

**RESPONSES TO COMMENTS
TO
DRAFT PROGRAM ENVIRONMENTAL
IMPACT REPORT**

AMARGOSA CREEK SPECIFIC PLAN

SCH#2007021012

Prepared for:

City of Lancaster
44933 N. Fern Avenue
Lancaster, California 93534
Mr. Brian Ludicke, Planning Director

Prepared by:

Impact Sciences, Inc.
803 Camarillo Springs Road, Suite A
Camarillo, California 93012

July 2007

1. INTRODUCTION

This document includes written comments received on the *Amargosa Creek Specific Plan Draft Program EIR* (SCH No. 2007021012) from public agencies, and from private individuals, organizations, and neighborhood groups during the public review period from May 17 to July 2, 2007. Responses for each comment are provided as required by Section 15088 of the *CEQA Guidelines*.

As required by Public Resources Code Section 21092.5, these responses to comments were provided to each public agency commenting on the EIR a minimum of ten days prior to the Planning Commission's consideration of the Final EIR.

2. RESPONSES TO WRITTEN COMMENTS

A list of all correspondence received by the City of Lancaster on the Draft Program EIR during the public review period is provided below, followed by the actual letters and responses to all comments that pertain to the content and/or adequacy of the Draft EIR. Comments are enumerated in the right hand margin of each letter. Corresponding responses include a summary of the comment and a response to those comments that addresses the content and adequacy of the Draft Program EIR.

a. Federal Agencies

None

b. State Agencies

1. Terry Roberts, Director, State Clearinghouse, State Clearinghouse and Planning Unit, Sacramento, California, correspondence dated July 3, 2007.
2. Dave Singleton, Program Analyst, Native American Heritage Commission, Sacramento, California, correspondence dated May 29, 2007.
3. Cheryl J. Powell, IGR/CEQA Branch Chief, California Department of Transportation, District 7, Los Angeles, California, correspondence dated June 7, 2007.
4. Kevin Hunting, Acting Regional Manager, California Department of Fish and Game, San Diego, California, correspondence dated June 28, 2007.

c. Regional Agencies

5. Randy Floyd, Executive Director, Antelope Valley Transit Authority, Lancaster, California, correspondence dated May 22, 2007.
6. Karen S. Mellor, Entomologist/Operations Supervisor, Antelope Valley Mosquito & Vector Control District, Lancaster, California, correspondence dated June 26, 2006.
7. Steve Wylie, Assistant Executive Officer, Finance and Administration, Metrolink, Los Angeles, California, correspondence dated June 27, 2007.
8. Jacob Lieb, Southern California Association of Governments, Los Angeles, California, correspondence dated July 2, 2007.

d. County Agencies

9. John R. Todd, Chief, Forestry Division, County of Los Angeles Fire Department, Los Angeles, California, correspondence dated June 15, 2007.
10. Ruth I. Frazen, Engineering Technician, County Sanitation Districts of Los Angeles County, Whittier, California, correspondence dated June 20, 2007.

e. Local Agencies

11. Asoka Herath, Director of Planning, City of Palmdale, Palmdale, California, correspondence dated June 26, 2007.

f. Private Individuals and Organizations/Neighborhood Groups

12. Nancy G. Burke, Kaiser Permanente, Pasadena, California, correspondence dated June 13, 2007.
13. Dean Webb, Lancaster, California, correspondence dated June 26, 2007.
14. Sandra G. Yavitz, Yavitz Companies, Seal Beach, California, correspondence dated July 2, 2007.



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

July 3, 2007

Brian S. Ludicke
City of Lancaster
44933 N. Fern Avenue
Lancaster, CA 93534

Subject: Amargosa Creek Specific Plan
SCH#: 2007021012

Dear Brian S. Ludicke:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 2, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov



1

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State Clearinghouse Data Base

SCH# 2007021012
Project Title Amargosa Creek Specific Plan
Lead Agency Lancaster, City of

Type EIR Draft EIR
Description The Amargosa Creek Specific Plan is comprised of two major districts: the commercial district and the medical district. It is anticipated that the square footage in the commercial district would be between 1.1 and 1.6 million square feet and would be built out over approximately ten years. The medical district would consist of approximately 656,200 square feet of medical uses and associated parking to be built out over 25 years.

Lead Agency Contact

Name Brian S. Ludicke
Agency City of Lancaster
Phone (661) 723-6100 **Fax**
email
Address 44933 N. Fern Avenue
City Lancaster **State** CA **Zip** 93534

Project Location

County Los Angeles
City Lancaster
Region
Cross Streets Avenue L, 10th Street West, Avenue K-8, and 5th Street West
Parcel No.
Township 7N **Range** 12W **Section** 27 **Base** SBBM

Proximity to:

Highways SR 14
Airports
Railways Union Pacific
Waterways Amargosa Creek
Schools
Land Use GP: Commercial (C) and Light Industry (LI)
 Z: Commercial Planned Development (CPD) and Light Industrial (LI)

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Water Quality; Water Supply; Aesthetic/Visual; Flood Plain/Flooding; Traffic/Circulation; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Integrated Waste Management Board; California Highway Patrol; Caltrans, District 7; Department of Health Services; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; Public Utilities Commission

Date Received 05/17/2007 **Start of Review** 05/17/2007 **End of Review** 07/02/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.

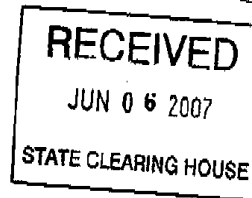
NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5380
 Web Site www.nahc.ca.gov
 e-mail: ds_nahc@pacbell.net



May 29, 2007

Mr. Brian Ludicke
CITY OF LANCASTER
 44933 Fern Avenue
 Lancaster, CA 93534



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Re: SCH#2007021012: CEQA Notice of Completion: Draft Environment Impact Report (DEIR) for Amargosa Creek Specific Plan Project, City of Lancaster, Los Angeles County, California

Dear Mr. Ludicke:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. We are responding to meet both CEQA and SB 18 (Government Code §65352.3) Tribal Consultation requirements. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- ✓ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/853-7278) <http://www.ohp.parks.ca.gov/1068/files/IC%20Roster.pdf>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ 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.
 - 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.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- ✓ Contact the Native American Heritage Commission (NAHC) for:
 - A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE).
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- ✓ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

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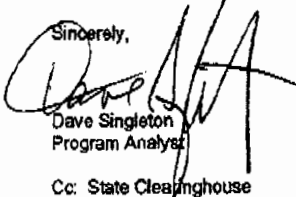
* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

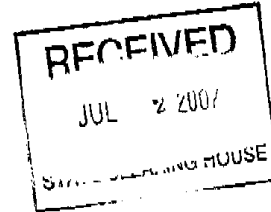


DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



June 28, 2007



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Mr. Brian Ludicke
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534

**Draft Environmental Impact Report for
Amargosa Creek Specific Plan
SCH # 2007021012, Los Angeles County**

Dear Mr. Ludicke:

The Department of Fish and Game (Department) reviewed the Draft Environmental Impact Report (DEIR) for the above referenced proposed project relative to impacts to biological resources. The Amargosa Creek Specific Plan is composed of two major development districts: the commercial district and the medical district which are anticipated to be built over the next 10 years and 25 years respectively. The development districts are proposed to be constructed on approximately 152 acres of vacant land located northeast of the intersection of 10th Street West and Avenue L within the City of Lancaster. Amargosa Creek, a major drainage within the Antelope Valley and City of Lancaster, traverses through the two development districts and carries seasonal flows and urban runoff. The development districts support disturbed desert scrub, dry creek wash, scattered Joshua trees, and disturbed vacant lots supporting exotic ruderal species. The soft bottom Amargosa Creek runs unimpeded through the project site and enters an underground concrete culvert just north of the project site. The project site is surrounded by urban and suburban uses to the north, north east and west and vacant lands to the south, east and southeast.

We prepared the following statements and comments pursuant to our authority as Trustee Agency with jurisdiction over natural resources affected by the project under the California Environmental Quality Act (CEQA Section 15386) and Responsible Agency (Section 15381) over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq) and Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

IMPACTS TO BIOLOGICAL RESOURCES

1. Sensitive Wildlife Resources – The DEIR states that the project site supports habitat for the state threatened Mohave ground squirrel (MGS) and in recognition, Department protocol trapping for MGS was conducted in 2005 with negative results.

- a. If a survey conducted according to the Department's trapping guidelines results in no capture or observation of the Mohave ground squirrel on a project site, this is not necessarily evidence that the Mohave ground squirrel does not exist on the site or that

the site is not actual or potential habitat of the species. As stated in the Department's guidelines "in the circumstance of such a negative result, the Department will stipulate that the project site harbors no Mohave ground squirrels. This stipulation will expire one year from the ending date of the last trapping on the project site conducted according to these guidelines." Because the project site was trapped in 2005, areas of proposed project disturbances within MGS habitat should be retrapped to determine presence or absence of MGS. Because the project build out is proposed in phases over the next 10 to 25 years, the Department recommends trapping only those areas where ground disturbance activities are proposed within one year from the last trapping date for that location.

Burrowing Owl - The DEIR indicates that focused surveys for burrowing owl (BUOW) were conducted in 2005 and 2007 and recommends focused surveys within 30 days prior to project construction followed by passive removal of owls and acquisition of mitigation habitat to mitigate for loss of BUOW habitat.

The Department does not consider complete focused surveys for burrowing owl over one year old valid for purposes of determining avoidance and mitigation measures for this species. It is not clear in the DEIR if the referenced focused burrowing owl surveys were conducted following the Department's 1995 *Staff Report on Burrowing Owl Mitigation* and the Burrowing Owl Consortium's 1992 *Burrowing Owl Protocol and Mitigation Guidelines* including the passive relocation guidelines. The guidelines specify that if a Phase II survey results in the discovery of burrowing owl, sign, or potential burrow sites for burrowing, a Phase III survey must be performed during the breeding season to determine use of the site by burrowing owl and total number of owls on the site. Spring surveys assist in assessing the extent and type of site use and the area of mitigation needed to offset the unavoidable loss of habitat. The 6.5 acre land acquisition mitigation recommendation in the guidelines and proposed in the DEIR are minimum habitat requirements for burrowing owl and actual habitat needs are often larger. Phase III breeding season surveys should consist of four site visits to be conducted on four separate days and should be performed between April 15 and July 15 to maximize detection. Preconstruction surveys of suitable habitat at the project site(s) and buffer zone(s) should be conducted within the 30 days prior to construction to ensure no additional, burrowing owls have established territories since the initial surveys. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site should be resurveyed. Preconstruction surveys should also consist of four site visits to be conducted on four separate days regardless of the time of year. If burrowing owls are found to be occupying the site, the Department recommends avoidance and mitigation measures as recommended in the above referenced guidelines to assist in avoiding take and to mitigate for unavoidable loss of burrowing owl habitat. Additional information regarding the Department's burrowing owl conservation measures may be viewed online by entering "Burrowing Owl Consortium" as a search topic.

Jurisdictional Drainages - The DEIR states that there are nine acres of dry riverbed wash on the project site and that the project proponent will procure a streambed alteration agreement for impacts to Department Jurisdictional Drainages.

- a. The Department concurs that a streambed alteration agreement will be required for unavoidable project impacts to Department jurisdictional drainages. The biological resource impact and mitigation section in the DEIR should quantify temporary and/or permanent project impacts to Amargosa Creek or any other associated drainages on the site. Simply stating that the applicant will get a streambed alteration agreement from the Department should not be considered mitigation under CEQA as formulation of mitigation

Mr. Brian Ludicke
June 28, 2007
Page 3

measures should not be deferred to some future time (CEQA Guidelines Section 15126.4 (a) (1) (B)).

b. Amargosa Creek is recognized as an important local and regional hydrologic and biological resource. Continued channelization and other alterations to this drainage system continue to degrade water quality and reduce biological diversity within this region. Project impacts that are proposed to adversely alter the location and/or hydrologic function of Amargosa Creek should be considered a direct and cumulative adverse impact under CEQA. The Department recommends avoidance of Amargosa Creek as a project alternative measure in the DEIR. Avoidance should include provisions for providing appropriate buffers to allow for natural hydrologic function and biological resources to flourish and persist within this drainage. The Department further recommends that the lead agency develop a watershed plan that discourages lead agency approval of discretionary activities which are designed in a manner that will necessitate diminishing hydrologic and biological function within the Amargosa Creek watershed.

Thank you for this opportunity to provide comments. Questions regarding this letter and further coordination on these issues should be directed to Mr. Scott Harris, Environmental Scientist, at (626) 797-3170.

Sincerely,

Theresa A. Stewart
for Kevin Hunting
Acting Regional Manager

cc: Mr. Michael Mulligan, San Diego
Ms. Terri Dickerson, Laguna Niguel
Mr. Scott Harris, Pasadena
Ms. Jamie Jackson, Pasadena
HCP-Chron
Department of Fish and Game

✓ State Clearinghouse, Sacramento

Ms. Judith Keir
California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306

SPH:sph
spharris/City of Lancaster DEIR-Amargosa Creek Specific Plan.doc

1. Responses to Letters Received from Terry Roberts, Director, State Clearinghouse, State Clearinghouse and Planning Unit, Sacramento, California, correspondence dated July 3, 2007.

Comment 1

This comment identifies the state agencies that received the Draft Program EIR for review, states that the public review period closed on July 2, 2007, and forwards the comment letters received on the proposed project. The comment also refers to administrative issues as they pertain to the State Clearinghouse and responsibilities of the commenting state agencies.

