ensure consistency with the revised General Plan.

GENERAL PLAN BUILDOUT SUMMARY

The EIR will evaluate the anticipated development that could occur within the Planning Area if every parcel developed at the densities and intensities expected under the General Plan. While no specific development projects are proposed as part of the La Verne General Plan Update, the General Plan will accommodate future growth in La Verne, including new businesses, expansion of existing businesses, and new residential uses. No new development is anticipated within the Sphere of Influence. The buildout analysis assumes a 20-year planning horizon, and 2045 is to be the full buildout year of the General Plan (the point at which all parcels in the City are developed according to their General Plan land use designation).

Table 1 provides a statistical summary of the buildout potential associated with the Proposed Land Use Map compared to existing on-the-ground conditions and the currently adopted General Plan.

Table 1 Buildout Statistical Summary

	Housing Units	Population	Nonresidential Square Footage	Jobs	Jobs per Housing Unit
Existing Conditions (3/3/23)	11,700	32,300	5,500,000	11,300	0.96
Current General Plan	12,900	35,600	7,500,000	15,000	1.16
Proposed Land Use Map	14,400	37,500	8,000,000	16,500	1.14
New Growth Potential Over Existing Conditions	2,700	5,200	2,500,000	5,200	N/A
New Growth Potential Over Current General Plan	1,500	1,900	500,000	1,500	N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed project could potentially affect the following environmental factors, and each will be addressed in the EIR:

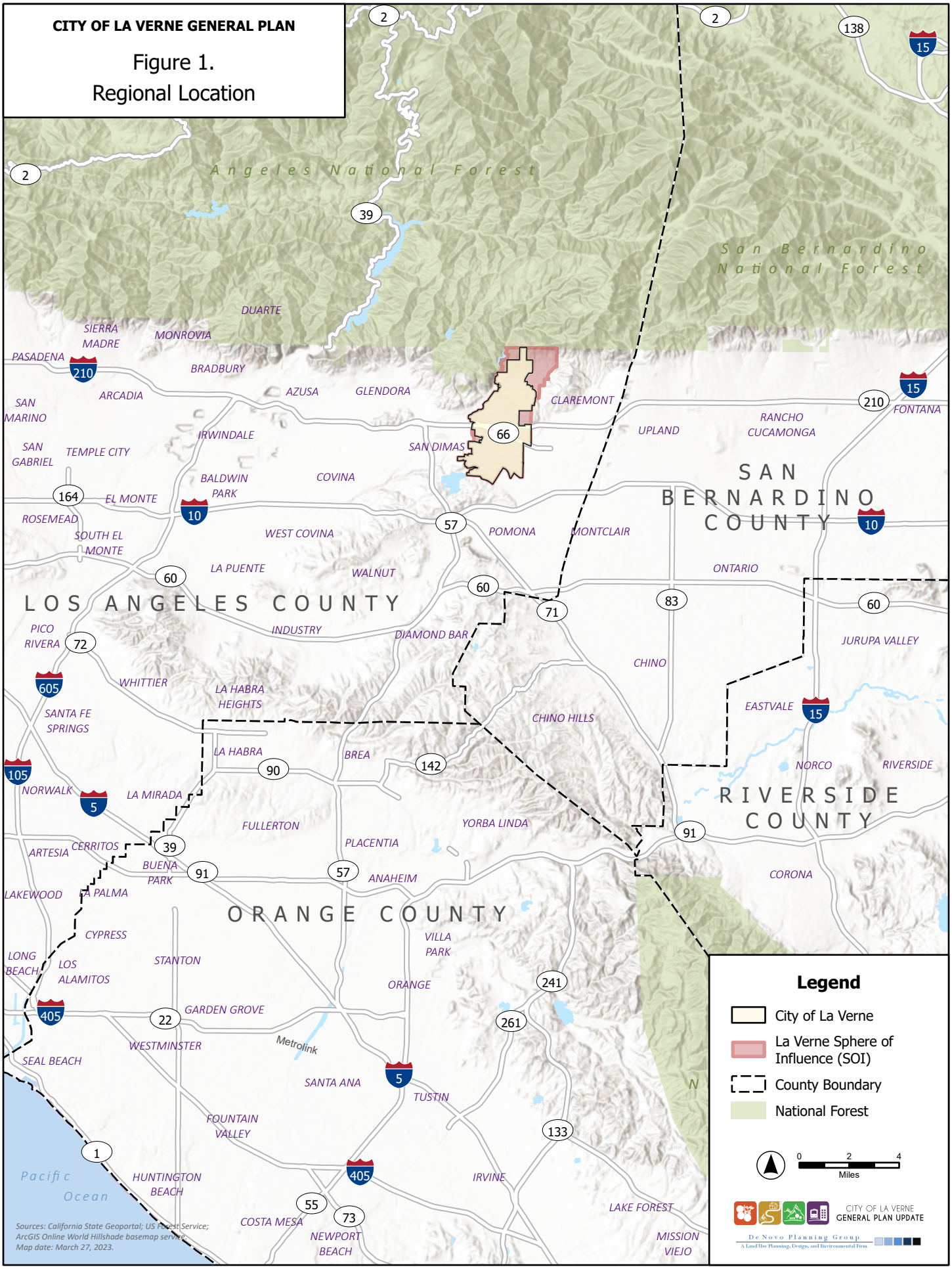
- Aesthetics
- Air Quality
- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gases Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Parks and Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfires
- Mandatory Findings of Significance

ATTACHMENTS

» Figure 1: Regional Location
» Figure 2: General Plan Planning Area
» Figure 3: General Plan Update Land Use Map