Response 1

This comment is acknowledged. The comment letters forwarded include one from the Native American Heritage Commission dated May 29, 2007, and one from the California Department of Fish and Game dated June 28, 2007. These comment letters are included and responded to later on in this Responses to Comments as Letters 2 and 4, respectively.

As this comment does not address the content or adequacy of the Draft Program EIR, no further response is required.

Comment 2

This comment acknowledges that the City of Lancaster has complied with State Clearinghouse review requirements for draft environmental documents.

Response 2

This comment is acknowledged. As it does not question the adequacy of the Draft Program EIR, no further response is required.

Comment 3

This provides a summary of the Amargosa Creek Specific Plan project.

Response 3

This summary does not directly comment on the adequacy of the Draft Program EIR and no response is required.

Comment 4

This comment letter is from the Native American Heritage Commission. It was appended to Letter 1.

Response 4

The comments in this letter are addressed in detail under Letter 2., Responses to Letters Received from Dave Singleton, Program Analyst, Native American Heritage Commission, Sacramento, California, correspondence dated May 29, 2007. The reader is referred to that letter and those responses below.

Comment 5

This comment letter is from the Native American Heritage Commission. It was appended to Letter 1.

Response 5

The comments in this letter are addressed in detail under Letter 4., Responses to Letters Received from Kevin Hunting, Acting Regional Manager, California Department of Fish and Game, San Diego, California, correspondence dated June 28, 2007. The reader is referred to that letter and those responses below.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



May 29, 2007

Mr. Brian Ludicke
CITY OF LANCASTER
44933 Fern Avenue
Lancaster, CA 93534

Re: SCH#2007021012; CEQA Notice of Completion; Draft Environment Impact Report (DEIR) for Amargosa Creek Specific Plan Project, City of Lancaster, Los Angeles County, California

Dear Mr. Ludicke:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. We are responding to meet both CEQA and SB 18 (Government Code §65352.3) Tribal Consultation requirements. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- ✓ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278) / http://www.ohp.parks.ca.gov/1068/files/IC%20Roster.pdf. The record search will determine:
- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.
✓ 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.
- 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.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
✓ Contact the Native American Heritage Commission (NAHC) for:
- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE).
✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
✓ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

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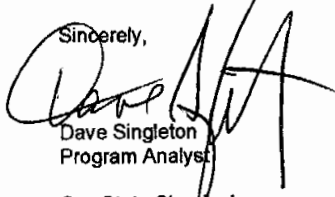
* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

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**Native American Tribal Consultation List
Los Angeles County
May 29, 2007**

San Manuel Band of Mission Indians
Henry Duro, Chairperson
26569 Community Center Drive **Serrano**
Highland , CA 92346
(909) 864-8933

Kern Valley Indian Council
Robert Robinson, Historic Preservation Officer
P.O. Box 401
Weldon , CA 93283 **Tubatulabal**
brobinson@mchsi.com **Kawaiisu**
(760) 378-4575 (Home) **Koso**
(760) 549-2131 (Work) **Yokuts**

Fernandeno Tataviam Band of Mission Indians
Randy Guzman-Folkes, Dir. Cultural and Environmental Department
601 South Brand Boulevard, Suite 102 **Fernandeno**
San Fernando , CA 91340 **Tataviam**
ced@tataviam.org
(818) 837-0794 Office
(805) 501-5279 Cell

Tehachapi Indian Tribe
Attn: Charlie Cooke
32835 Santiago Road **Kawaiisu**
Acton , CA 93510
suscol@interx.net
(661) 269-1422

San Fernando Band of Mission Indians
John Valenzuela, Chairperson
P.O. Box 221838 **Fernandeno**
Newhall , CA 91322 **Tataviam**
tsen2u@msn.com **Serrano**
(661) 753-9833 Office **Vanyume**
(760) 885-0955 Cell **Kitanemuk**
(760) 949-2103 Home

Gabrieleno/Tongva Tribal Council
Anthony Morales, Chairperson
PO Box 693 **Gabrielino Tongva**
San Gabriel , CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 483--3564 cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.

2. Responses to Letters Received from Dave Singleton, Program Analyst, Native American Heritage Commission, Sacramento, California, correspondence dated May 29, 2007.

Comment 1

This comment identifies the responsibility of the Native American Heritage Commission (NAHC) with respect to reviewing and commenting on the Draft Program EIR.

Response 1

This comment will be forwarded to City decision-makers for their consideration. The comment does not question the adequacy of the Draft Program EIR; therefore, no further response is required.

Comment 2

This comment advises the City to contact the appropriate California Historic Resources Information Center for information on other cultural resources surveys conducted on and/or adjacent to the project site.

Response 2

The cultural resources report for the proposed project, which is included as Appendix 5.14 of the Draft Program EIR, demonstrates that W & S Consultants requested and received information on prior surveys in the project area from South Central Coastal Information Center, California Historical Resources Information System, (letter dated February 12, 2007). The commentator is referred to the letter in Appendix 5.14 of the Draft Program EIR.

Comment 3

The City of Lancaster is advised to contact the NAHC for a Sacred Lands File Search for the project area.

Response 3

A Sacred Lands File Search was requested from the NAHC on June 12, 2007. The results of the search (attached) indicate the lack of presence of Native American cultural resources in the immediate project area.

Comment 4

The lack of surface evidence of archaeological resources does not preclude their subsurface existence; therefore, lead agencies should including mitigation providing for accidental discoveries.

Response 4

The Draft Program EIR is consistent with this request. Mitigation measure 5.14-1 in the Draft Program EIR states that, if cultural resources are discovered during construction within the project site, work in the area of the find shall cease, and a qualified archaeologist shall be retained by the City, at the expense of the project sponsor, to investigate the find and to make recommendations regarding its disposition.

Comment 5

The commentator states that lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries.

Response 5

The Draft Program EIR is consistent with this request. Mitigation measure 5.14-1 states that, if human remains are encountered during construction, all work in the area of the find shall cease, and the Los Angeles County Coroner's Office shall be contacted pursuant to the procedures set forth in the Health and Safety Code.

Comment 6

The commentator states that lead agencies should consider avoidance when significant cultural resources are discovered during the course of project planning.

Response 6

No significant cultural resources were discovered during project planning; therefore, this comment does not apply to the proposed project.

Comment 7

The commentator invites the City of Lancaster to contact him with any questions.

Response 7

This comment will be forwarded to City decision-makers for their consideration. The comment does not question the adequacy of the Draft Program EIR; therefore, no further response is required.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



June 20, 2007

Rosemarie B. Mamaghani
Impact Sciences
12909 Abra Drive
San Diego, CA 92128

Sent by FAX: 858-618-3826
Number of pages: 2

Re: Development Amargosa Creek Specific Plan, City of Lancaster, Los Angeles County.

Dear Ms. Mamaghani:

The Native American Heritage Commission was able to perform a record search of its Sacred Lands File (SLF) for the affected project area. The SLF failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any 'area of potential effect (APE).'

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the nearest tribes that may have knowledge of cultural resources in the project area. A List of Native American contacts are attached to assist you. The Commission makes no recommendation of a single individual or group over another. It is advisable to contact the person listed; if they cannot supply you with specific information about the impact on cultural resources, they may be able to refer you to another tribe or person knowledgeable of the cultural resources in or near the affected project area (APE).

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

A handwritten signature in black ink that reads "Dave Singleton".

Dave Singleton
Program Analyst

Attachment: Native American Contact List

Native American Contacts
 Los Angeles County
 June 18, 2007

Charles Cooke
 32835 Santiago Road
 Acton , CA 93510
 (661) 269-1422
 (661) 733-1812

Chumash
 Fernandeno
 Tataviam
 Kitanemuk

LA City/County Native American Indian Comm
 Ron Andrade, Director
 3175 West 6th Street, Rm. 403
 Los Angeles , CA 90020
 (213) 351-5324
 (213) 386-3995 FAX

Beverly Salazar Folkes
 1931 Shadybrook Drive
 Thousand , CA 91362
 805 492-7255

Chumash
 Tataviam
 Fernandeno

Kitanemuk & Yowlumne Tejon Indians
 Delia Dominguez
 981 N. Virginia
 Covina , CA 91722
 (626) 339-6785
 Yowlumne
 Kitanemuk

San Manuel Band of Mission Indians
 Henry Duro, Chairperson
 26569 Community Center Drive
 Highland , CA 92346
 (909) 864-8933
 (909) 864-3370 Fax

Serrano

San Fernando Band of Mission Indians
 John Valenzuela, Chairperson
 P.O. Box 221838
 Newhall , CA 91322
 tsen2u@msn.com
 (661) 753-9833 Office
 (760) 885-0955 Cell
 (760) 949-1604 Fax
 Fernandeno
 Tataviam
 Serrano
 Vanyume
 Kitanemuk

Fernandeno Tataviam Band of Mission Indians
 Randy Guzman-Folkes, Dir. Cultural and Environmental Department
 601 South Brand Boulevard, Suite 102
 San Fernando , CA 91340
 ced@tataviam.org
 (818) 837-0794 Office
 (805) 501-5279 Cell
 (818) 837-0796 Fax

Fernandeno
 Tataviam

Kern Valley Indian Council
 Robert Robinson, Historic Preservation Officer
 P.O. Box 401
 Weldon , CA 93283
 brobinson@mchsi.com
 (760) 378-4575 (Home)
 (760) 549-2131 (Work)
 Tubatulabal
 Kawalisu
 Koso
 Yokuts

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed Amargosa Creek Specific Plan located in the City of Lancaster, Los Angeles County, California for which a Sacred Lands File search was requested.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 SO. MAIN ST.
LOS ANGELES, CA 90012
PHONE (213) 897-6536
FAX (213) 897-1337
E-Mail: NersesYerjanian@dot.ca.gov



*Flex your power!
Be energy efficient!*

Mr. Brian Ludicke
Planning Department
City of Lancaster
44933 Fern Ave.
Lancaster, CA. 93534

IGR/CEQA# 070537NY
DEIR/Commercial, Retail, Office
Amargosa Creek Specific Plan
SCH#2007021012
LA/14/ 65.68

June 7, 2007

Dear Mr. Ludicke:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Amargosa Creek Specific Plan.

We have reviewed the project's traffic study that you provided. The Department as a responsible agency under CEQA has jurisdiction superceding that of MTA in identifying the freeway analysis needed for this project. Caltrans is responsible for obtaining measures that will off-set project vehicle trip generation that worsens Caltrans facilities.

1: The traffic analysis on page 5.5-34 Table 5.5-10 indicates Intersections #3, #4, #8, #20 and #21, which are all state facilities, will operate at an unacceptable LOS during AM and/or PM peak hours and yet there is no recommendation of any sort to mitigate. Caltrans as a responsible agency will be happy to meet with you to discuss measures that could be implemented to alleviate the impact to a reasonable level.

2: We wish to refer the project's traffic consultant to our traffic study guideline Website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

We request that you apply the equitable share responsibility formula on page 2 of Appendix B (Methodology for Calculating Equitable Mitigation Measures) and set aside a portion of Transportation Impact Fees generated for the future State Highway improvement projects. The City may need to recalculate or establish an additional fee for this purpose.

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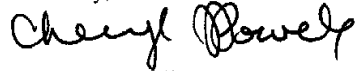


Mr. Ludicke

June 7, 2007

If you have any questions regarding this response, please call the Project Engineer/Coordinator Mr. Yerjanian at (213) 897-6536 and refer to IGR/CEQA # 070537NY.

Sincerely,



Cheryl J. Powell

IGR/CEQA Branch Chief

Regional Transportation Planning "Caltrans improves mobility across California"

3. Responses to Letters Received from Cheryl J. Powell, IGR/CEQA Branch Chief, California Department of Transportation, District 7, Los Angeles, California, correspondence dated June 7, 2007.

Comment 1

The commentator acknowledges receipt of the draft EIR and states that Caltrans is a responsible agency under CEQA and that it is responsible for obtaining measures to offset project vehicle trip generation that worsens Caltrans facilities.

Response 1

This comment will be forwarded to City decision-makers for their consideration. The comment does not question the adequacy of the Draft Program EIR; therefore, no further response is required.

Comment 2

The commentator identifies study intersections #3, #4, #8, #20, and #21 as state facilities and states that, while they are projected to operate at unacceptable levels of service, the draft EIR does not offer potential mitigation measures. The commentator further offers to meet with City staff to discuss potential improvements to these intersections.

Response 2

The locations referred to in the comment are:

3. Avenue K at SR-14 southbound ramps
4. Avenue K at SR-14 northbound ramps/15th Street West
8. Avenue K at Sierra Highway
20. Avenue L at SR-14 southbound ramps
21. Avenue L at SR-14 northbound ramps

Study intersection #8, Avenue K at Sierra Highway, is not a state facility because this portion of Sierra Highway has been returned to local control.

The commentator refers to Table 5.5-10 on page 5.5-34 of the Draft Program EIR and correctly notes that these locations are projected to operate at level of service E or F during the AM peak hour, the PM peak hour, or both the AM and the PM peak hours. As summarized in Table 5.5-11 on page 5.5-35 of the draft EIR, the project would significantly impact each of these locations. Mitigation measures that would

reduce the impacts at these locations are included on pages 5.5-51 and 5.5-52 of the Draft Program EIR and their effectiveness is summarized in Table 5.5-16 on page 5.5-57. With the exception of study intersection #8, which is not a state facility, each of the project-related impacts can be mitigated to a less-than-significant level under the City of Lancaster's thresholds of significance.