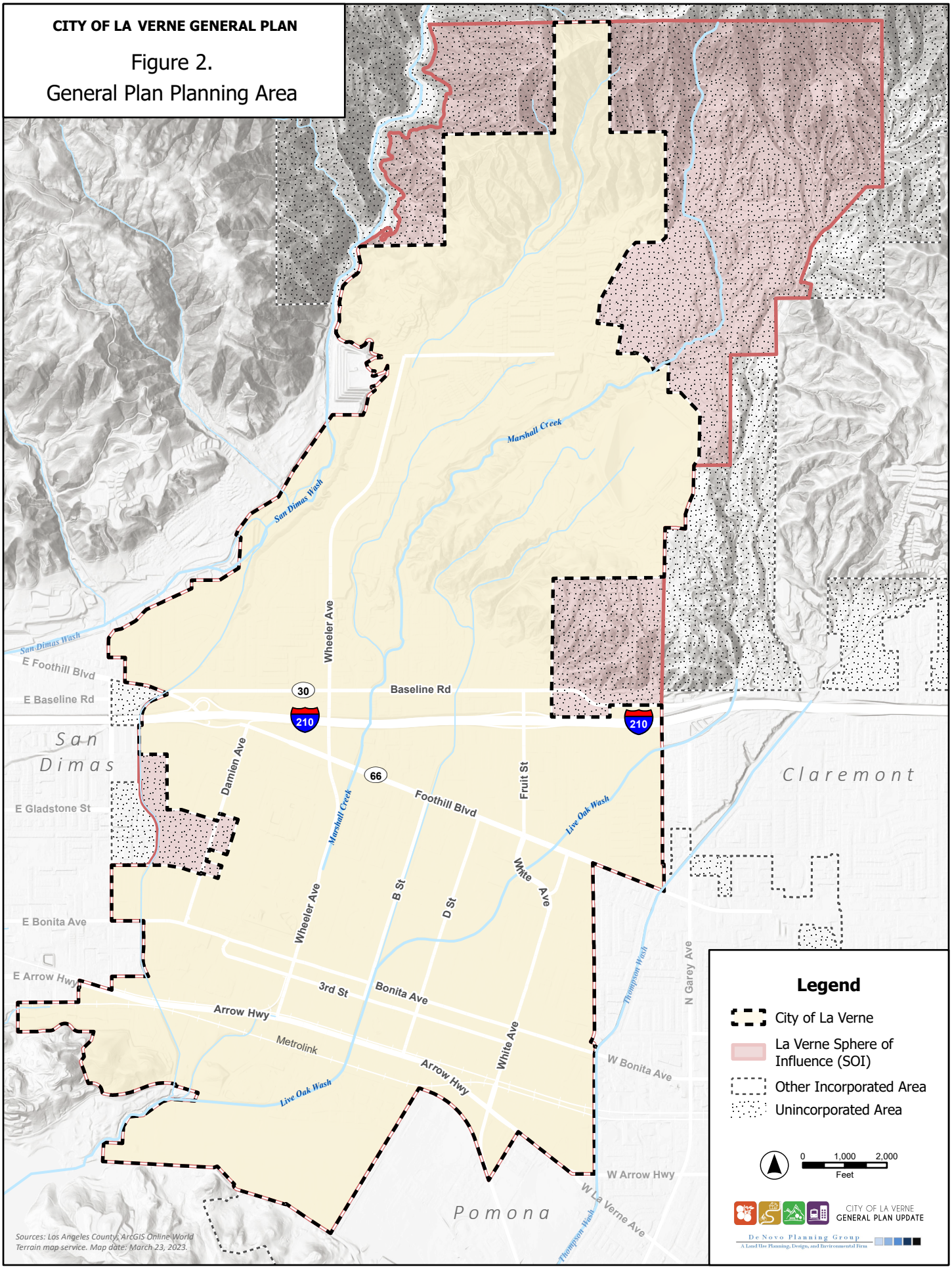
CITY OF LA VERNE GENERAL PLAN

Figure 1.
Regional Location



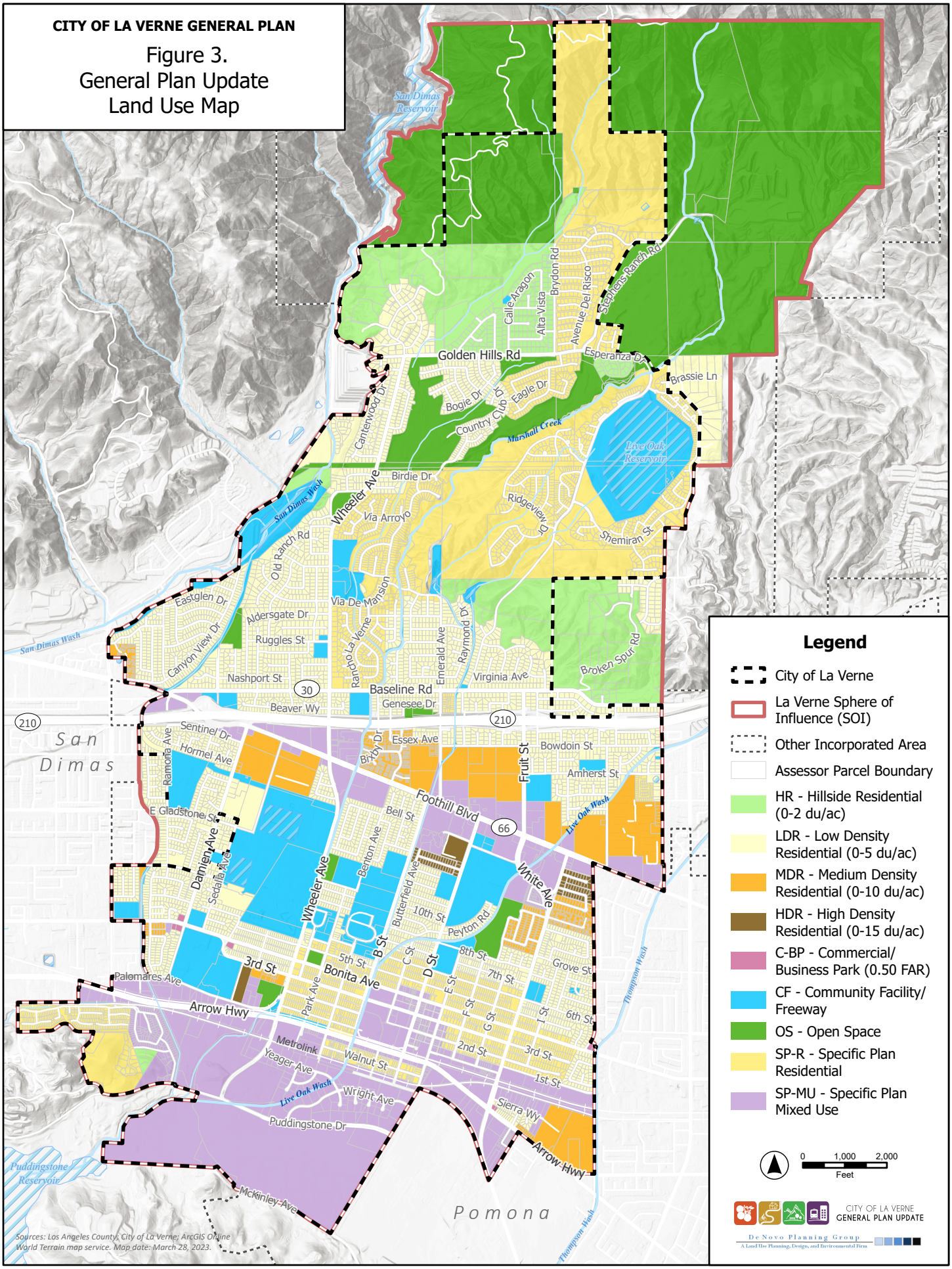
CITY OF LA VERNE GENERAL PLAN

Figure 2.
General Plan Planning Area



CITY OF LA VERNE GENERAL PLAN

Figure 3.
General Plan Update
Land Use Map



Legend

- City of La Verne
- La Verne Sphere of Influence (SOI)
- Other Incorporated Area
- Assessor Parcel Boundary
- HR - Hillside Residential (0-2 du/ac)
- LDR - Low Density Residential (0-5 du/ac)
- MDR - Medium Density Residential (0-10 du/ac)
- HDR - High Density Residential (0-15 du/ac)
- C-BP - Commercial/ Business Park (0.50 FAR)
- CF - Community Facility/ Freeway
- OS - Open Space
- SP-R - Specific Plan Residential
- SP-MU - Specific Plan Mixed Use

0 1,000 2,000 Feet

CITY OF LA VERNE GENERAL PLAN UPDATE

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

Sources: Los Angeles County; City of La Verne; ArcGIS Online World Terrain map service. Map date: March 28, 2023.

CITY OF LA VERNE
CITY HALL
3660 "D" Street, La Verne, California 91750

REVISED NOTICE OF PREPARATION AND SCOPING MEETING

DATE:	April 6, 2023
SUBJECT:	Revised Notice of Preparation (NOP) and Scoping Meeting for the La Verne General Plan and Zoning Ordinance Update Environmental Impact Report
TO:	State Clearinghouse, State Responsible Agencies, State Trustee Agencies, Other Public Agencies, Interested Organizations, Members of the Public, and the county clerk
LEAD AGENCY:	City of La Verne, Community Development Department
PROJECT TITLE:	City of La Verne General Plan and Zoning Ordinance Update

The City of La Verne circulated a Notice of Preparation (NOP) for the Project on March 30, 2023. Due to publication delays, the City is issuing this Revised NOP extending the public comment period until Monday, May 8, 2023. No other changes to the previously issued NOP have occurred.

NOTICE IS HEREBY GIVEN that the City of La Verne will prepare an Environmental Impact Report (EIR) for the City of La Verne General Plan and Zoning Ordinance Update. The City is the lead agency for the project. The purpose of this notice is (1) to serve as a Notice of Preparation (NOP) of an EIR pursuant to the State CEQA Guidelines § 15082, (2) to advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared for the proposed project, and (3) to notice the public scoping meeting.

The City determined that the proposed project would require preparation of a full-scope EIR; thus, an Initial Study was not prepared in conjunction with this Notice of Preparation (NOP). Consistent with § 15168 of the State CEQA Guidelines, the City will prepare an EIR to address the environmental impacts associated with the project at a programmatic level. The proposed project is a long-term plan consisting of policies that will guide future development activities and City actions and an update to the Zoning Ordinance to support policy implementation. No specific development projects are proposed as part of this General Plan and Zoning Ordinance Update. However, the program EIR can serve to streamline environmental review of future projects.

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and Research must submit any comments in response to this notice no later than 30 days after receipt. In accordance with the time limits established by CEQA, the NOP public review period will begin on March 30, 2023 and end on May 8, 2023.

Comments in response to this notice must be submitted in writing at the address or email below by the close of the 30-day NOP review period, which is 6:00 PM on May 8, 2023:

Candice Bowcock, Principal Planner
City of La Verne
3660 D Street
La Verne, CA 91750
Planning@cityoflaverne.org

Scoping Meeting: The City will hold a scoping meeting in conjunction with this NOP in order to present the project and the EIR process and to provide an opportunity for agency representatives and the public to assist the lead agency in determining the scope and content of the environmental analysis for the EIR. The date, time and place of the meeting is as follows:

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- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gases Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Parks and Recreation
- Transportation and Traffic
- Tribal Cultural Resources
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- Wildfires
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ATTACHMENTS

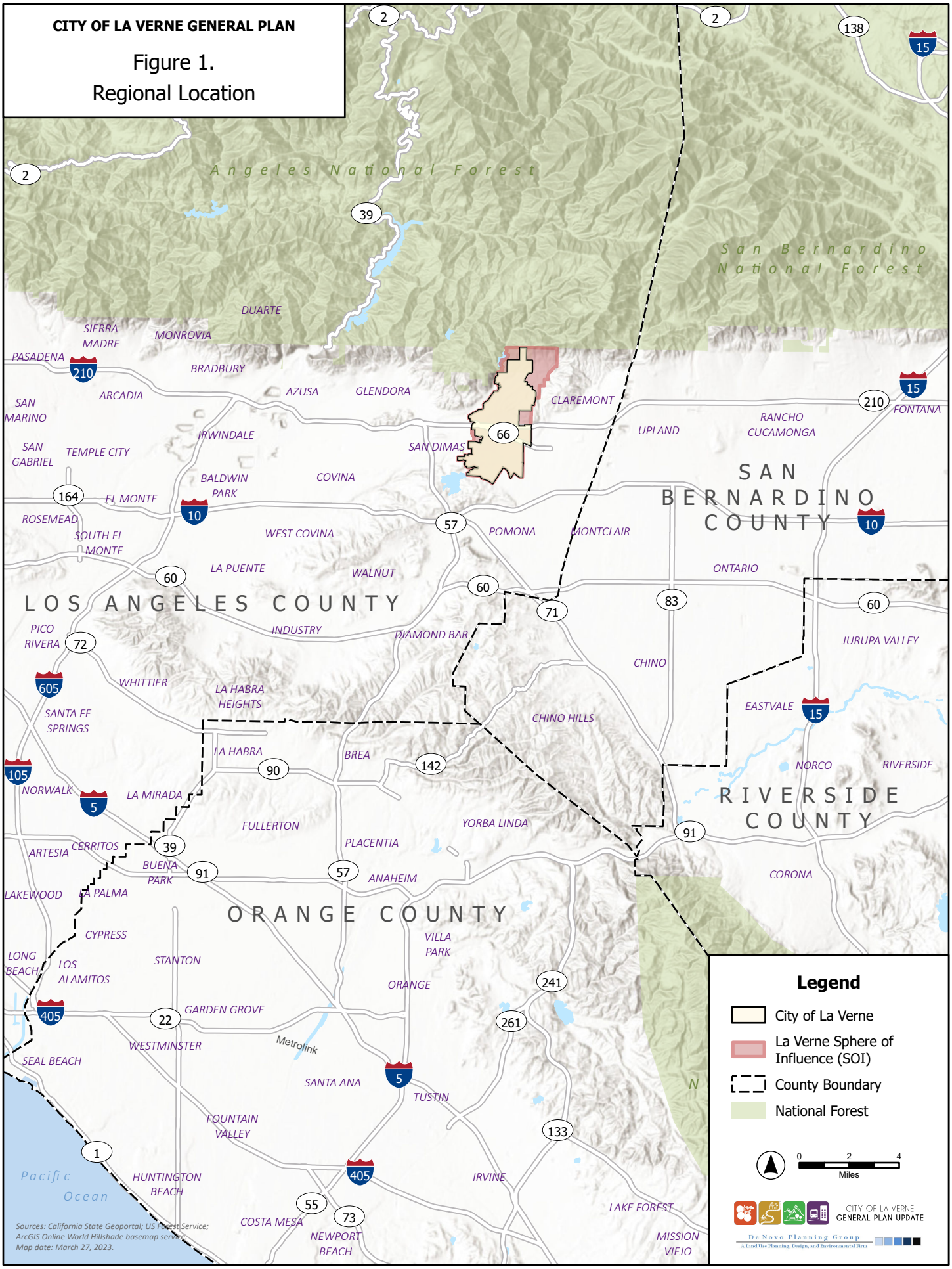
» Figure 1: Regional Location

» Figure 2: General Plan Planning Area

» Figure 3: General Plan Update Land Use Map

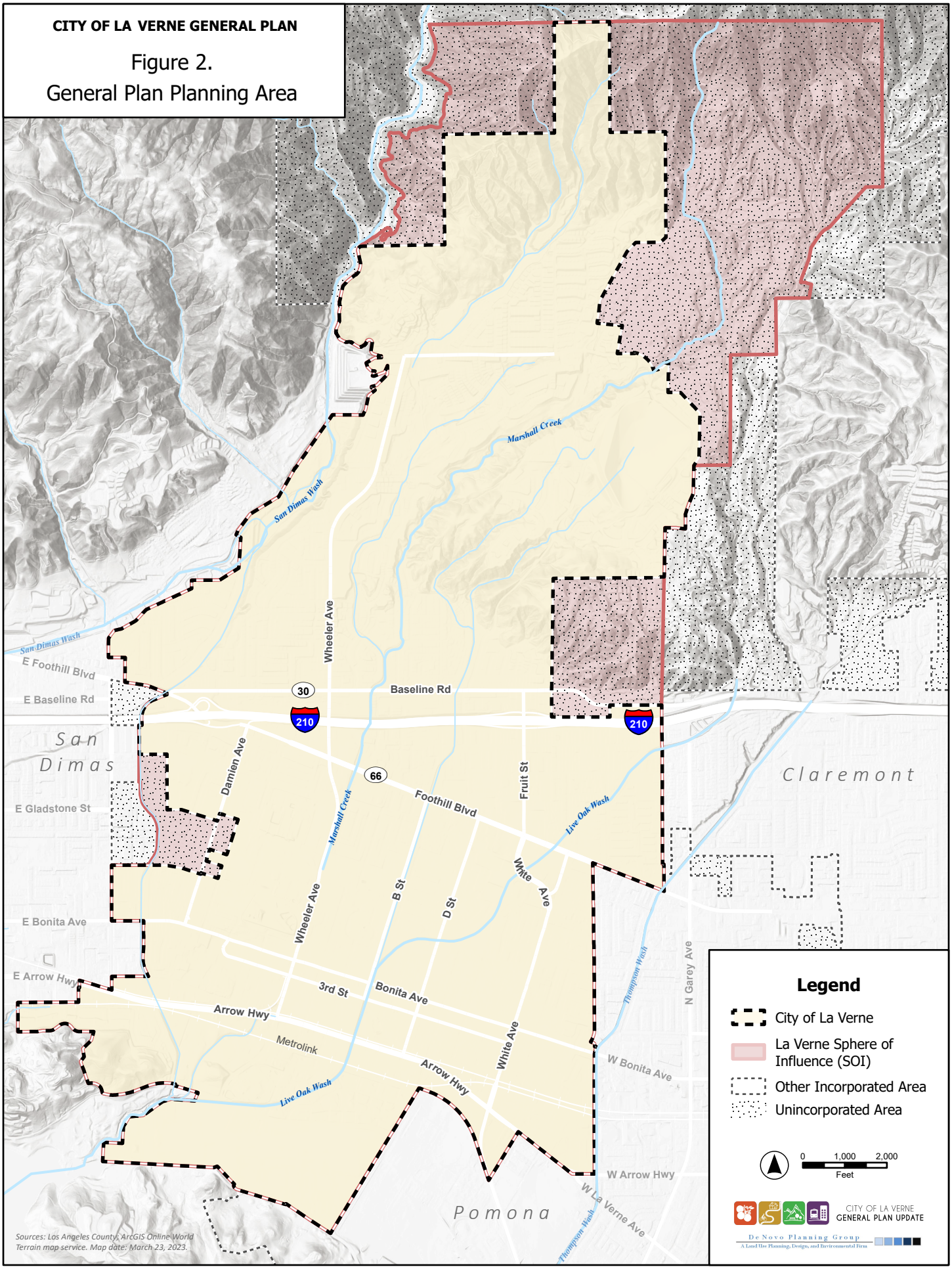
CITY OF LA VERNE GENERAL PLAN

Figure 1.
Regional Location



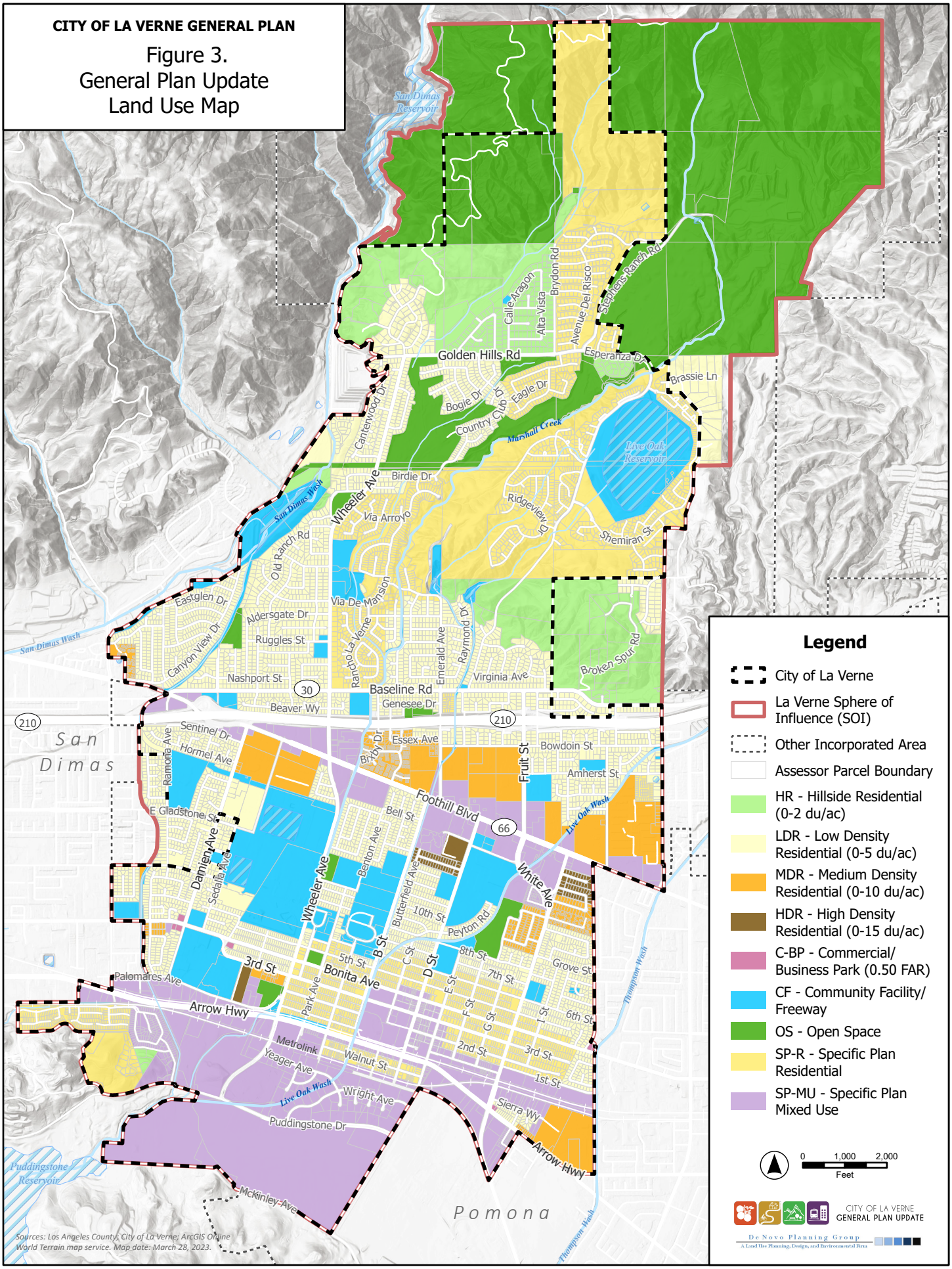
CITY OF LA VERNE GENERAL PLAN

Figure 2.
General Plan Planning Area



CITY OF LA VERNE GENERAL PLAN

Figure 3.
General Plan Update
Land Use Map



Legend

- City of La Verne
- La Verne Sphere of Influence (SOI)
- Other Incorporated Area
- Assessor Parcel Boundary
- HR - Hillside Residential (0-2 du/ac)
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CITY OF LA VERNE GENERAL PLAN UPDATE

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

Sources: Los Angeles County; City of La Verne; ArcGIS Online World Terrain map service. Map date: March 28, 2023.

NATIVE AMERICAN HERITAGE COMMISSION

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
Apr 07 2023
STATE OF CALIFORNIA

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COMMISSIONER
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EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

April 3, 2023

Candice Bowcock
City of La Verne
3660 D St.
La Verne, CA 91750

Re: 2023040002, La Verne General Plan and Zoning Ordinance Update, Los Angeles County

Dear Ms. Bowcock:

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

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

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

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

AB 52

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

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

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

SB 18

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

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

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

NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

DEPARTMENT OF TRANSPORTATION
DISTRICT 7
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 269-1124
FAX (213) 897-1337
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life



April 26, 2023

Candice Bowcock
Community Development Department
City of La Verne
3660 D Street
La Verne, CA 91750

RE: City of La Verne General Plan and Zoning Ordinance Update
SCH # 2023040002
Vic. LA-210, LA-66
GTS # LA-2023-04202-NOP

Dear Candice Bowcock:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced NOP. The City of La Verne is preparing a comprehensive update to its existing General Plan and Zoning Ordinance. The La Verne General Plan will include all of the State-mandated elements and will address five optional topics: Community Design, Community Services and Facilities, Economic Development, Fiscal Sustainability, and Health and Wellness. The General Plan is intended to be an expression of the community's vision for the City and Planning Area and constitutes the policy and regulatory framework by which future development projects will be reviewed and public improvements will be implemented.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference the Governor's Office of Planning and Research (OPR) for more information:

https://opr.ca.gov/ceqa/#guidelines-updates

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

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

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing. Overall, the environmental report should ensure all modes are served well by planning and development activities. This includes reducing single occupancy vehicle trips, ensuring safety, reducing vehicle miles traveled, supporting accessibility, and reducing greenhouse gas emissions.

We encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). This reference is available online at:

http://ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf

Also, Caltrans has published the VMT-focused Transportation Impact Study Guide (TISG), dated May 20, 2020 and the Caltrans Interim Land Development and Intergovernmental Review (LD-IGR) Safety Review Practitioners Guidance, prepared in On December 18, 2020. You can review the SB 743 Implementation Resource at the following link:

https://dot.ca.gov/programs/sustainability/sb-743/sb743-resources

Potential environmental effects of the Project should include the Transportation section with VMT analysis in the Draft Environmental Impact Report. To address all future development traffic safety concerns, for the City's consideration, Caltrans recommends the Lead Agency to include queuing analysis with actual signal timing for existing traffic conditions at the westbound/eastbound off-ramps on Freeway 210 within the General Plan at the State facilities.

Caltrans encourages lead agencies to prepare traffic safety impact analysis for this development in the California Environmental Quality Act (CEQA) review process using Caltrans guidelines above on the State facilities so that, through partnerships and collaboration, California can reach zero fatalities and serious injuries by 2050.

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 269-1124 and refer to GTS # LA-2023-04202AL-NOP.

Sincerely,

Miya Edmonson

MIYA EDMONSON
LDR/CEQA Branch Chief

email: State Clearinghouse

Governor's Office of Planning & Research

Apr 27 2023

STATE CLEARINGHOUSE

From: Frost, Erik@DOC
To: planning@cityoflaverne.org
Cc: OPR State Clearinghouse; OLRA@DOC
Subject: City of La Verne General Plan and Zoning Ordinance Update (SCH #2023040002) - CGS comments
Date: Thursday, April 27, 2023 11:44:22 AM

Hello Candice Bowcock,

The California Geological Survey (CGS) has received a Notice of Preparation of an Environmental Impact Report (EIR) for the City of La Verne General Plan and Zoning Ordinance Update. This email conveys the following recommendations from CGS concerning geologic issues related to the planning area:

1. Seismic Hazards
   The planning area appears to include a number of zones of required investigation for seismically induced landslides and liquefaction. The EIR should depict these hazard zones as they relate to the planning area and discuss the regulatory impact of these zones on development. Additional information is available at the links below:
   https://maps.conservation.ca.gov/cgs/EQZApp/app/
   https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps

Please let me know if you have any questions.

Erik

Dr. Erik Frost
Senior Engineering Geologist | Seismic Hazards Program
California Geological Survey
715 P Street, MS 1901, Sacramento, CA 95814
(916) 205-8255
erik.frost@conservation.ca.gov

Cynthia Gabaldon, PE
2529 Amherst St
La Verne

May 5,2023

City of La Verne – General Plan EIR (NOP)
Scoping Comments

Please find attached a compilation of scoping comments and concerns for the proposed General Plan (GP) EIR. The materials used for reference to these comments were found at: https://laverne.generalplan.org/documents-and-maps

General Comments

The following comments are bigger picture in concept and would affect all areas of the City.