As noted in the mitigation measures, the improvements at study intersections #3, #4, #20 and #21 would require coordination with and approval by Caltrans.

Comment 3

The comment requests that the City apply an "equitable share responsibility" formula for future state highway improvement projects and set aside a portion of its transportation impact fees generated for these projects. The commentator states that the City may need to recalculate or establish an additional fee for this purpose.

Response 3

In the absence of a specific state-established program to collect funds for the implementation of specific improvements on the state system, simply setting aside funds toward unspecified future improvements would not constitute mitigation under CEQA, since there is no mechanism to ensure that specific improvements for which fees would be collected are made. For that reason, the formula specified in the comment was not applied.

The City of Lancaster has a Traffic Impact Fee based on the square footage of new non-residential development. It is collected at the time permit applications are processed and the funds are used "to finance the costs of street improvements, including acquisition, widening and reconstruction, street landscaping, intersection improvements and freeway interchange improvements" (Lancaster Municipal Code Section 15.64.040). The City of Lancaster actively monitors traffic conditions throughout the City, including state facilities, and seeks ways to improve mobility when the need has been identified. In recent years, the City has initiated major improvements to the SR-14 interchanges at Avenue L and Avenue H and is coordinating with Caltrans on improvements the SR-14 interchange at Avenue I.

Comment 4

The commentator invites the City to contact Caltrans with any questions regarding its comments.

Response 4

This comment will be forwarded to City decision-makers for their consideration. The District will have opportunity in the future to comment on future environmental reviews on the project as they become available. The comment does not question the adequacy of the Draft Program EIR; therefore, no further response is required.



DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



June 28, 2007

Mr. Brian Ludicke
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534

Draft Environmental Impact Report for
Amargosa Creek Specific Plan
SCH # 2007021012, Los Angeles County

Dear Mr. Ludicke:

The Department of Fish and Game (Department) reviewed the Draft Environmental Impact Report (DEIR) for the above referenced proposed project relative to impacts to biological resources. The Amargosa Creek Specific Plan is composed of two major development districts: the commercial district and the medical district which are anticipated to be built over the next 10 years and 25 years respectively. The development districts are proposed to be constructed on approximately 152 acres of vacant land located northeast of the intersection of 10th Street West and Avenue L within the City of Lancaster. Amargosa Creek, a major drainage within the Antelope Valley and City of Lancaster, traverses through the two development districts and carries seasonal flows and urban runoff. The development districts support disturbed desert scrub, dry creek wash, scattered Joshua trees, and disturbed vacant lots supporting exotic ruderal species. The soft bottom Amargosa Creek runs unimpeded through the project site and enters an underground concrete culvert just north of the project site. The project site is surrounded by urban and suburban uses to the north, north east and west and vacant lands to the south, east and southeast.

1

We prepared the following statements and comments pursuant to our authority as Trustee Agency with jurisdiction over natural resources affected by the project under the California Environmental Quality Act (CEQA Section 15386) and Responsible Agency (Section 15381) over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq) and Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

IMPACTS TO BIOLOGICAL RESOURCES

1. Sensitive Wildlife Resources – The DEIR states that the project site supports habitat for the state threatened Mohave ground squirrel (MGS) and in recognition, Department protocol trapping for MGS was conducted in 2005 with negative results.

2

- a. If a survey conducted according to the Department's trapping guidelines results in no capture or observation of the Mohave ground squirrel on a project site, this is not necessarily evidence that the Mohave ground squirrel does not exist on the site or that

the site is not actual or potential habitat of the species. As stated in the Department's guidelines "in the circumstance of such a negative result, the Department will stipulate that the project site harbors no Mohave ground squirrels. This stipulation will expire one year from the ending date of the last trapping on the project site conducted according to these guidelines." Because the project site was trapped in 2005, areas of proposed project disturbances within MGS habitat should be retrapped to determine presence or absence of MGS. Because the project build out is proposed in phases over the next 10 to 25 years, the Department recommends trapping only those areas where ground disturbance activities are proposed within one year from the last trapping date for that location.

2

Burrowing Owl - The DEIR indicates that focused surveys for burrowing owl (BUOW) were conducted in 2005 and 2007 and recommends focused surveys within 30 days prior to project construction followed by passive removal of owls and acquisition of mitigation habitat to mitigate for loss of BUOW habitat.

The Department does not consider complete focused surveys for burrowing owl over one year old valid for purposes of determining avoidance and mitigation measures for this species. It is not clear in the DEIR if the referenced focused burrowing owl surveys were conducted following the Department's 1995 *Staff Report on Burrowing Owl Mitigation* and the Burrowing Owl Consortium's 1992 *Burrowing Owl Protocol and Mitigation Guidelines* including the passive relocation guidelines. The guidelines specify that if a Phase II survey results in the discovery of burrowing owl, sign, or potential burrow sites for burrowing, a Phase III survey must be performed during the breeding season to determine use of the site by burrowing owl and total number of owls on the site. Spring surveys assist in assessing the extent and type of site use and the area of mitigation needed to offset the unavoidable loss of habitat. The 6.5 acre land acquisition mitigation recommendation in the guidelines and proposed in the DEIR are minimum habitat requirements for burrowing owl and actual habitat needs are often larger. Phase III breeding season surveys should consist of four site visits to be conducted on four separate days and should be performed between April 15 and July 15 to maximize detection. Preconstruction surveys of suitable habitat at the project site(s) and buffer zone(s) should be conducted within the 30 days prior to construction to ensure no additional, burrowing owls have established territories since the initial surveys. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site should be resurveyed. Preconstruction surveys should also consist of four site visits to be conducted on four separate days regardless of the time of year. If burrowing owls are found to be occupying the site, the Department recommends avoidance and mitigation measures as recommended in the above referenced guidelines to assist in avoiding take and to mitigate for unavoidable loss of burrowing owl habitat. Additional information regarding the Department's burrowing owl conservation measures may be viewed online by entering "Burrowing Owl Consortium" as a search topic.

3

Jurisdictional Drainages - The DEIR states that there are nine acres of dry riverbed wash on the project site and that the project proponent will procure a streambed alteration agreement for impacts to Department Jurisdictional Drainages.

- a. The Department concurs that a streambed alteration agreement will be required for unavoidable project impacts to Department jurisdictional drainages. The biological resource impact and mitigation section in the DEIR should quantify temporary and/or permanent project impacts to Amargosa Creek or any other associated drainages on the site. Simply stating that the applicant will get a streambed alteration agreement from the Department should not be considered mitigation under CEQA as formulation of mitigation

4

Mr. Brian Ludicke
June 28, 2007
Page 3

measures should not be deferred to some future time (CEQA Guidelines Section 15126.4 (a) (1) (B)).

b. Amargosa Creek is recognized as an important local and regional hydrologic and biological resource. Continued channelization and other alterations to this drainage system continue to degrade water quality and reduce biological diversity within this region. Project impacts that are proposed to adversely alter the location and/or hydrologic function of Amargosa Creek should be considered a direct and cumulative adverse impact under CEQA. The Department recommends avoidance of Amargosa Creek as a project alternative measure in the DEIR. Avoidance should include provisions for providing appropriate buffers to allow for natural hydrologic function and biological resources to flourish and persist within this drainage. The Department further recommends that the lead agency develop a watershed plan that discourages lead agency approval of discretionary activities which are designed in a manner that will necessitate diminishing hydrologic and biological function within the Amargosa Creek watershed.

Thank you for this opportunity to provide comments. Questions regarding this letter and further coordination on these issues should be directed to Mr. Scott Harris, Environmental Scientist, at (626) 797-3170.

Sincerely,

Sharon A. Stewart
for Kevin Hunting
Acting Regional Manager

cc: Mr. Michael Mulligan, San Diego
Ms. Terri Dickerson, Laguna Niguel
Mr. Scott Harris, Pasadena
Ms. Jamie Jackson, Pasadena
HCP-Chron
Department of Fish and Game

State Clearinghouse, Sacramento

Ms. Judith Keir
California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92382-2306

SPH:sph
spharris/City of Lancaster DEIR-Amargosa Creek Specific Plan.doc

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4. Responses to Letters Received from Kevin Hunting, Acting Regional Manager, California Department of Fish and Game, San Diego, California, correspondence dated June 28, 2007.

Comment 1

The commentator states that the California Department of Fish and Game (CDFG) has reviewed the Draft EIR, summarizes the project description, and states the CDFG jurisdiction over the project as both a Trustee and Responsible Agency.

Response 1

This comment does not address the accuracy or adequacy of the Draft EIR and no formal environmental response is required.

Comment 2

The commentator summarizes the Draft Program EIR findings of negative results in regard to the Mohave ground squirrel (MGS) and 2005 protocol trappings. This comment further elaborates that CDFG will acknowledge for a period of one year from the last trapping date that a project site harbors no MGS when based on negative trapping results. It is recommended that retrapping occur in areas where ground disturbance activities are proposed within one year of the last trapping date.

Response 2

The Draft Program EIR concluded on page 5.4-25 that “no impacts to Mohave ground squirrel would occur.” The Draft Program EIR impact assessment for the MGS is changed on page 5.4-25 to read “The project site was found to not harbor Mohave ground squirrel (MGS) at the time the trapping surveys were conducted in 2005. This conclusion is, however, acceptable to CDFG for a period of one-year from the final trapping date in July 2005. MGS could, therefore, theoretically occur on the project site subsequent to the trapping study because potential habitat for the species does occur on the project site. Impacts to the species through the elimination of the on-site habitat are considered to be less than significant impact since there were no MGS observed during trapping in 2005, which was conducted after an above average rainfall year, there were no MGS observed during the 2007 site visits, and there are no historic CNDDDB or other confirmed records of MGS for the project site, making the likelihood of the species presence as quite low considering the surrounding development and the previous survey results.”

Comment 3

The commentator summarizes the Draft Program EIR statements and conclusions that focused surveys were conducted in 2005 and 2007, and a mitigation measure of surveys within 30 day prior to construction followed by appropriate actions of passive owl removal and habitat acquisition. The comment further states that CDFG considers focused surveys valid for one year; that subsequent focused burrowing owl (BUOW) surveys should follow the protocol established in the CDFG 1995 *Staff Report on Burrowing Owl Mitigation* and the Burrowing Owl Consortium's 1992 *Burrowing Owl Protocol and Mitigation Guidelines*; that, according to those guidelines, four site visits should be conducted on four separate days for preconstruction surveys; and that the 6.5-acre land acquisition mitigation is only a minimum habitat requirement.

Response 3

Burrowing owl: The BUOW surveys conducted by Impact Sciences, Inc. in 2007 were done according to the Burrowing Owl Consortium 1992 Guidelines for this species. However, these surveys were done on only two dates because they were corroborative surveys supplementing the earlier 2005 H.T. Harvey surveys.

The City concurs with the comment that 6.5 acres of land acquisition mitigation is a minimum figure (see Draft Program EIR Page 5.4-32) for potential impacts to a pair or unpaired resident BUOW. Mitigation measure 5.4-2 is modified (see below for changes in **bold**) to be clear that four days of surveys are required according to the Burrowing Owl Consortium Guidelines and that CDFG may require greater than the 6.5 acres ratio for land acquisition mitigation.

5.4-2 The applicant shall retain a qualified biologist to conduct pre-disturbance burrowing owl surveys, **in accordance with the provisions of the CDFG 1995 Staff Report on Burrowing Owl Mitigation and the Burrowing Owl Consortium's 1992 Burrowing Owl Protocol and Mitigation Guidelines**, on the project site prior to construction or site preparation activities. The survey shall be conducted no more than 30 days prior to commencement of construction activities **for each development phase and the survey shall be conducted during four site visits on four separate days**. Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFG verifies through non-invasive methods that either: (1) the birds have not begun egg laying and incubation, or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If burrowing owls are observed using burrows during the surveys, owls shall be excluded from all active burrows through the use of exclusion devices placed in occupied burrows in accordance

with CDFG protocols.¹ In such case, exclusion devices shall not be placed until the young have fledged, as determined by a qualified biologist and found to be no longer dependent upon the burrow. Specifically, exclusion devices, utilizing one-way doors, shall be installed in the entrance of all active burrows. The devices shall be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows shall then be excavated by hand and backfilled to prevent reoccupation. Exclusion shall continue until the owls have been successfully excluded from the project site, as determined by a qualified biologist.

In the event that burrowing owls are found on the project site during pre-construction surveys, the loss of foraging and burrow habitat on the project site shall be offset by acquiring and permanently protecting a minimum of 6.5 acres of foraging habitat per pair or unpaired resident burrowing owls, **or at a greater amount acceptable to CDFG**. The protected lands shall be adjacent to occupied burrowing owl habitat and at a location acceptable to the CDFG.

Comment 4

The commentator affirms that the nine acres of dry riverbed wash are CDFG jurisdictional drainages and will require a streambed alteration agreement. This comment also states that reliance on obtaining the streambed alteration agreement from CDFG is insufficient mitigation under CEQA.

Response 4

The Draft Program EIR states in the Impact Analysis section on Page 5.4-28 ((4) *Loss of Resources Regulated by the CDFG*) that approximately 9 acres of Amargosa Creek (all of the wash) would be impacted and this is considered to be a significant impact. The City of Lancaster's *Master Plan of Drainage* provides for the creek on the project site and downstream to be enclosed in a 6,500-foot-long reinforced concrete box. The creek's length on the project site is approximately 3,000 feet.

Mitigation measure 5.4-4 is modified (see below for changes in **bold**) to elaborate on the minimum amount of mitigation required for impacts to Amargosa Creek.

5.4-4 Prior to the issuance of a grading permit for the first phase of development, the applicant shall obtain a Section 1602 Streambed Alteration Agreement from the CDFG and comply with all specified mitigation measures contained in that agreement. **The applicant shall restore and preserve ephemeral streambed and riparian habitats, primarily or wholly offsite, at a**

¹ California Department of Fish and Game, *Staff Report on Burrowing Owls*, (Sacramento, California: The Resources Agency, 1995).

minimum of a 1:1 ratio, or at a ratio determined by CDFG to be commensurate to the quality of the onsite stream course resources impacted.

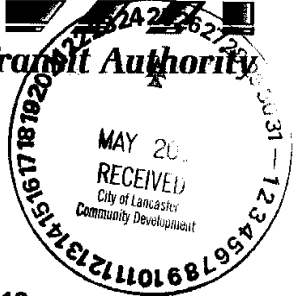
Comment 5

This final comment asserts the important local and regional hydrological and biological resources of Amargosa Creek and recommends avoidance of impacts to Amargosa Creek as a project alternative in order to avert diminishing the hydrological and biological functions of the Amargosa watershed.

Response 5

Alternative 4 in the Draft Program EIR (see page 7.0-13) has a development design that leaves Amargosa Creek undeveloped within a greenbelt area incorporating pathways. On page 7.0-14 of the Draft Program EIR, the impacts to biological resources are summarized, including impacts to the creek, as compared to the proposed project. From a long-term environmental impact perspective, Alternative 4 is considered environmentally superior to the proposed project; however, the project objective of providing additional medical facilities to serve the region would not be realized (page 7.0-18).

Although the project would contribute to the cumulative impacts to Amargosa Creek, the City of Lancaster's *Master Plan of Drainage* (2005) proposes the creek to be enclosed through the project area in a 6,500-foot-long reinforced concrete box and this impact has already been considered as an adverse cumulative impact.



Board of Directors

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Executive Director
Randy Floyd

May 22, 2007

Brian Ludicke
City of Lancaster
Planning Department
44933 Fern Avenue
Lancaster, CA 93534

Re: Draft Environmental Impact Report SCH No. 2007021012

Mr. Ludicke:

AVTA appreciates the opportunity to comment on the above referenced project. I am quite concerned about the findings in the EIR related to transit services. The EIR anticipates "88 new transit trips in the weekday AM peak hour and 247 new transit trips in the weekday PM peak hour", however, "project-related impacts on the regional transit system are not expected to be significant at this level of increase". The proposed facility location can be served by AVTA local transit Route 1, which operates on thirty minute headways, and Route 4, which operates on sixty minute headways. These routes do not have additional capacity to absorb the ridership estimated to be generated by the proposed project. A peak period increase of nearly 250 additional riders would require an additional five buses, running at near crush loads, to accommodate those anticipated new trips. The costs associated with this additional service would exceed \$1.75 million in capital costs as well as nearly \$500,000 annually in operating costs.

AVTA requests that the City and project proponent address how these additional costs are to be mitigated.

Upon review of the appendices to the Draft EIR, I see that my comments of February 5, 2007 are not included. I have included a copy of the original for your files in the event the letter was not received.

Please feel free to contact me if you should require additional information.

Sincerely,

Randy Floyd
Executive Director

(661) 729-2206
rfloyd@avta.com

1

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5. **Responses to Letters Received from Randy Floyd, Executive Director, Antelope Valley Transit Authority, Lancaster, California, correspondence dated May 22, 2007.**

Comment 1

The commentator acknowledges receipt of the Draft Program EIR and states a concern with the ability of two existing transit lines to accommodate the potential increase in transit ridership projected at full buildout of the Amargosa Creek Specific Plan project. The commentator restates the findings of the Draft Program EIR that the increase in transit ridership upon completion of the project is estimated at 88 transit trips in the AM peak hour and 247 transit trips in the PM peak hour.

Response 1

The transit trip estimates were prepared in accordance with the methodology described in *2004 Congestion Management Program for Los Angeles County* (CMP) (Los Angeles County Metropolitan Transportation Authority, July 2004). The ridership estimates are for project building around the year 2030. While it is true that Routes 1 and 4 operate on streets adjacent to the project site (Route 1 on 10th Street West and Route 4 on 10th Street West and on Avenue L), four additional routes currently provide service to the Lancaster Transfer Center in Lancaster City Park, which lies directly across 10th Street West from the project site. These six fixed-route bus routes include Routes 1, 4, 5, 11, 12 and the Lake Los Angeles Express. Additional commuter transit service that operates outside of the peak hours is described on page 5.5-15 of the Draft Program EIR.

Based on current schedules, the six local routes make a combined total of 17 runs in the AM and in the PM peak hours. The projected ridership from the project in 2030 equates to an average of five riders per bus in the AM peak hour and 15 riders per bus in the PM peak hour. During the preparation of the Program Draft EIR, field observations of buses in the vicinity of the project site suggested that this level of increased ridership would not be difficult to accommodate, supporting the conclusion of the draft EIR that "since the project is served by numerous well-established transit routes, project-related impacts on the regional transit system are not expected to be significant at this level of increase."

The Amargosa Creek Specific Plan project does not propose the immediate development of the entire 152-acre site. The City of Lancaster itself is the project proponent and has developed the Plan to provide a framework for the long-term development of the site through the year 2030. As part of the response to this comment, additional information was obtained from *Antelope Valley Transit Authority Long-Range Plan* (Dan Boyle & Associates, revised April 2005) and the planned service changes (effective on July 28), both of which are posted to the AVTA website. As with any transit agency, AVTA periodically reviews its service and makes adjustments to suit current conditions. The *Long-Range Plan*, with a 10-year planning

horizon, identifies a series of phased strategies to improve local transit service, which would take advantage of the existing transfer center in Lancaster City Park by bringing virtually all future local transit routes there. This indicates an even more expanded service to the project area.

The City of Lancaster is a party to the Joint Powers Agreement under which AVTA operates; it occupies two seats on the Board of Directors and contributes substantially to AVTA's funding. As this arrangement is not expected to change, the City would assist in funding any necessary future service enhancements to serve the proposed project, as well as the surrounding communities.

Comment 2

The commentator states that the comments provided in response to the Notice of Preparation are not addressed in the draft EIR and appends the commentator's letter dated February 5, 2007.

In the February 5, 2007 letter (provided below), AVTA asks that on-site transit circulation be provided, along with adequate amenities for passenger comfort and convenience. The commentator also states that 10th Street West (particularly between Avenues M and L) should be built to its ultimate width prior to project construction. Additionally, the commentator asks that the project's impact on the transit system be addressed. Finally, the commentator states that the request for transit facilities does not guarantee that AVTA will continue to provide service transit service to the project site.

Response 2

The location and intensity of uses allowed under the Amargosa Creek Specific Plan were developed to complement the surrounding land uses, including the bus transfer center which lies directly across 10th Street West. Bus service is not anticipated within the project site, but is anticipated to occur along the site perimeter (i.e., along 10th Street West, Avenue L, 5th Street West, and Avenue K-8). The project site is across from the Lancaster Transfer Center and the Specific Plan provides for direct, easy, and safe pedestrian access between the project site and the Transfer Center. While providing bus service through the project site is feasible, it would be provide along the site boundaries and there is no evidence that providing this service on site would be an incentive to site employees and visitors to use transit.

With respect to the widening of 10th Street West, the City's current fiscal year (2007–2008) Capital Improvement Program allocates over \$1.3 million dollars for the widening of 10th Street West from Avenue K-8 to Avenue M. This project is planned to begin in 2007 and be completed by 2010. The planning horizon year for the full build out of the Amargosa Creek Specific Plan project is 2030, well beyond the time when the widening of 10th Street West is planned to occur.

Project impacts on the AVTA system are discussed in Section 5.5, Transportation and Circulation, of the Draft Program DEIR and in Response 1 above.

The comment regarding that a request for transit facilities does not guarantee that AVTA will continue to provide service transit service to the project site is noted and will be forwarded to City decision makers for their consideration. As the comment does not address the content or adequacy of the Draft Program EIR, no further response is required.

Comment 3

The commentator invites the City to contact him with any questions regarding its comments.

Response 3

This comment will be forwarded to City decision-makers for their consideration. AVTA will have opportunity in the future to comment on future environmental reviews on the project as they become available. The comment does not question the adequacy of the Draft Program EIR; therefore, no further response is required.

February 5, 2007

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Executive Director
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Brian Ludicke
Planning Director
Department of Community Development
City of Lancaster
44933 North Fern Avenue
Lancaster, CA 93534-2461

Re: Amargosa Creek Specific Plan – Notice of Preparation of a Draft
Environmental Impact Report

Thank you for the opportunity to review the above referenced project.

Given the size and nature of the project please consider transit access both onsite and offsite. The size of the parcel would make for long pedestrian trips if the only transit access is from adjacent streets. Provision of on-site transit circulation is requested. All bus stops should include adequate amenities for passenger comfort and convenience.

10th Street West should be built to its ultimate width prior to project construction. This is especially important between Avenue M and Avenue L. Traffic during construction, as well as additional traffic generated from this project upon completion, will negatively impact transit service in this critical corridor should these improvements not be completed.

Also, please address the number of transit trips this facility will generate and what the impact on the transit system will be and how these potential impacts will be mitigated.

If you should have any questions, please feel free to contact me at (661)726-2616 ext. 206.

Sincerely,



Randy Floyd
Executive Director

Note: A request for transit facilities does not imply that AVTA will provide, or continue to provide service to the site.

Antelope Valley Mosquito & Vector Control District

P.O. Box 1192
Lancaster, CA 93584-1192
(661) 942-2917
Fax (661) 940-6367



June 26, 2007

City of Lancaster
Attn.: Brian Ludicke
44933 N. Fern Avenue
Lancaster, CA 93534

Re: Draft EIR (SCH # 2007021012) for the Amargosa Creek Specific Plan

Dear Mr. Ludicke:

Thank you for giving us the opportunity to review the Draft EIR (SCH # 2007021012) for the Amargosa Creek Specific Plan. The Antelope Valley Mosquito & Vector Control District is a special district charged with protecting public health within most of the City limits of Palmdale and Lancaster. Our main objective is to keep mosquito populations at a minimum. We take this responsibility very seriously. As such, we have reviewed the DEIR for the above named project and ask consideration of the following points:

1

The report states in chapter 5.3-5. Project Impacts that during and after construction Best Management Practices (BMPs) will be installed to treat storm and irrigation runoff as specified by the U.S. Environmental Protection Agency (EPA) under the Clean Water Act (CWA) to comply with National Pollution Discharge Elimination System (NPDES) permit requirements.

2

I would like to stress again that the Best Management Practices (BMPs) are notorious for breeding tremendous numbers of mosquitoes (see references below). Furthermore, underground drains and vault spaces provide safe harborage for adult resting and over-wintering mosquitoes. Numerous studies conducted by the California Department of Health Services, California Department of Transportation (Caltrans) and several Vector Control Districts showed that:

3

- Continuous Deflective Separators (CDS) will support large mosquito populations since they will keep water in the bottom at all times.
- Weep holes become clogged very quickly and are not recommended.
- Adult female mosquitoes are able to fly through openings as small as 1/16th of an inch to access water to lay eggs.
- Adult mosquitoes will fly more than 80 ft through pipes as small as 4 inches.

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Lancaster, CA 93555

I know that you need to comply with NPDS regulations but I hope you can keep mosquito production in mind when building these structures. Some of the recommendations are:

- Make sure the lids on the CDS's are completely sealed to exclude mosquitoes.
- Implement provisions to prevent or reduce the possibility of clogged discharge orifices (e.g. debris screens).
- All BMP structures should be easily and safely accessible to allow AVMVCD technicians to effectively monitor and if necessary, abate mosquitoes.

4

I would also like to emphasize that creating mosquito breeding sites constitutes a public health nuisance under the California Health and Safety Code §2060 and may result in potential fines of up to \$1000 per day plus the cost of abatement until corrected.

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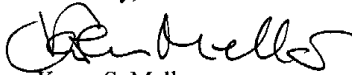
It is therefore crucial that the developer, owner and the City of Lancaster put a long-term plan in place for these drainage systems to be properly maintained. Customary annual or even bi-annual pumping of vault-type units is wholly inadequate to prevent mosquito reproduction.

6

Please feel free to contact me at 661-942-2917 ext. 206 for any further information.

7

Sincerely,



Karen S. Mellor
Entomologist / Operations Supervisor
Antelope Valley Mosquito & Vector Control District

References: Managing Mosquitoes in Stormwater Treatment Devices
<http://www.anrcatalog.ucdavis.edu/pdf/8125.pdf>
 The Impact of New BMP Construction on Local Public Health Agencies
http://www.forester.net/sw_0203_stormwater.html
 The Dark Side of Stormwater Runoff Management: Disease Vectors Associated with Structural BMPs
http://www.forester.net/sw_0203_dark.html

6. Responses to Letters Received from Karen S. Mellor, Entomologist/Operations Supervisor, Antelope Valley Mosquito & Vector Control District, Lancaster, California, correspondence dated June 26, 2006.

Comment 1

The Antelope Valley Mosquito & Vector Control District thanks the City for the opportunity to review the Draft Program EIR and states its role.