The City is at a point in time where the forced urbanization will change the "feel" and characterization of La Verne. The General Plan must address the following bigger picture concepts which are based on the City's current Mission Statement.

Service – with an increase of over 2000 residents planned within the City and greater than 12,000 planned for the immediately adjacent cities how is "service" going to be addressed?

- How will the City reconcile the increase in services needed for the many townhomes and apartments planned? Property taxes do not cover the level of services typically needed.
- The GP needs to be clear concerning the sewering and water supply increases and the available capacity. Current capacity numbers must be included in the documents. Many municipalities are dealing with insufficient capacity due to the infrastructure sizing (piping and plant capacity). Details are required for future development to be adequately analyzed.
- The GP must address the increased needs concerning public safety. Additional police and fire will be required as urbanization continues. Again, how will this be analyzed and the GP will need to clearly state what the maximum limits currently are. This is needed to adequately address the funding required to pay for these increases.
- What about electrical and natural gas utilities? We all know that the State Power grid is deficient; how will this be addressed.

Hometown Virtues – How is the GP going to "PROVE" that the hometown virtues will not be lost. This aspect of the City of La Verne is key.

- The addition of many thousand to the City will ADD bureaucracy; will add less efficiency; will REDUCE the hometown charm.
- This singular Mission Statement goal is a fundamental key element to be addressed. If this one key is not seriously considered, the City's personality will be forever lost. How will the GP address "hometown charm" when building massive apartment and townhome buildings? We should be focusing on keeping our older neighborhoods as they are.

Quality of Life – The current Mission Statement lists out what "quality of life" pertains to: quality of life encompasses, but is not limited to, protection of the environment, sound infrastructure, safety, community aesthetics, access to education, and community and personal leisure activities. The GP must clearly and specifically address sound infrastructure and safety, as noted in previous comments but also aesthetics and community.

- The GP must address the aesthetic aspects of the planned housing. Tall buildings do NOT fit into La Verne. Small setbacks do not fit into La Verne. For example, the 3717 Fruit St project is too close to the street. Those buildings were shoved into the property; that project is NOT La Verne.
- The GP must not allow for re-zoning without a full, transparent public process. The Amherst project was "rezoned" not per plan and against the residents. The plans are still shown incorrectly. The manner in which that project was handled was against the basic premises of municipal planning policies.
- The GP must not allow for buildings like those in Glendora (Rte 66). The buildings are so tall that the roadway is in shadows most of the day. We are NOT an urban city.
- The GP must address development and retention of the parks within the City. We must enforce an increase of open-space and parks where ever possible. Current parks must not be allowed to be developed (unless for outdoor recreation needs). No municipal buildings allowed to be built on parks.
- Parks must be not allowed to be used for outdoor camping. In too many California cities the parks have been taken over by the homeless.

Responsiveness - Responsiveness includes responding to the ever-evolving needs of a diverse community and is key to citizen satisfaction.

- "Citizen satisfaction". What is citizen satisfaction? There is an increasing voice within the City to keep La Verne small. But the City Council and staff have generally ignored those voices.
- The GP needs to include a statement concerning the RHNA numbers; we are demanding a statement concerning the RHNA Audit (https://www.auditor.ca.gov/reports/2021-125/index.html). The GP is going to reflect requirements adopted in the Housing Element that are not correct. This EIR document MUST clearly address the audit and present a counter analysis.

Sound Leadership - What many citizens do not understand is that the GP is the plan for all municipal activities. It is the overall guidance for the agency.

- This GP must clearly delineate the requirement of the elected and staff to take action that is reflected of this GP. I would request that priorities are emphasized: Hometown Virtues and Quality of Life.
- For example, the City of Norco is very clear in its GP that it is a rural, equestrian community. The City of La Habra Heights is very clear in its GP that it is a rural, large property/agricultural community.
- The City of La Verne can and should clearly present a GP that is small town oriented. Many of the decisions in the past 8 to 10 years have not supported that foundational concept.

Prudent Financial Management – General Plans do not always clearly address financial management. With the planned changes to the urbanization of the City, a section must be included to adequately address the increase in costs. This singular nexus between the City functions and the property owners in the City is crucial. The expectations must be clearly and concisely presented.

- Will developers be required to pay for more CFDs? What about adding more developer paid special districts? What about having those who add ADUs to help pay for more police and fire? What specifics will be added to the development fees to cover these costs. The taxpayers of La Verne should NOT be expected to pay for more.
- It is noted that the State of California Water Quality Control Board is not forced to address economic needs in their policies and documents. The legal precedent has been determined.

Teamwork - The GP needs to have more emphasis on the public involvement.

- Require more direct mailing contact concerning public commenting.
- The City has actively ignored public comments in determining project or policy approvals. The focus of the public should be on the residents. Not on developers, the unions or any outside interests.

Specific Technical Comments

- Must have residential (SFR and MFR) height limits
- Must address setback requirements.
- Address the Statewide Trash TMDL. Multi-family, commercial, industrial and bus stops must all have Trash BMPs.
- Although the laws have changed the traffic analysis, Vehicle Miles Traveled (VMT) is not adequate to analysis of current traffic issues. There are too many locations in La Verne with traffic issues. The expected increase in population will absolutely trigger severe decreases in Level of Service (LOS).
    - A specific and serious analysis is required.
    - Streets, like Amherst St, must be correctly identified. Amherst is a residential street. The MAXIMUM volume, per the General Plan, is 1500 vehicles per day.
    - Firm statements must be made that the total vehicles on a street cannot go over the maximum planned level. This is a fundamental safety aspect of the GP. It is a fundamental QUALITY OF LIFE aspect of the GP.
    - The older maps are to be updated with clearer, user-friendly versions.
    - Any and all changes to road classifications must be vetted through the public process.
- There needs to be a GP policy about combining projects for processing for entitlements. In the recent past, the City has processed projects, in very different parts of the City together to help the developer save money. Although may be allowed, it is very anti -resident and pro-developer.
    - Projects must be analyzed on their own.
    - Cumulative impacts must be more clearly presented and analyzed for all projects. The GP needs to provide clear guidance on how to analyze these impacts.

- Hazard- overlays – the current GP was prepared using older mapping tools. This GP should provide interactive mapping tools that the residents can actively use. Current, clear maps for the hazard overlays (fire, seismic, flood inundation (if any), flight crash (due to Brackett).
- Include a map that shows INFLUENCE from adjacent jurisdictions. This will be important as significant growth is planned at the Fairplex site, in Claremont, San Dimas and Glendora.
- Be clear in the Water Quality analysis to not just state that current regulations will be followed. There are regulations that require costly BMPs and if the City has to take over maintenance of these BMPs, will be fiscally difficult to pay for.
    - This is related to both on-site and right-of-way BMPs.
- As part of the Aesthetic section of the GP, include privacy.
    - The concept that multi-story ADUs can be built without any regard to the adjacent homeowner's privacy needs to be addressed.
    - Current ADU policies need to be looked at and situations analyzed. Can these policies be revised so that adjacent property owners' concerns are better addressed.
- Oak Trees - Provide specific, clear, requirements for Oak Tree protection. The current policies have been skirted by many property owners.
    - Confirm that Oak Trees are protected when property owners change or when an ADU or RHNA project is planned.
- One of the best ways to help the environment is to plant trees. Please include a pro-tree element to the analyses.
    - Aesthetic, conservation and water quality would be affected.
- Noise – there is a definite increase in noise in the City. Especially, south of the 210 freeway. The noise from the increase in traffic is very noticeable. This is another aspect that must be adequately addressed.
- Mobile home parks – the mobile home parks must be kept in La Verne. The Foothill specific plan needs to be clearly refined to state that the parks will be kept. Mobile Home parks provide the best housing concept for lower income residents. They provide autonomy, space and community.
- The Gold Line – We must address the effects of the Gold Line. This project is NOT everything positive. There will be traffic issues, there will an increase in homeless, there will be new needs caused by this project.
- Conservation is a word that has been co-opted by certain groups to force change. The BEST conservation is to keep open space. For example, keeping yards (letting roof runoff go to yards), building a strong tree canopy (cools buildings, soil and plants), and keeping turf. Replacing turf has not been the answer – fake lawns are hotter, reflective and are made of plastics (micro plastics). When analyzing the elements, be careful about including environmental trends that are not founded on true science and engineering.