Response 1

This comment is acknowledged. As it does not comment on the content or adequacy of the Draft Program EIR, no further response is required.

Comment 2

This comment reiterates information provided in Section 5.3, Hydrology, Storm Drainage, and Water Quality, of the Draft Program EIR that best management practices (BMPs) would be constructed within the project site during and after construction.

Response 2

This comment is accurate. The project would construct BMPs to control the quality of site runoff during and after project construction.

Comment 3

The commentator states that standing water in BMPs can be breeding areas for mosquitoes and lists some findings of studies conducted by the California Department of Health Services, Caltrans, and several Vector Control Districts.

Response 3

This comment will be forwarded to City decision-makers for their consideration. The comment does not question the adequacy of the Draft Program EIR; therefore, no further response is required.

Comment 4

The commentator recommends measures that can be incorporated into the BMPs to control mosquito populations.

Response 4

The measures are acknowledged and have been incorporated into the mitigation measures listed in Section 5.3, Hydrology, Storm Drainage, and Water Quality, of the Draft Program EIR. If the measures are applicable and feasible for the BMPs, which have not yet been specified for the project at this program level of planning, they will be incorporated. The District will have opportunity in the future to comment on future environmental reviews on the project as they become available.

Comment 5

The commentator states that creating mosquito breeding sites constitutes a public health nuisance under the California Health and Safety Code.

Response 5

This comment will be forwarded to City decision-makers for their consideration. The comment does not question the adequacy of the Draft Program EIR; therefore, no further response is required.

Comment 6

The commentator states that customary or bi-annual pumping of vault-type units is “wholly inadequate to prevent mosquito reproduction.”

Response 6

This comment is acknowledged and will be forwarded to City decision-makers for their consideration. As it does not comment on the content or adequacy of the Draft Program EIR, no further response is required.

Comment 7

The commentator invites the City to contact her for further information.

Response 7

This comment will be forwarded to City decision-makers for their consideration. The District will have opportunity in the future to comment on future environmental reviews on the project as they become available. The comment does not question the adequacy of the Draft Program EIR; therefore, no further response is required.



SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY



- Member Agencies:**
 Los Angeles County
 Metropolitan Transportation Authority
 Orange County Transportation Authority
 Riverside County Transportation Commission
 San Bernardino Associated Governments
 Ventura County Transportation Commission
- Ex Officio Members:**
 Southern California Association of Governments
 San Diego Association of Governments
 State of California

June 29, 2007

Mr. Brian Ludicke, Community Development Director
City of Lancaster
44933 North Fern Avenue
Lancaster, CA 93534

Subject: Southern California Regional Rail Authority (SCRRA) Comments on the City of Lancaster Amargosa Creek Specific Plan EIR SCH# I20070300

Dear Mr. Ludicke:

As background information, SCRRA is a five-county Joint Powers Authority (JPA) that operates the regional commuter rail system known as Metrolink on member agency-owned and on private freight railroad rights of way. Additionally, SCRRA provides a range of rail engineering, construction, operations and maintenance services to its five JPA member agencies. The JPA consists of the Los Angeles County Metropolitan Transportation Authority (MTA), Riverside County Transportation Commission (RCTC), Orange County Transportation Authority (OCTA), San Bernardino Associated Governments (SANBAG) and Ventura County Transportation Commission (VCTC).

Based on the proximity of the rail line and station to the proposed development, SCRRA has the following recommendations:

- Based on your draft program EIR, under the City of Lancaster draft Master Plan of Highways, the following intersection has been identified as a future intersection improvement: **Avenue K/Sierra Highway (Potential Grade Separation)**. We recommend that you look into the feasibility of accelerating this grade separation with the increased traffic from this and other potential developments near the railroad.
- The table below contains current and future Metrolink weekday train volumes through this area:

Projected weekday train volumes

Line	2007	2010	2015	2020	2030
Antelope Valley	24	24	32	42	46

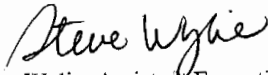
- We encourage transportation connectivity from this development area to our Lancaster Metrolink Station to encourage increased ridership, reduce traffic congestion and improve the air quality.



We request and expect to receive timely notice, in accordance with Public Resources Code Section 21092.5 and State CEQA Guideline Section 15088, of the written proposed responses to our comments on this environmental document and the time and place of any scheduled public meetings or public hearings by the agency decision makers at least 10 days prior to such a meeting.

If you have any questions regarding these comments please contact Laurene Lopez, Community Relations Administrator, at (213) 452-0288 or by e-mail at lopezl@scrta.net.

Sincerely,



Steve Wylie, Assistant Executive Officer, Finance and Administration
On behalf of David Solow, Chief Executive Officer

cc: Patricia Chen (MTA)
Eric Carlson (MTA)
Freddy Cheung (UPRR)
SCRRA Central Files

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7. **Responses to Letters Received from Steve Wylie, Assistant Executive Officer, Finance and Administration, Metrolink, Los Angeles, California, correspondence dated June 27, 2007.**

Comment 1

The comment provides a description of the organizational structure and functions of the Southern California Regional Rail Authority, which operates the regional commuter rail system known as Metrolink.

Response 1

This comment will be forwarded to City decision-makers for their consideration. As the comment does not question the adequacy of the Draft Program EIR, no further response is required.

Comment 2

The commentator recommends that the City of Lancaster consider the feasibility of accelerating the grade separation project ultimately envisioned for Avenue K and Sierra Highway.

Response 2

In recent years, the City of Lancaster constructed a major grade separation structure on Avenue L, approximately one mile south of Avenue K, to provide greater safety and convenience for motorists. The construction of a grade separation structure at Avenue K would entail acquisition of additional right-of-way, as well as substantial funding. The Draft Program EIR identifies a lesser measure that would provide partial mitigation for the identified traffic impact at this intersection. **Comment 3**

The commentator provides information on the current and projected weekday train volumes along the rail line that parallels Sierra Highway through Lancaster.

Response 3

It is noted that the existing level of activity is projected to almost double by 2030. This comment is acknowledged and will be forwarded to City decision-makers for their consideration. As the comment does not question the adequacy of the Draft Program EIR, no further response is required.

Comment 4

The comment states that transportation connectivity between the project site and the Lancaster Metrolink Station is encouraged.

Response 4

The following two existing AVTA transit routes link the project site and the Lancaster Metrolink Station:

- #1 Lancaster/Palmdale between downtown Lancaster and 47th Street East/Avenue S in Palmdale;
- #4 Eastside Lancaster to the eastern portions of Lancaster between downtown Lancaster and the Lancaster City Park Transfer Center;

As a result of these two routes, Metrolink ridership by project employees and visitors would be facilitated, thereby reducing traffic congestion and associated air emissions.

Comment 5

The comment requests that, consistent with applicable regulations, the commenting agency be provided with the written responses to its comments and notice of any public hearing on the proposed project at least 10 days in advance of that meeting.

Response 5

The FEIR, including these written responses, are being made available to the public and commenting public agencies for review a minimum of 10 days prior to a special Planning Commission hearing on July 30, 2007 at the City of Lancaster, 44933 N. Fern Avenue, Lancaster, California.

Comment 6

The commentator provides a contact phone number and e-mail address for questions regarding the comments.

Response 6

This comment is acknowledged and will be forwarded to the City decision-makers. As it does not comment on the content or adequacy of the Draft Program EIR, no further response is required.



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San Bernardino County: Gary O'Neil, San Bernardino County; Lawrence Dale, Barstow; Paul Eaton, Montclair; Lisa Ann Garcia, Grand Terrace; Tim Jasper, town of Apple Valley; Larry McFarlan, Highland; Deborah Robertson, Reddo; Alan Wagner, Ontario
Tribal Government Representatives: Andrew Masel Sr., Pechanga Band of Luiseno Indians
Ventura County: Linda Parks, Ventura County; Glen Stevens, Simi Valley; Carl Warehouse, San Bernardino; Tom Young, Fort Huachuca
Orange County Transportation Authority: Art Green, Brea Park
Imperial County Transportation Commission: Robin Lowe, Hemet
Ventura County Transportation Commission: Keith Millhouse, Moorpark

2 July 2007

Mr. Brian S. Ludicke, Planning Director
City of Lancaster
44933 N. Fern Avenue
Lancaster, CA 93534

RE: SCAG Comments on the Draft Environmental Impact Report (DEIR) for the Amargosa Creek Specific Plan - SCAG No. 120070300

Dear Mr. Ludicke,

Thank you for submitting the Amargosa Creek Specific Plan DEIR to the Southern California Association of Governments (SCAG) for review and comment. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

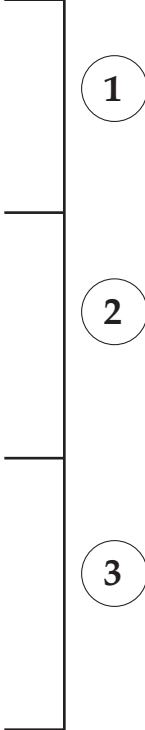
SCAG staff has previously reviewed the NOP for this project and determined that the proposed project is regionally significant per the California Environmental Quality Act (CEQA) Guidelines (Section 15206). The Amargosa Creek Specific Plan (SP) is a planned development consisting of two major districts: commercial district and medical district. The commercial district would contain between 1.1 and 1.6 million square feet of structures and be built out over a span of 10 years. The medical district would contain approximately 625,000 square feet and a 1,000 space parking structure to be built out over a span of 25 years. The SP will be located at the northeast corner of 10th Street West and Avenue L.

As noted in our response to your NOP for this project, Policies of SCAG's Regional Comprehensive Plan and Guide, Regional Transportation Plan, and Compass Growth Vision may be applicable to your project, and were outlined in an attachment to our NOP response letter, dated March 1, 2007. We have evaluated and commented on this project, relative to our previous comments.

The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. If you have any questions regarding the attached comments, please contact James R. Tebbetts at (213) 236-1915. Thank you.

Sincerely,
[Signature]
Jacob Lietz
Manager, Environmental Division

DOCS# 137540v1



**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR
 AMARGOSA CREEK SPECIFIC PLAN - SCAG NO. 20070300**

PROJECT DESCRIPTION

The Amargosa Creek Specific Plan (SP) is a planned development of consisting of two major districts; commercial district and medical district. The commercial district would contain between 1.1 and 1.6 million square feet of structures and be built out over a span of 10 years. The medical district would contain approximately 625,000 square feet and a 1,000 space parking structure to be built out over a span of 25 years. The SP will be located at the northeast corner of 10th Street West and Avenue L.

CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES

The Growth Management Chapter (GMC) of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the DEIR for Palmwood SP and Outparcels Annexation project.

3.01 *The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies shall be used by SCAG in all phases of implementation and review.*

Regional Growth Forecasts

The DEIR needs to reflect the most current adopted SCAG forecasts, which are the 2004 RTP (April 2004) Population, Household and Employment Forecasts through to 2030. The adopted forecasts for your region, subregion, and City are as follows:

Adopted SCAG Regionwide Forecasts

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>
Population	19,208,661	20,191,117	21,137,519	22,085,416	22,890,797
Households	6,072,578	6,463,402	6,865,355	7,263,519	7,660,107
Employment	8,729,192	9,198,618	9,659,847	10,100,776	10,527,202

Adopted North Los Angeles County Forecasts

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>
Population	735,262	852,964	967,387	1,076,013	1,179,228
Households	221,538	256,966	292,658	327,745	362,324
Employment	215,955	235,070	253,417	270,409	286,286

Adopted City of Lancaster Forecasts

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>
Population	168,032	191,912	215,488	238,048	259,696
Households	51,418	58,980	66,591	74,058	81,403
Employment	59,584	62,937	66,081	69,026	71,816

* The 2004 RTP growth forecast at the regional, county and subregional level was adopted by RC in April, 2004. City totals are the sum of small area data and should be used for advisory purposes only.

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The DEIR notes that this policy is oriented toward SCAG and does not apply to this project. This project has a significant impact on the ability of the City to provide employment opportunities, as forecast by SCAG. This policy could be incorporated into Section 8.3.c (Economic Growth) as the

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project as the potential to provide a large number of employment opportunities for the City of Lancaster and surrounding area. Between 2010 and 2030 North Los Angeles County (NLAC) and City of Lancaster Employment Forecasts shows that the NLAC and the City will go from a job rich area to a job poor area. This project could aid this slowing this decline. Based on the information provided in the DEIR, we are unable to determine if the Project is consistent with this core RCPG policy as it relates to employment forecasts. Please address this in the FEIR.

6

- 3.03 *The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.*

SCAG Staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Section 5.1.5.b.(2) notes that the project site is already served by public facilities, utility systems and transportation systems. The project will have some impact on these systems, mitigation measures have been included to reduce these impacts. The development of the Armargosa Creek Specific Plan will occur in phases over several years. The construction of infrastructure needed to support this project will follow SCAG growth policies. Therefore, the proposed project would be consistent with SCAG Policy 3.03.

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GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL STANDARD OF LIVING

The Growth Management goals to develop urban forms that enable individuals to spend less income on housing cost, that minimize public and private development costs, and that enable firms to be more competitive, strengthen the regional strategic goal to stimulate the regional economy. The evaluation of the proposed project in relation to the following policies would be intended to guide efforts toward achievement of such goals and does not infer regional interference with local land use powers.

8

- 3.04 *Encourage local jurisdictions' efforts to achieve a balance between the types of jobs they seek to attract and housing prices.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The general Antelope Valley area is forecast to have an increase in housing, and this project will aid in the employment of the people moving into this housing. It would be helpful if the FEIR included a discussion the prices of the forecasted residential units and to determine if a balance has been achieved between the jobs being created by this project and housing prices. Based on the information provided in the DEIR, we are unable to determine if the project is consistent with Policy 3.04 as it relates to achieving a balance between jobs and housing prices. Please address this in the FEIR.

9

- 3.05 *Encourage patterns of urban development and land use that reduce costs of infrastructure construction and make better use of existing facilities.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Section 5.1.5.b.(2) notes that the project site is already served by public facilities, utility systems and transportation systems. Section 5.5.5.g.3.(a) (Regional Comprehensive Plan and Guide) notes that the project is in the Urban Core of the City of Lancaster and that it is well served by roadways and transit service. Section 5.9.5c.(3) (Regional Comprehensive Plan and Guide) notes that the project is in the Urban Core of the City of Lancaster and that sewer lines exist adjacent to the project site. Section 5.10.5.c.(2) (Regional Comprehensive Plan and Guide) notes that the project site is served by a solid waste hauler. Section 5.11.5.c.(3) (Regional Comprehensive Plan and

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DOCS# 137540v1

Guide) states that this project is located within 1.5 miles of a City Fire Station (Station 129), and it is easily accessible to the project site. Water service exists at the project site. Section 5.12.5.c.(3) (Regional Comprehensive Plan and Guide) states that this project is located within the City Urban Core and is served by the Los Angeles County Sheriff's Department. While the project will have some impact on these systems, mitigation measures have been included to reduce these impacts. Table 1.0-1 (Summary Table) provides information on mitigation measures proposed for this project. Therefore, the proposed project would be consistent with SCAG Policy 3.05.

10

- 3.06 *Support public education efforts regarding the costs of various alternative types of growth and development*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Section 5.1.5.b.(2) notes that there were community workshops held that help formulate the design of the Specific Plan, being evaluated by this DEIR. Therefore, the proposed project would be consistent with SCAG Policy 3.06.

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- 3.07 *Support subregional policies that recognize agriculture as an industry, support the economic viability of agricultural activities, preserve agricultural land, and provide compensation for property owners holding lands in greenbelt areas.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Section 5.1.5.b.(2) notes that the project is not in an agricultural area, and review of DEIR notes the project site is located in an urbanized and urbanizing area of the City of Lancaster. The location of this project within the urbanized and urbanizing area of Lancaster lessens pressure to develop lands dedicated to agriculture. Therefore the proposed project would be consistent with SCAG Policy 3.07.

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- 3.08 *Encourage subregions to define an economic strategy to maintain the economic vitality of the subregion, including the development and use of marketing programs, and other economic incentives, which support attainment of subregional goals and policies.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. This policy is to encourage subregions to define an economic strategy for their subregion. The DEIR notes that this policy is oriented toward SCAG and does not apply to this project. A review of City services indicates that there is a City Redevelopment Agency and an Enterprise Zone located within the City. Based on the information provided in the DEIR, we are unable to determine if the project is consistent with Policy 3.08 as it relates to defining economic strategies. Please address this in the FEIR.

13

- 3.09 *Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Section 5.1.5.b.(2) notes that the project site is already served by public facilities, utility systems and transportation systems. The project will have some impact on these systems, mitigation measures have been included to reduce these impacts. These mitigation measures include the 'fair share' of payments to be made for the provision of public services and infrastructure. This will reduce costs to the local jurisdiction for the provision of these services. Table 1.0-1 (Summary Table) provides information on mitigation measures proposed for this project. Sections 5-3.5.b.(3) (Regional

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Comprehensive Plan and Guide) and 5.9.5c.(3) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with this policy, and states that the proposed project will pay its fair share drainage/flood control and sewer line impact fees. Section 5.11.5.c.(3) (Regional Comprehensive Plan and Guide) states that this project is located within 1.5 miles of a City Fire Station (Station 129), and it is easily accessible to the project site. Water service exists at the project site. It also states that the proposed project will pay its fair share fire impact fees. Section 5.12.5.c.(3) (Regional Comprehensive Plan and Guide) states that this project is located within the City Urban Core and is served by the Los Angeles County Sheriff's Department. Therefore, the proposed project would be consistent with SCAG Policy 3.09.

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- 3.10 *Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The development of the Amagosa Creek Specific Plan, will include development standards for the projects proposed. These standards would assist the developer and the City to reduce red tape and expedite permitting of the proposed projects as the development standards would be well known in advance. As the project is being reviewed through the EIR process, the individual phases will require reduced or limited environmental review, reducing time for processing of applications for those phases. Therefore, the proposed project would be consistent with SCAG Policy 3.10.

15

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

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- 3.11 *Support provisions and incentives created by local jurisdictions to attract housing growth in job-rich subregions and job growth in housing-rich subregions.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The DEIR states that the City has no provisions or incentives to attract housing or jobs. A review of City services indicates that there is a City Redevelopment Agency and an Enterprise Zone located within the City. Based on the information provided in the DEIR, we are unable to determine if the project is consistent with Policy 3.11 as it relates to job and housing attraction. Please address this in the FEIR.

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- 3.12 *Encourage existing or proposed local jurisdictions programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*

- 3.13 *Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.*

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- 3.14 *Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.*

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- 3.15 *Support local jurisdictions' strategies to establish mixed-use clusters and other transit-oriented developments around transit stations and along transit corridors.*
- 3.16 *Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment..*
- 3.17 *Support and encourage development pattern that contain a range of urban densities.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Section 4.0.5.a. (Technical Characteristics) summarizes the different types of commercial uses proposed by this project. Commercial uses include major and minor anchor retail, main street retail / mixed uses, in-line retail, hotel, cinema, offices, and healthcare. The Antelope Valley Transit Authority (AVTA) provides bus, commuter, and para-transit services. The Lancaster Transfer Center is located to the west of the project site, along 10th Street West, north of Avenue L, and is a multi-modal hub offers connections between AVTA local and commuter bus service, Santa Clarita Transit Commuter Service, and Metrolink commuter rail service. Figure 4.0-5 (Pedestrian Circulation Diagram) shows a link to the transit facility from this development and a variety of pedestrian ways throughout the project site. Figure 4.0-4 (Vehicle Circulation Diagram) shows a bicycle route along the north property line, on Avenue K-8. Section 4.0-5a.(5)(e) (Bicycle Facilities) calls for bicycle racks throughout the development. Section 5.5.5.g.3.(a) (Regional Comprehensive Plan and Guide) notes that residents in the area would be able to walk, bike, and use public transportation to reach the project's commercial and medical uses. This Section also notes that the proposed project is in close proximity to the Lancaster Transit Center, which is located directly across the street from the project site. The project is located approximately one-half mile of the Antelope Valley Freeway (SR-14), where there is an interchange on Avenue L. The project will place employment opportunities in close proximity to housing and residents, is an infill project, is adjacent to a transit system, and provides a wide variety and range of urban densities. Therefore, the proposed project would be consistent with SCAG Policy Policies 3.12, 3.13, 3.14, 3.15, 3.16, and 3.17.

- 3.18 *Encourage planned development in locations least likely to cause adverse environmental impact.*

SCAG Staff Comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Chapter 5.0 (Environmental Impact Analysis) evaluates areas in which potential impacts to the environment may occur. Sections 5.3.5, 5.4.6, 5.5.6, 5.6.5, 5.7.5, 5.8.5, 6.9.5, 6.10.5, 5.11.5, 5.12.5, 5.13.5, and 5.14.6 (Project Impacts) and Sections 5.3.6, 5.4.7, 5.5.7, 5.6.6, 5.7.6, 5.8.6, 5.9.6, 5.10.6, 5.11.6, 5.12.6, 5.13.6, and 5.14.7 (Project Mitigation Measures) identify potential impacts and methods to reduce their impacts. While there are some potentially significant environmental impacts mitigation measures have been incorporated into the project. While mitigation measures have been incorporated into the DEIR, there will still be unavoidable significant impacts (Chapter 6.0 [Unavoidable Significant Impacts]) related to Transportation and Circulation, Air Quality, and Noise. Except in the areas of Transportation and Circulation, Air Quality, and Noise, the proposed project would be consistent with SCAG Policy 3.18. Additional mitigation measures should be evaluated so as to reduce impacts from/to Transportation and Circulation and Air Quality, such as on-site car pooling areas, on-site bus stops, or bus route serving the Lancaster Transfer Center from this project, in the FEIR.

- 3.20 *Support the protection of vital resources, such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*

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SCAG Staff Comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The development of the Amargosa Creek Specific Plan is in an urbanized area. Section 5.8.5c.(3)(a) (GMC Policy Related to RCPG Goal to Improve the Regional Quality of Live) states that there are no wetlands, groundwater recharge areas, woodlands, production lands, or unique and endangered plants and animals on the project site. Section 5.4 (Biological Resources) contains information related to biological resources on or near the project site and the project site is within the range of the western burrowing owl and silvery legless lizard, development of the property may affect these species. Pre-construction surveys will be accomplished to reduce the impact to less than significant levels. Therefore, the proposed project would be consistent with SCAG Policy 3.20.

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- 3.21 *Encourage the implementation of measures aimed at the preservation and protection of the recorded and unrecorded cultural resources and archaeological sites.*

SCAG Staff Comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Section 5.14 (Cultural Resources) contains information on historic, archaeological and paleontological resources. No recorded archaeological sites or paleontological resources are in or adjacent to the project site. If during excavation or grading, such resources are discovered, the contract will be required to cease operations and notify a qualified archaeologist. There is a potential for that specific buildings or sites within the project site may qualify as historic resources. Pre-construction surveys will be accomplished to reduce the impact to less than significant levels. Therefore, the proposed project would be consistent with SCAG Policy 3.21.

21

- 3.22 *Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.*

SCAG Staff Comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The project site is not located in an area of steep slopes or high fire. The site is impacted by flooding and seismic hazards. Table 1.0-1 (Summary Table) contains mitigation measures related to Geology and Soils and Hydrology, Storm Drainage, and Water Quality. Compliance with the Uniform Building Code for building construction should reduce impacts from seismic hazards. A 100 year flood hazard is confined to Amargosa Creek, this will be mitigated by the construction of a 6,500 foot concrete channel. Therefore, the proposed project would be consistent with SCAG Policy 3.22.

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- 3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

SCAG Staff Comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Table 1.0-1 (Summary Table) contains a listing of mitigation measures to reduce impacts to Geology and Soils, Fire Protection, Hazards, and Hazardous Materials, and Police Protection. Compliance with these measures should reduce impacts. Therefore, the proposed project would be consistent with SCAG Policy 3.23.

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GMC POLICIES RELATED TO THE RCPG GOAL TO PROVIDE SOCIAL, POLITICAL, AND CULTURAL EQUITY

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The Growth Management Goal to develop urban forms that avoid economic and social polarization promotes
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the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

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- 3.24 *Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.*

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SCAG Staff Comments: Section 5.1.5.b. (2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. While the project will employ local residents, the proposed project is commercial in nature and no residential units are proposed; therefore this policy is not applicable to this project.

- 3.25 *Encourage the efforts of local jurisdictions, employers and service agencies to provide adequate training and retraining of workers, and prepare the labor force to meet the future challenges of the regional economy.*

26

SCAG Staff Comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The DEIR notes that this policy is oriented toward SCAG and does not apply to this project. However this policy should be incorporated into Section 8.3.c (Economic Growth) as the project as the potential to provide a large number of employment opportunities for the City of Lancaster and surrounding area. Between 2010 and 2030 the City of Lancaster Employment Forecasts shows that the City will go from a job rich area to a job poor area. Depending on the types of businesses to be located at the project site the training and retraining of workers may be necessary to prepare the labor force to meet the challenges of these employment opportunities. Based on the information provided in the DEIR, we are unable to determine if the Project is consistent with this core RCPG policy as it relates to employment forecasts. Please address this in the FEIR.

- 3.26 *Encourage employment development in job-poor localities through support of labor force retraining programs and other economic development measures.*

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SCAG Staff Comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The proposed project is located in a subregion that will slowly become a job-poor locality, based on employment forecasts for the 2010-2030 time frame. This project could aid this slowing this decline. Based on the information provided in the DEIR, we are unable to determine if the project is consistent with Policy 3.26 as it relates to economic development measures. Please address this in the FEIR.

- 3.27 *Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as; public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.*

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SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Section 4.0.5.a. (Technical Characteristics) summarizes the different types of commercial uses proposed by this project. Commercial uses include major and minor anchor retail, main street retail / mixed uses, in-line retail, hotel, cinema, offices, and healthcare. The project will provide for a variety of commercial uses, which could support education, health care, and social services to the residents of Lancaster and the surrounding area. Mitigation measures are in place that call for the

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payment of in-lieu of fees to cover costs related to fire protection. Therefore, the proposed project would be consistent with SCAG Policy 3.27.

AIR QUALITY CHAPTER CORE ACTIONS

The Air Quality Chapter (AQC) core actions that are generally applicable to the Project are as follows:

- 5.07 *Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community-based shuttle services, provision of demand management based programs, or vehicle-miles-travelled/emission fees) so that options to command and control regulation can be assessed.*

SCAG staff comments: Table 5.6.5.c.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The DEIR notes that the design and location of the project will reduce vehicle trips and mileage driven. The Lancaster Transfer Center is located across the street from the project and Figure 4.0-5 (Pedestrian Circulation Diagram) shows a link to the transit facility from this development and a variety of pedestrian ways throughout the project site. Energy efficiency measures (Title 24, etc.) will be incorporated into the project. Enhanced telecommunication measures will be included within the project design. Therefore, the proposed project would be consistent with SCAG Policy 5.07.