The use of the General Plan is generally the same as in the past, but at this time in City history, this specific General Plan will be THE critical document that those in the future will look at. Will future citizens state this General Plan provided the pathway to the demise of the City? Or will it be looked at as an example of thoughtful, well- analyzed planning and documentation of what the residents wanted for the City.

The number one task we, the residents of the La Verne, ask for is true, city-specific section analysis. Please do not just go through and reuse analysis that “has worked” for other cities. Look at La Verne. Talk to more people. Walk our streets. Watch the traffic. Gain an understanding of the demographics; note the change statewide in demographics (reduction; not increase). Sit at a park and talk to the people. Go to schools in the am and pm and talk to the parents as they wait in traffic.

To re-emphasize a comment made at the NOP meeting, too many in town do not trust City Hall. They do not think their voice matters; they think it is too late for the City. How the General Plan preparation, outreach and public comments are managed can be an opportunity to provide starting anew with the public. I would recommend workshops on elements of the EIR. Help people understand; they can help you make this a well-received General Plan.

Thank you for your time on this matter.

Thank you,

Cynthia Gabaldon

909-455-8520

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STATE OF CALIFORNIA • NATURAL RESOURCES AGENCY Gavin Newson, Governor
DEPARTMENT OF FISH AND WILDLIFE Charlton H. Bonham, Director

South Coast Region
3883 Ruffin Road | San Diego, CA 92123
wildlife.ca.gov

Via Electronic Mail Only

May 8, 2023

Governor's Office of Planning & Research

May 08 2023

STATE CLEARING HOUSE

Candice Bowcock
City of La Verne
3660 D Street
La Verne, CA 91750
CBowcock@cityoflaverne.org

Subject: Notice of Preparation of a Draft Environmental Impact Report for the City of La Verne General Plan and Zoning Ordinance Update, SCH #2023040002, City of La Verne, Los Angeles County

Dear Ms. Bowcock:

The California Department of Fish and Wildlife (CDFW) has reviewed a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) from the City of La Verne (City) for the City of La Verne General Plan and Zoning Ordinance Update (Project). CDFW appreciates the opportunity to provide comments regarding aspects of the Project that could affect fish and wildlife resources and be subject to CDFW's regulatory authority under the Fish and Game Code.

CDFW's Role

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.

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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.

Project Description and Summary

Objective: The Project proposes to update the general plan and zoning ordinance for the City of La Verne. The updated City of LA Verne General Plan is anticipated to be adopted in 2024 and will serve as a guide for the City's development and conservation. The Project will include a thorough set of goals, policies, and actions by which future development projects would adhere to. A revised land use map will also be proposed. The revised land use map will reflect new amendments to land use designations and additional updates related to land use. A new Very High-Density Residential land use category will also be proposed to allow for up to 32 dwelling units per acre for future development. Moreover, the proposed Project will update the zoning ordinance to ensure consistency with the updated general plan. No specific development projects will be proposed or approved as part of the Project. Overall, the updated general plan will be developed to accommodate future growth in the City of La Verne, including new businesses, expansion of existing businesses, and new residential uses. It is expected that by 2045 all the parcels in the City will be developed according to their land use designation outlined in the general plan.

Location: The Project area encompasses the City of La Verne, which is located at the eastern edge of the San Gabriel Valley in Los Angeles County. The City of La Verne is bounded by the San Gabriel Mountains to the north, the City of Glendora to the west, the City of Claremont to the east, and the City of Pomona to the south.

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

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(biological) resources. The EIR should provide adequate and complete disclosure of the Project's potential impacts on biological resources [Pub. Resources Code, § 21061; CEQA Guidelines, §§ 15003(i), 15151]. CDFW looks forward to commenting on the EIR when it is available.

Specific Comments

1) Impacts on Mountain Lion (*Puma concolor*). The northern portion of the Project area lies within the range of the San Gabriel Mountains mountain lion population. Figure 3. General Plan Update and Land Use Map, shows HR – hillside residential and LDR – low density residential land use designations within areas that may provide suitable habitat for mountain lions. Future development projects facilitated by the Project may adversely impact mountain lions through increased human presence, increased habitat loss and fragmentation, and reduced species population.

   a) Protection Status. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or CESA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). The mountain lion is a specially protected mammal in the State (Fish and G. Code, § 4800). In addition, on April 21, 2020, the California Fish and Game Commission accepted a petition to list the Southern California/Central Coast Evolutionary Significant Unit of mountain lion as threatened under CESA (CDFW 2020). As a CESA candidate species, the mountain lion in southern California is granted full protection of a threatened species under CESA.

   b) Analysis and Disclosure. The EIR should analyze and discuss the Project's potential impact and cumulative impact on mountain lion during both future project activities and for the Project's lifetime. Impacts on mountain lion behavior, reproductive viability, and overall survival success should be analyzed and discussed in the EIR. In addition, the EIR should analyze from the standpoint of the following impacts: 1) future projects introducing new/additional barriers to dispersal; 2) constraining wildlife corridors and pinch points leading to severed migration; 3) habitat loss, fragmentation, and encroachment; 4) increased human presence; and 5) and use of herbicides, pesticides, and rodenticides. Lastly, the EIR should discuss the Project's potential effect on any on-going or planned habitat recovery and restoration efforts for mountain lions.

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c) CESA. If the Project or any Project-related activity will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate take authorization under CESA may include an Incidental Take Permit (ITP) among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. To obtain appropriate take authorization under CESA, early consultation with CDFW is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project's CEQA document addresses all Project impacts on CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP. Please visit CDFW's California Endangered Species Act (CESA) Permits webpage for more information (CDFW 2023h).

2) Impact on Species of Special Concern (SSC) – Reptiles. According to the California Natural Diversity Database (CNDDB), California glossy snake (*Arizona elegans occidentalis*) have been observed within the Project area (CDFW 2023a). The California glossy snake is designated as an SSC. Future development projects facilitated by the Project may require ground disturbing activities such as grading and grubbing, which may result in reptile habitat destruction, causing the death or injury of adults, juveniles, eggs, or hatchlings. Moreover, future development projects may remove essential foraging and breeding habitat for this species.

a) Protection Status. CEQA provides protection not only for CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of SSC could require a mandatory finding of significance (CEQA Guidelines, § 15065).

b) Analysis and Disclosure. CDFW recommends the EIR provide full disclosure of presence of this SSC species and potential impacts on habitat within the Project area. To allow for a full assessment of significant impacts, surveys and assessments for the species should be disclosed in the EIR and not deferred until a later time (i.e., preconstruction surveys). If the Project

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would result in loss of suitable habitat, CDFW recommends the EIR include measures for future development projects to mitigate impacts associated with habitat loss.

c) Surveys and Avoidance. CDFW recommends the City include a measure in the EIR for future project applicants to retain a qualified biologist familiar with the reptile species behavior and life history conduct focused surveys to determine the presence/absence of these SSC. Surveys should be conducted during the active season when reptile species are most likely to be detected. Additionally, CDFW recommends that a qualified biological monitor be on site during ground and habitat disturbing activities to move out of harm's way special status species that would be injured or killed by Project-related activities. It should be noted that the temporary relocation of on-site wildlife does not constitute as effective mitigation for the purposes of offsetting future development project impacts associated with habitat loss.

3) Bats. According to CNDDB, several bat species observations including but not limited to the hoary bat (*Lasiurus cinereus*), pallid bat (*Antrozous pallidus*), and western mastiff bat (*Eumops perotis*) have been recorded throughout the Project area (CDFW 2023a). It is also widely known that numerous bat species roost in trees and structures throughout Los Angles (Miner and Stokes 2005). Bats and roosts could be impacted by removal of trees, vegetation, and/or structures supporting roosting bats. Bats and roosts could also be impacted by increased noise, human activity, dust, and ground vibration.

a) Protection Status. Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs., § 251.1). In addition, some bats are considered a California Species of Special Concern (SSC). CEQA provides protection not only for CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Take of SSC could require a mandatory finding of significance (CEQA Guidelines, § 15065).

b) Analysis and Disclosure. CDFW recommends the EIR should discuss the Project's potential impact on bats and habitat supporting roosting bats. A discussion of potential impacts should include impacts that may occur during implementation of future development projects facilitated by the proposed Project resulting in ground-disturbing activities and vegetation

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removal.