- 5.11 *Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional and local) consider air quality, land use, transportation and economic relationships to ensure consistency and minimize conflicts.*

SCAG staff comments: Table 5.6.5.c.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. Sections 5.1 (Land Use and Planning), Section 5.5 (Transportation and Circulation), 5.6 (Air Quality), and 8.0 (Growth Inducing Impacts) have incorporated comments from a variety of agencies concerned with air quality, land use, transportation, and economic relations. Therefore, the proposed project would be consistent with SCAG Policy 5.11.

OPEN SPACE AND CONSERVATION CHAPTER CORE ACTIONS

The Open Space and Conservation Chapter (OSCC) core actions that are generally applicable to the Project are as follows:

- 9.01 *Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region and to promote tourism in the region.*
- 9.02 *Increase the accessibility to open space lands for outdoor recreation*
- 9.03 *Promote self-sustaining regional recreation resources and facilities*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The proposed project is commercial in nature, in an urban area therefore Policies 9.01, 9.02, and 9.03 are not applicable to this project.

- 9.04 *Maintain open space for adequate protection to lives and properties against natural and manmade hazards.*

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- 9.05 *Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipments.*
- 9.06 *Minimize public expenditure for infrastructure and facilities to support urban type uses in areas where public health and safety could not be guaranteed.*

SCAG staff comments: Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The project site is not located in an area of steep slopes or high fire. The site is impacted by flooding and seismic hazards. Table 1.0-1 (Summary Table) contains mitigation measures related to Geology and Soils and Hydrology, Storm Drainage, and Water Quality. Compliance with the Uniform Building Code for building construction should reduce impacts from seismic hazards. A 100 year flood hazard is confined to Amargosa Creek, this will be mitigated by the construction of a 6,500 foot concrete channel. Therefore, the proposed project would be consistent with SCAG Policies 9.04, 9.05, and 9.06.

WATER QUALITY CHAPTER RECOMMENDATIONS AND POLICY OPTIONS

The Water Quality Chapter goals related to the proposed project include:

- 11.01 *Streamline water quality regulatory implementation. Identify and eliminate overlaps with other regulatory programs to reduce economic impacts on local businesses.*
- 11.02 *Encourage "watershed management" programs and strategies, recognizing the primary role of local governments in such efforts.*
- 11.05 *Support regional efforts to identify and cooperatively plan for wetlands to facilitate both sustaining the amount and quality of wetlands in the region and expediting the process for obtaining wetlands permits.*

SCAG staff comments: Sections 5-3.5.b(3) (Regional Comprehensive Plan and Guide) and 5.B.5c.(3)(a) (Water Quality Chapter Recommendations and Policy Options) provide an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. These two Sections of the DEIR notes that these policies do not apply to this project, as the policies are directed toward the Regional Water Quality Control Board, City of Lancaster and SCAG. Also that there are no wetlands on or near the project site. Therefore these policies are not applicable to this project.

REGIONAL TRANSPORTATION PLAN

The 2004 Regional Transportation Plan (RTP) also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

RTP Goals

- Protect the environment, improve air quality and promote energy efficiency.
- Encourage land use and growth patterns that complement our transportation investments.

RTP Policies

- Transportation investments shall be based on SCAG's adopted Regional Performance Indicators.
- Ensuring safety, adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the need for system expansion investments.

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- RTP land use and growth strategies that differ from currently expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and sub-regions.

SCAG staff comments: Table 5.1-7 (Proposed Project Consistency with SCAG's RCPG Policies) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RTP. Section 5.5.5.g.3.(a) (Regional Comprehensive Plan and Guide) notes that the project does not involve regional transportation investment or multi-modal transportation. However, the development does take advantage and complements the transportation investment found on SR-14 Freeway, Sierra Highway, and the Lancaster Transit Center. The development of the Amargosa Creek Specific Plan provide for the protection of the environment, except in the areas of Transportation and Circulation and Air Quality. Therefore the proposed project would be consistent with these RTP Goals and Policies. Additional mitigation measures should be evaluated so as to reduce impacts from/to Transportation and Circulation and Air Quality, such as on-site car pooling areas, on-site bus stops, or bus route serving the Lancaster Transfer Center from this project, in the FEIR.

GROWTH VISIONING

The fundamental goal of the Compass Growth Visioning effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents

- Encourage transportation investments and land use decisions that are mutually supportive.
- Locate new housing near existing jobs and new jobs near existing housing.
- Encourage transit-oriented development.
- Promote a variety of travel choices

Principle 2: Foster livability in all communities

- Promote infill development and redevelopment to revitalize existing communities.
- Promote developments, which provide a mix of uses.
- Promote "people scaled," walkable communities.
- Support the preservation of stable, single-family neighborhoods.

Principle 3: Enable prosperity for all people

- Provide, in each community, a variety of housing types to meet the housing needs of all income levels.
- Support educational opportunities that promote balanced growth.
- Ensure environmental justice regardless of race, ethnicity or income class.
- Support local and state fiscal policies that encourage balanced growth
- Encourage civic engagement.

Principle 4: Promote sustainability for future generations

- Preserve rural, agricultural, recreational and environmentally sensitive areas.
- Focus development in urban centers and existing cities.
- Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.

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- Utilize "green" development techniques.

SCAG staff comments: Section 5.10.5.c.(2) (Regional Comprehensive Plan and Guide) notes that this project is consistent with this Principle. The project utilizes existing infrastructure, reduces travel distances and emissions, by placing commercial retail, offices, and medical facilities adjacent to each other. The Lancaster Transfer Center is located across the street from the project and Figure 4.0-5 (Pedestrian Circulation Diagram) shows a link to the transit facility from this development and a variety of pedestrian ways throughout the project site. Mitigation measures have been included to incorporate green development techniques in the construction of the project. Therefore the proposed project would be consistent with these Growth Visioning Principles.

GENERAL COMMENTS

Section 5.1.5.b.(2) (Regional Comprehensive Plan and Guide) provides an evaluation of the consistency of the proposed project with pertinent goals and policies of SCAG's RCPG. The policy numbers found under this section do not reflect SCAG RCPG policy numbers. The policy numbers in the DEIR should be renumbered to reflect SCAG RCPG policy numbers.

For ease of evaluation, you may wish to consolidate all of SCAG's Policies related to the Regional Comprehensive Plan and Guide, Regional Transportation Plan, and Compass Growth into one section of the FEIR.

Section 5.8. (3)(a) reads "GMC Policy Related to RCPG Goal to improve the Regional Quality of Life", the text should change *Live to Life*.

CONCLUSIONS

1. SCAG commends the efforts of the City of Lancaster for including in its analysis a thorough review of the policies contained in SCAG's Regional Comprehensive Plan and Guide, Regional Transportation Plan, and Compass Growth Vision.
2. As noted in the staff comments, the proposed DEIR for Armargosa Creek Specific Plan is consistent with or support many of the core and ancillary policies in the RCPG, except as noted.
3. All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

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SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Roles and Authorities

THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) is a *Joint Powers Agency* established under California Government Code Section 6502 et seq. Under federal and state law, SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). SCAG's mandated roles and responsibilities include the following:

SCAG is designated by the federal government as the Region's *Metropolitan Planning Organization* and mandated to maintain a continuing, cooperative, and comprehensive transportation planning process resulting in a Regional Transportation Plan and a Regional Transportation Improvement Program pursuant to 23 U.S.C. '134, 49 U.S.C. '5301 et seq., 23 C.F.R. '460, and 49 C.F.R. '613. SCAG is also the designated *Regional Transportation Planning Agency*, and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082 respectively.

SCAG is responsible for developing the demographic projections and the integrated land use, housing, employment, and transportation programs, measures, and strategies portions of the *South Coast Air Quality Management Plan*, pursuant to California Health and Safety Code Section 40460(b)-(c). SCAG is also designated under 42 U.S.C. '7504(a) as a *Co-Lead Agency* for air quality planning for the Central Coast and Southeast Desert Air Basin District.

SCAG is responsible under the Federal Clean Air Act for determining *Conformity* of Projects, Plans and Programs to the State Implementation Plan, pursuant to 42 U.S.C. '7506.

Pursuant to California Government Code Section 65089.2, SCAG is responsible for *reviewing all Congestion Management Plans (CMPs) for consistency with regional transportation plans* required by Section 65080 of the Government Code. SCAG must also evaluate the consistency and compatibility of such programs within the region.

SCAG is the authorized regional agency for *Inter-Governmental Review* of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12,372 (replacing A-95 Review).

SCAG reviews, pursuant to Public Resources Code Sections 21083 and 21087, Environmental Impacts Reports of projects of regional significance for consistency with regional plans [California Environmental Quality Act Guidelines Sections 15206 and 15125(b)].

Pursuant to 33 U.S.C. '1288(a)(2) (Section 208 of the Federal Water Pollution Control Act), SCAG is the authorized *Area-wide Waste Treatment Management Planning Agency*.

SCAG is responsible for preparation of the *Regional Housing Needs Assessment*, pursuant to California Government Code Section 65584(a).

SCAG is responsible (with the Association of Bay Area Governments, the Sacramento Area Council of Governments, and the Association of Monterey Bay Area Governments) for preparing the *Southern California Hazardous Waste Management Plan* pursuant to California Health and Safety Code Section 25135.3.

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**Side by Side Comparison Table of SCAG Policies
 Recommended Table Layout**

Also, for ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggest format is as follows:

SCAG RCPG (RTP and CGV) Policies		Statement of Consistency, Non-Consistency, or Not Applicable
Growth Management Chapter		
Policy Number	Policy Text	Text
3.01	<i>The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies, shall be used by SCAG in all phases of implementation and review.</i>	Consistent: Statement as to why. Not-Consistent: Statement as to why. Not Applicable: Statement as to why.
3.02	<i>In areas with large seasonal population fluctuations, such as resort areas, forecast permanent populations. However, appropriate infrastructure systems should be sized to serve high-season population totals.</i>	Consistent: Statement as to why. Not-Consistent: Statement as to why. Not Applicable: Statement as to why.
3.03	<i>The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.</i>	Consistent: Statement as to why. Not-Consistent: Statement as to why. Not Applicable: Statement as to why.
Etc.	Etc.	Etc.

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8. Responses to Letters Received from Jacob Lieb, Southern California Association of Governments, Los Angeles, California, correspondence dated July 2, 2007.

Comment 1

The commentator summarizes the role of SCAG in reviewing projects of regional significance.

Response 1

This comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 2

The commentator briefly summarizes the proposed project.

Response 2

This comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 3

The commentator refers to SCAG's March 1, 2007 letter to the City in response to the Notice of Preparation (NOP) for the proposed project and states that the following pages of the letter include detailed comments on the Draft Program EIR.

Response 3

The March 1, 2007 letter is in Appendix 1.0 of the Draft Program EIR. The detailed comments in SCAG's July 2, 2007 letter are summarized below with a response to each.

Comment 4

The commentator briefly summarizes the proposed project.

Response 4

This comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 5

The commentator lists those applicable policies from the Growth Management Chapter (GMC) of the Regional Comprehensive Plan and Guide (RCPG).

Response 5

This comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 6

The commentator refers to Policy 3.01 of the RCPG which states, "The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies, shall be used by SCAG in all phases of implementation and review."

The commentator states that this project "has a significant impact on the ability of the City to provide employment opportunities as forecast by SCAG" and that this policy should be incorporated into Section 8.3.c., Economic Growth, of the Draft Program EIR "as the project has the potential to provide a large number of employment opportunities for the City of Lancaster and surrounding area."

The commentator further asks that Section 8.0.3.d, Growth Inducing Impacts/Economic Growth, of the Draft Program EIR incorporate the most current adopted SCAG population, household, and employment forecasts for the SCAG region, north Los Angeles County, and the City of Lancaster.

Response 6

It is unclear how the project would have a significant impact on the ability of the City to provide employment opportunities when SCAG has not provided criteria for impact significance. Additionally, the City of Lancaster has no employment significance criteria and Appendix G of the *CEQA Guidelines* does not provide such criteria in its Initial Study checklist. Finally, Section 15126.2 (d) of the *CEQA Guidelines* states, "It must not be assumed that growth in any area is necessary beneficial, detrimental, or of little significance to the environment."

The City of Lancaster is of the opinion that most employment opportunities provided by the proposed project over its 25-year build out can be met by existing and future residents within the City and region. Furthermore, because the project site is already designated for commercial and industrial uses and at higher densities than proposed under the Specific Plan, the proposed project would not create employment opportunities within the City or regional that were not already factored into the City's

General Plan, the County's *Antelope Valley Area-wide Plan*, or SCAG's employment forecasts, which are based on these plans. Therefore, the City stands by its conclusion in Section 8.0 of the Draft Program EIR that a direct increase in employment over the 25-year buildout of this project would be within the 2030 employment forecasts for the City.

Section 8.0.3.d, Growth Inducing Impacts/Economic Growth, already includes the 2030 population and employment forecasts for the City that are provided in Comment 6.

Comment 7

The commentator refers to Policy 3.03 of the RCPG which states, "The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies."

The commentator concludes that the proposed project would be consistent with this policy.