4) Impacts on Oak Trees (*Quercus* genus) and Oak Woodlands (*Quercus* genus Woodland Alliance). Oak woodlands have been recorded within the Project area (CDFW 2023a). Additionally, the future development projects facilitated by the Project may involve removal of protected trees which may include oak trees. CDFW considers oak woodlands to be a sensitive plant community since certain associations of this species have a rarity ranking of S3.

   a) Protection Status. Impacts to a sensitive natural community is be considered significant under CEQA unless impacts are clearly mitigated below a level of significance. Without appropriate mitigation, the Project may result in significant impacts on a sensitive natural community if the Project's measures and actions would remove, encroach into, or disturb such resources. Moreover, oak trees and woodlands are protected by the Oak Woodlands Conservation Act (pursuant under Fish and Game Code sections 1360-1372) and Public Resources Code section 21083.4 due to the historic and on-going loss of these resources.

   b) Analysis and Disclosure. CDFW recommends the EIR discuss the Project's potential impacts on oak trees and oak woodlands. CDFW recommends future development projects facilitated by the Project avoid and minimize development and encroachment onto oak trees and woodlands. If avoidance is not feasible, CDFW recommends the EIR include a measure that would require future project applicants to provide sufficient compensatory mitigation for the number of oak trees and acres of oak woodland habitat impacted. The number of replacement trees and oak woodland habitat acres should be higher if the Project would impact large oak trees; impact an oak woodland supporting rare, sensitive, or special status plants and wildlife; or impact an oak woodland with a State Rarity Ranking of S1, S2, or S3.

5) Impacts on Nesting Birds. Based on the United States Fish and Wildlife Service (USFWS) Critical Habitat for Threatened and Endangered Species mapper, the southern portion of the Project area is in close proximity to critical habitat for coastal California gnatcatcher (*Polioptila californica californica*) (USFWS 2023a). Alongside critical habitat for this species, there are a myriad of trees and shrubs within the Project area that support nesting birds. In Los Angeles, urban forests and street trees, both native and some non-native species, provide habitat for a high diversity of birds (Wood and Esaian 2020). In addition, several species of raptor have adapted to and exploited urban

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areas for breeding and nesting (Cooper et al. 2020). Future development projects may occur during the nesting bird season, which may result in the incidental loss of fertile eggs or nestlings, or nest abandonment.

a) Protection Status. Coastal California gnatcatcher is a species designated as an SSC and threatened under the ESA. Moreover, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any raptor.

b) Analysis and Disclosure. CDFW recommends the EIR discuss the Project's potential impact on the population and critical habitat of coastal California gnatcatcher. The EIR should also discuss the Project's potential impact on nesting birds and raptors within the Project area. A discussion of potential impacts should include impacts that may occur during implementation of future development projects facilitated by the Project resulting in ground-disturbing activities and vegetation removal.

c) Avoidance. CDFW recommends the EIR include a measure for future development projects to fully avoid impacts to nesting birds and raptors. To the extent feasible, no construction, ground-disturbing activities (e.g., mobilizing, staging, and excavating), and vegetation removal during the avian breeding season which generally runs from February 15 through September 15 (as early as January 1 for some raptors) to avoid take of birds, raptors, or their eggs.

d) Minimizing Potential Impacts. If impacts to nesting birds and raptors cannot be avoided, CDFW recommends the EIR include measures that require future development projects to minimize impacts on nesting birds and raptors. Prior to starting ground-disturbing activities and vegetation removal, a qualified biologist should conduct nesting bird and raptor surveys to identify nests. The qualified biologist should establish no-disturbance buffers to minimize impacts on those nests. CDFW recommends a minimum 300-foot no disturbance buffer around active bird nests. For raptors, the no disturbance buffer should be expanded to 500 feet and 0.5 mile for special status species, if feasible. Personnel working on the Project, including all contractors working on site, should be

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instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. Reductions in the buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors determined by a qualified biologist.

6) Lake and Streambed Alteration Program. According to U.S. Fish and Wildlife Service's (USFWS) National Wetland Inventory, Marshall Creek, San Dimas Wash, and Live Oak Wash flow through the Project area (USFWS 2023b). Future development projects may impact the stream and potentially result in loss of riverine habitat.

   a) Analysis and Disclosure. In preparation of the EIR, CDFW recommends the EIR include a stream delineation and evaluation of impacts on any river, stream, or lake. The EIR should discuss the Project's potential impact on streams including impacts on associated natural communities. Impacts may include channelizing or diverting streams, impairing a watercourse, and removing or degrading vegetation through habitat modification (e.g., loss of water source, encroachment, and edge effects leading to introduction of non-native plants). These impacts may occur from future development projects facilitated by the proposed Project.

   b) Fish and Game Code section 1602. 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. As a Responsible Agency under CEQA, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream or use material from a streambed. For any such activities, the project applicant (or "entity") must notify CDFW. Accordingly, if the Project would impact streams, the EIR should include measures that require future project applicants to notify CDFW pursuant to Fish and Game Code section 1602 prior to starting activities that may impact streams. Please visit CDFW's Lake and Streambed Alteration Program webpage for more information (CDFW 2023g).

7) Los Angeles County Significant Ecological Areas (SEAs). A portion of the Project area lies within the San Dimas Canyon/San Antonio Wash SEA. The Project area is also located north of the East San Gabriel Valley SEA. Los Angeles County SEAs are officially designated areas within Los Angeles

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County identified as having irreplaceable biological resources (LACDRP 2023). These areas represent the wide-ranging biodiversity of Los Angeles County and contain some of Los Angeles County's most important biological resources. CDFW recommends the EIR provide a discussion and analysis on the Project's impact on these SEAs. CDFW also recommends the City include measures that require future development projects to avoid development and encroachment onto these SEAs. If not feasible, recommends the EIR provide measures that require future development projects facilitated by the Project to analyze impacts on SEAs being encroached upon.

General Comments

1) Biological Baseline Assessment. The EIR should provide an adequate biological resources assessment, including a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area and where the Project may result in ground disturbance. The assessment and analysis should place emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the Project area. CDFW also considers impacts to SSC a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. An environmental document should include the following information:

   a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. The EIR should include measures to fully avoid and otherwise protect Sensitive Natural Communities from Project-related impacts. CDFW considers these communities as threatened habitats having both regional and local significance. Plant communities, alliances, and associations with a state-wide ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting the Vegetation Classification and Mapping Program - Natural Communities webpage (CDFW 2023b);

   b) A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and

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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;

c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at a Project area and within the neighboring vicinity. The Manual of California Vegetation Online should also be used to inform this mapping and assessment (CNPS 2023). Adjoining habitat areas should be included in this assessment if the Project could lead to direct or indirect impacts off site. Habitat mapping at the alliance level will help establish baseline vegetation conditions;

d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by a Project. California Natural Diversity Database in Sacramento should be contacted to obtain current information on any previously reported sensitive species and habitat. An assessment should include a nine-quadrangle search of the CNDDB to determine a list of species potentially present in a Project area. A lack of records in the CNDDB does not mean that rare, threatened, or endangered plants and wildlife do not occur in the Project area. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review [CEQA Guidelines, § 15003(i)];

e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on 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 a project area should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See CDFW's Survey and Monitoring Protocols and Guidelines for established survey protocol for select species (CDFW 2023c). Acceptable species-specific survey procedures may be developed in consultation with CDFW and the USFWS; and

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f) A recent wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of a proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame or in phases.

2) Scientific Collecting Permit. Pursuant to the California Code of Regulations, title 14, section 650, qualified biologist(s) must obtain appropriate handling permits to capture, temporarily possess, and relocated wildlife to avoid harm or mortality in connection with Project-related activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). Please visit CDFW's Scientific Collection Permits webpage for information (CDFW 2023e).

3) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of removing plants and wildlife from one location and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to endangered, rare, or threatened plants and animals. Studies have shown that these efforts are experimental and the outcome unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving plants and animals and their habitats.

4) Disclosure. A EIR should provide an adequate, complete, and detailed disclosure about the effect which a proposed Project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, §15151). Adequate disclosure is necessary so CDFW may provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as to assess the significance of the specific impact relative to plant and wildlife species impacted (e.g., current range, distribution, population trends, and connectivity).

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5) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures [CEQA Guidelines, §§ 15002(a)(3), 15021]. Pursuant to CEQA Guidelines section 15126.4, an environmental document "shall describe feasible measures which could mitigate for impacts below a significant level under CEQA."

   a) Level of Detail. Mitigation measures must be feasible, effective, implemented, and fully enforceable/imposed by the Lead Agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4). A public agency "shall provide the measures that are fully enforceable through permit conditions, agreements, or other measures" (Pub. Resources Code, § 21081.6). CDFW recommends the City provide mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and clear in order for a measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097). Adequate disclosure is necessary so CDFW may provide comments on the adequacy and feasibility of proposed mitigation measures.

   b) Disclosure of Impacts. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the Project as proposed, the EIR should include a discussion of the effects of proposed mitigation measures [CEQA Guidelines, § 15126.4(a)(1)]. In that regard, the EIR should provide an adequate, complete, and detailed disclosure about the Project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.

6) Data. CEQA requires that information developed in environmental impact reports 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 and natural communities detected by completing and submitting CNDDB Field Survey Forms (CDFW 2023d). To submit information on special status native plant populations and sensitive natural communities, the Combined Rapid Assessment and Relevé Form should be completed and submitted to CDFW's Vegetation Classification and Mapping Program

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(CDFW 2023f). The City should ensure data collected for the preparation of the EIR be properly submitted, with all data fields applicable filled out. The data entry should also list pending development as a threat and then update this occurrence after impacts have occurred.

7) Biological Direct, Indirect, and Cumulative Impacts. CDFW recommends providing a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. The EIR should address the following:

   a) A discussion regarding Project-related indirect impacts on biological resources, including 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.)]. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the EIR;

   b) A discussion of both the short-term and long-term effects to species population distribution and concentration and alterations of the ecosystem supporting the species impacted [CEQA Guidelines, § 15126.2(a)];

   c) A discussion of potential adverse impacts from lighting, noise, temporary and permanent human activity, and exotic species, and identification of any mitigation measures;

   d) A discussion of Project-related changes on drainage patterns; the volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project area. The discussion should also address the potential water extraction activities and the potential resulting impacts on the habitat (if any) supported by the groundwater. Mitigation measures proposed to alleviate such Project impacts should be included;

   e) An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation

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measures to reduce these conflicts should be included in the EIR; and

f) A cumulative effects analysis, as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant and wildlife species, habitat, and vegetation communities. If the City determines that the Project would not have a cumulative impact, the EIR should indicate why the cumulative impact is not significant. The City's conclusion should be supported by facts and analyses [CEQA Guidelines, § 15130(a)(2)].

8) Compensatory Mitigation. The EIR should include mitigation measures for adverse Project-related direct or indirect impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement, financial assurance and dedicated to a qualified entity for long-term management and monitoring. Under Government Code, section 65967, the Lead Agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.

9) Long-term Management of Mitigation Lands. For proposed preservation and/or restoration, an EIR should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset the Project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands.

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Conclusion

We appreciate the opportunity to comment on the NOP for the City of La Verne General Plan and Zoning Ordinance Update to assist the City in identifying and mitigating Project impacts on biological resources. If you have any questions or comments regarding this letter, please contact Julisa Portugal, Environmental Scientist, at Julisa.Portugal@wildlife.ca.gov or (562) 330-7563.

Sincerely,

DocuSigned by:
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Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW
Erinn Wilson-Olgin, Seal Beach – Erinn.Wilson-Olgin@wildlife.ca.gov
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
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

OPR
State Clearinghouse – State.Clearinghouse@opr.ca.gov

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SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017
T: (213) 236-1800
www.scag.ca.gov

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May 8, 2023

Candice Bowcock, Principal Planner
City of La Verne, Community Development Department
3660 D Street
La Verne, California 91750
Phone: (909) 596-8706
E-mail: Planning@cityoflaverne.org

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the City of La Verne General Plan and Zoning Ordinance Update [SCAG NO. IGR10857]

Dear Candice Bowcock,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the City of La Verne General Plan and Zoning Ordinance Update ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG's adopted regional plans, to be determined by the lead agencies.[1]

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS). SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and align with RTP/SCS policies. Finally, SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the City of La Verne General Plan and Zoning Ordinance Update in Los Angeles County. The proposed project includes a comprehensive update to the existing long-term general plan, including all State-mandated elements (excluding the recently adopted 2021-2029 Housing Element), plus five optional topics of Community Design, Community Services and Facilities, Economic Development, Fiscal Sustainability, and Health and Wellness.

When available, please email environmental documentation to *IGR@scag.ca.gov* providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the Intergovernmental Review (IGR) Program, attn.: Annaleigh Ekman, Senior Regional Planner, at (213) 630-1427 or IGR@scag.ca.gov. Thank you.

Sincerely,

Frank Wen, Ph.D.
Manager, Planning Strategy Department

[1] Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2020 RTP/SCS (Connect SoCal) for the purpose of determining consistency for CEQA.

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF LA VERNE GENERAL PLAN AND ZONING ORDINANCE UPDATE [SCAG NO. IGR10857]

CONSISTENCY WITH CONNECT SOCAL

SCAG provides informational resources to facilitate the consistency of the proposed project with the adopted 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal). For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with Connect SoCal.

CONNECT SOCAL GOALS

The SCAG Regional Council fully adopted Connect SoCal in September 2020. Connect SoCal, also known as the 2020 – 2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in Connect SoCal may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project. Among the relevant goals of Connect SoCal are the following:

SCAG CONNECT SOCAL GOALS	
Goal #1:	*Encourage regional economic prosperity and global competitiveness*
Goal #2:	*Improve mobility, accessibility, reliability and travel safety for people and goods*
Goal #3:	*Enhance the preservation, security, and resilience of the regional transportation system*
Goal #4:	*Increase person and goods movement and travel choices within the transportation system*
Goal #5:	*Reduce greenhouse gas emissions and improve air quality*
Goal #6:	*Support healthy and equitable communities*
Goal #7:	*Adapt to a changing climate and support an integrated regional development pattern and transportation network*
Goal #8:	*Leverage new transportation technologies and data-driven solutions that result in more efficient travel*
Goal #9:	*Encourage development of diverse housing types in areas that are supported by multiple transportation options*
Goal #10:	*Promote conservation of natural and agricultural lands and restoration of habitats*

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

SCAG CONNECT SOCAL GOALS		
	Goal	Analysis
Goal #1:	*Encourage regional economic prosperity and global competitiveness*	*Consistent: Statement as to why;* *Not-Consistent: Statement as to why;* *Or* *Not Applicable: Statement as to why;* *DEIR page number reference*
Goal #2:	*Improve mobility, accessibility, reliability and travel safety for people and goods*	*Consistent: Statement as to why;* *Not-Consistent: Statement as to why;* *Or* *Not Applicable: Statement as to why;* *DEIR page number reference*
etc.		etc.

Connect SoCal Strategies

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. Of particular note are multiple strategies included in Chapter 3 of Connect SoCal intended to support implementation of the regional Sustainable Communities Strategy (SCS) framed within the context of focusing growth near destinations and mobility options; promoting diverse housing choices; leveraging technology innovations; supporting implementation of sustainability policies; and promoting a Green Region. To view Connect SoCal and the accompanying technical reports, please visit the Connect SoCal webpage. Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

DEMOGRAPHICS AND GROWTH FORECASTS

A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG's 197 jurisdictions provided feedback on the forecast of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e., transportation analysis zone (TAZ) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California's GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal's Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect

SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the Connect SoCal Demographics and Growth Forecast Technical Report. The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of La Verne Forecasts			
	Year 2020	**Year 2030**	**Year 2035**	**Year 2045**	**Year 2020**	**Year 2030**	**Year 2035**	**Year 2045**
Population	19,517,731	20,821,171	21,443,006	22,503,899	33,246	33,659	33,902	34,414
Households	6,333,458	6,902,821	7,170,110	7,633,451	11,754	12,008	12,135	12,388
Employment	8,695,427	9,303,627	9,566,384	10,048,822	17,190	17,620	17,836	18,267

MITIGATION MEASURES

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for Connect SoCal for guidance, as appropriate. SCAG's Regional Council certified the PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on May 7, 2020 and also adopted a PEIR Addendum and amended the MMRP on September 3, 2020 (please see the PEIR webpage and scroll to the bottom of the page for the PEIR Addendum). The PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

ENVIRONMENTAL JUSTICE

Per Senate Bill 1000 (SB 1000), local jurisdictions in California with disadvantaged communities are required to develop an Environmental Justice (EJ) Element or consider EJ goals, policies, and objectives in their General Plans when updating two or more General Plan Elements. The City of La Verne does not have any disadvantaged communities but if the City would like to consider environmental justice in its General Plan Update SCAG staff recommends that you review the Environmental Justice Technical Report and the updated Environmental Justice Toolbox, which is a resource document to assist local jurisdictions in developing EJ-related goals and policies regarding solutions for EJ-related community issues.