Response 7

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.03 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 7, no further response is required.

Comment 8

The commentator refers to the GMC policies related to the RCPG goal to improve the regional standard of living.

Response 8

This comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 9

The commentator refers to Policy 3.04 of the RCPG, which states, "Encourage the local jurisdictions' efforts to achieve a balance between the types of jobs they seek to attract and housing prices."

The commentator states that it would be helpful if the Final Program EIR includes a discussion of the prices of the forecasted residential units and to determine if a balance has been achieved between the jobs being created by the proposed project and housing prices.

Response 9

The City's adopted and state-certified Housing Element contains policies and programs to provide housing for all economic segments of the community. The proposed project would provide job opportunities in a variety of skill levels, including retail, service, medical, and managerial. The City's *General Plan* contains land use densities that provide for a variety of housing types, styles, and price levels that would be affordable to project employees. As a result, the proposed project would be consistent with this policy.

Comment 10

The commentator refers to Policy 3.05 of the RCPG which states, "Encourage patterns of urban development and land use that reduce costs of infrastructure construction and make better use of existing facilities."

The commentator concludes that the proposed project is consistent with this policy because the project is within the City's Urban core and the project area is already served by public utilities and services.

Response 10

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.05 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 10, no further response is required.

Comment 11

The commentator refers to Policy 3.06 of the RCPG which states, "Support public education efforts regarding the costs of various alternative types of growth and development."

The commentator concludes that the proposed project is consistent with this policy because of the community workshops that were held to help formulate the design of the Specific Plan.

Response 11

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.06 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 11, no further response is required.

Comment 12

The commentator refers to Policy 3.07 of the RCPG which states, "Support subregional policies that recognize agriculture as an industry, support the economic viability of agricultural activities, preserve agricultural land, and provide compensation for property owners holding lands in greenbelt areas."

The commentator concludes that the proposed project is consistent with this policy because the project site is in the City's Urban Core and lessens the pressure to develop lands dedicated to agriculture.

Response 12

Consistent with the Draft Program EIR, the commentator concludes that the proposed project is consistent with Policy 3.07 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 12, no further response is required.

Comment 13

The commentator refers to Policy 3.08 of the RCPG which states, "Encourage subregions to define an economic strategy to maintain the economic vitality of the subregion, including the development and use of marketing programs, and other economic incentives, which support attainment of subregional goals and policies."

The commentator asks that the Final Program EIR determine if the proposed project is consistent with this policy.

Response 13

The proposed project is within the Antelope Valley Enterprise Zone and the Amargosa Redevelopment Project Area. The Antelope Valley Enterprise Zone is a special tax incentive area located within the cities of Palmdale and Lancaster and northerly portions of Los Angeles County. The Zone, established by the State of California, strengthens the region's local economy.² The Amargosa Redevelopment Project Area was formed in 1984 to assist in creating infrastructure, particularly flood control on the Amargosa Creek that would allow for economic development with the City's goal of diversifying the economy. By developing in the Antelope Valley Enterprise Zone and the Amargosa Redevelopment Project Area, the project is consistent with the region's economic goals and is, therefore, consistent with this policy.

² Antelope Valley Enterprise Zone, "Life in the Zone," [Online] 5 July 2007 <<http://www.avez.org/wherezone.html#>>.

Comment 14

The commentator refers to Policy 3.09 of the RCPG which states, “Support local jurisdictions’ efforts to minimize the cost of infrastructure and public service delivery, and efforts to see new sources of funding for development and the provision of services.”

The commentator concludes that the proposed project is consistent with this policy because the project already served by public infrastructure, utilities, and services, and because the project would be required to pay its fair share of the costs to serve the project.

Response 14

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.09 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 14, no further response is required.

Comment 15

The commentator refers to Policy 3.10 of the RCPG which states, “Support local jurisdictions’ actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.”

The commentator concludes that the proposed Specific Plan is consistent with this policy because it includes development standards that would reduce red tape and expedite the permitting of the proposed development because the development standards would be known in advance, and because the Program EIR would reduce or limit future environmental review of the project’s development applications.

Response 15

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.10 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 15, no further response is required.

Comment 16

The commentator refers to the Growth Management goals to attain mobility and clean air goals, and to develop urban forms that enhance quality of life.

Response 16

This comment is acknowledged. As it does not address the content or adequacy of the Draft Program EIR, no further response is required.

Comment 17

The commentator refers to Policy 3.11 of the RCPG which states, "Support provisions and incentives created by local jurisdictions to attract housing growth in job-rich subregions and job growth in housing-rich subregions."

The commentator states that the City has a Redevelopment Agency and is within an Enterprise Zone, which suggests that the City has provisions and incentives to attract jobs into the city and region.

Response 17

It is correct that the City has a Redevelopment Agency and is within an Enterprise Zone. The enterprise zone is one of the strategies the City uses to increase and diversify the employment base of the City, which is considered to be housing-rich and jobs-poor.

Comment 18

The commentator refers to Policies 3.12 through 3.17 of the RCPG. These policies are as follows:

Policy 3.12 Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.

Policy 3.13 Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.

Policy 3.14 Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.

Policy 3.15 Support local jurisdictions' strategies to establish mixed-use clusters and other transit-oriented development around transit stations and along transit corridors.

Policy 3.16 Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.

Policy 3.17 Support and encourage settlement patterns which contain a range of urban densities.

The commentator states that the proposed project would be consistent with these policies.

Response 18

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policies 3.12 through 3.17 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 15, no further response is required.

Comment 19

The commentator refers to Policy 3.18 of the RCPG which states, “Encourage planned development in locations least likely to cause adverse environmental impact.”

The commentator refers to unavoidable traffic, air quality, and noise impacts of the proposed project and requests that the EIR evaluate other means to reduce traffic and air quality impacts, such as on-site car pooling areas, on-site bus stops, and a bus route serving the Lancaster Transfer Center from the project.

Response 19

Given the nature of the retail industry, which involves a lot of part-time employees and staggering of shifts, and the staggering of shifts in the medical industry, car pooling is not a feasible option to reduce vehicle trips. It is also not a feasible mitigation measure because it is not enforceable. Furthermore, South Coast Air Quality Management District data demonstrate that, even if used, preferential parking for car poolers would reduce mobile source emissions from a project by less than 0.1 percent, and such a reduction would not reduce the project’s operational CO and PM₁₀ emissions substantially or even to less than significant.

Bus service is not anticipated within the project site, but is anticipated to occur along the site perimeter (i.e., along 10th Street West, Avenue L, 5th Street West, and Avenue K-8). Because bus service would be provided along the site perimeter and because the project is across the street from the Lancaster Transfer Center, it is not expected that providing bus service within the project site itself would be an incentive to site employees and visitors to use transit. As a result, on-site bus service would not contribute to a reduction in project trips and air emissions.

The project site is across from the Lancaster Transfer Center and the Specific Plan provides for direct, easy, and safe pedestrian access between the project site and the Transfer Center. While providing bus or shuttle service between the project site and the Transfer Center is feasible, it is not reasonable given the

short distance between the two sites, and there is no evidence that providing this service would be an incentive to site employees and visitors to use transit. As a result, on-site bus service would not contribute to a reduction in project trips and air emissions.

Comment 20

The commentator refers to Policy 3.20 of the RCPG which states, "Vital resources as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals should be protected."

The commentator concludes that the proposed project is consistent with this policy because the project site contains no wetlands, groundwater recharge areas, woodlands, production lands, or unique and endangered plans and animals, and because the Draft Program EIR includes mitigation to protect the western burrowing owl and the silvery legless lizard.

Response 20

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.20 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 20, no further response is required.

Comment 21

The commentator refers to Policy 3.21 of the RCPG which states, "Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites."

The commentator concludes that the proposed project is consistent with this policy because the Draft Program EIR includes mitigation to protect cultural resources in the event they are discovered during project grading and construction.

Response 21

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.21 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 21, no further response is required.

Comment 22

The commentator refers to Policy 3.22 of the RCPG which states, “Discourage development or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, seismic hazards.”

The commentator concludes that the proposed project is consistent with this policy because the project and Draft Program EIR include measures to protect the project from fire, flood, and seismic hazards (no steep slopes occur on or adjacent to the project site).

Response 22

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.22 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 22, no further response is required.

Comment 23

The commentator refers to Policy 3.23 of the RCPG which states, “Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and develop emergency response and recovery plans.”

The commentator concludes that the proposed project is consistent with this policy because the Draft Program EIR includes mitigation measures that would reduce impacts related to these issues.

Response 23

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.23 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 23, no further response is required.

Comment 24

The commentator refers to policies related to the RCPG goal to provide social, political, and cultural equity.

Response 24

This comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 25

The commentator refers to Policy 3.24 of the RCPG which states, “Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.”

The commentator concurs with the Draft Program EIR that this policy is not applicable to the proposed project.

Response 25

The commentator concurs with the Draft Program EIR that this policy is not applicable to the proposed project. Therefore, no further response is required.

Comment 26

The commentator refers to Policy 3.25 of the RCPG which states, “Encourage the efforts of local jurisdictions, employers and service agencies to provide adequate training and retraining of workers, and prepare the labor force to meet future challenges of the regional economy.” The commentator states that, “depending upon the types of businesses to be located at the project site, the training and retraining of workers may be necessary to prepare the labor force to meet the challenges of these employment opportunities.”

Response 26

The proposed Commercial District would provide jobs in the retail, restaurant, service, hotel, building maintenance, and landscaping industries. Except for managerial positions, these job opportunities do not require substantial training and retraining. The proposed Medical District would require individuals in the clerical and medical industries, including medical technicians. Individuals in the medical field are typically trained in post-high school settings (e.g., vocational schools, colleges, and universities) and would not require special training and/or retraining just to fill those positions that would be provided at facilities in the Medical District. These trained individuals are expected to come from within and outside of the region. The City does not believe that the proposed project would require training and retraining of workers, and this policy does not apply to the proposed project.

Comment 27

The commentator refers to Policy 3.26 of the RCPG which states, “Encourage employment development in job-poor localities through support of labor force retraining programs and other economic development measures.”

Response 27

Please refer to Response 26 above. Project employees are expected to be largely met by individuals within the region, and the proposed project would not require training and retraining of workers. As a result, this policy does not apply to the proposed project.

Comment 28

The commentator refers to Policy 3.27 of the RCPG which states, “Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.” The commentator concludes that the proposed project is consistent with this policy because the project would provide for a variety of commercial uses which could support education, health care, and social services to the residents of Lancaster and the surrounding area. Furthermore, the Draft Program EIR includes mitigation measures that call for the payment of in-lieu fees to cover the costs related to fire protection.

Response 28

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 3.27 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 28, no further response is required.

Comment 29

The commentator refers to the Air Quality Chapter Core Actions.

Response 29

The comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 30

The commentator refers to Policy 5.07 of the RCPC which states, “Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community-based shuttle services, provision of demand management based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulation can be assessed.” The commentator concludes that the proposed project is consistent with this policy because the design, location, and mitigation measures for the project help to reduce air emissions from the proposed development.

Response 30

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 5.07 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 30, no further response is required.

Comment 31

The commentator refers to Policy 5.11 of the RCPC which states, “Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional, and local) consider air quality, land use, transportation, and economic relationships to ensure consistency and minimize conflicts.” The commentator concludes that the proposed project is consistent with this policy because the Draft Program EIR has incorporated comments from a variety of agencies concerned with air quality, land use, transportation, and economic relations.

Response 31

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policy 5.11 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 31, no further response is required.

Comment 32

The commentator refers to the Open Space and Conservation Chapter Core Actions.

Response 32

The comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 33

The commentator refers to Policies 9.01, 9.02, and 9.03 of the RCPC which state the following:

Policy 9.01 Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region and to promote tourism in the region.

Policy 9.02 Increase the accessibility to open space lands for outdoor recreation.

Policy 9.03 Promote self-sustaining regional recreation resources and facilities.

The commentator concludes that none of these policies are not applicable to the proposed project.

Response 33

This comment is noted, and it is not inconsistent with the findings of the Draft Program EIR; therefore, no further response is required.

Comment 34

The commentator refers to Policies 9.04, 9.05, and 9.06 of the RCPC which state,

Policy 9.04 Maintain open space for adequate protection to lives and properties against natural and manmade hazards.

Policy 9.05 Minimize potentially hazardous developments in hillside, canyons, areas susceptible to flooding, earthquakes, wildfires and other known hazards, and areas with limited access for emergency equipment.

Policy 9.06 Minimize public expenditure for infrastructure and facilities to support urban type uses in areas where public health and safety could not be guaranteed.

The commentator concludes that the proposed project is consistent with these policies.

Response 34

Consistent with the Draft Program EIR, the commentator concludes that the proposed project would be consistent with Policies 9.04, 9.05, and 9.06 of the RCPG. As no other comments regarding the content or adequacy of the Draft Program EIR was made under Comment 34, no further response is required.

Comment 35

The commentator refers to Policies 11.01, 11.02, 11.03 of the Water Quality Chapter of the RCPG which state,

Policy 11.01 Streamline water quality regulatory implementation. Identify and eliminate overlaps with other regulatory programs to reduce economic impacts on local businesses.

Policy 11.02 Encourage “watershed management” programs and strategies, recognizing the primary role of local governments in such efforts.

Policy 11.03 Support regional efforts to identify and cooperatively plan for wetlands to facilitate both sustaining the amount and quality of wetlands in the region and expediting the process for obtaining wetland permits.

The commentator states that these policies are not applicable to the proposed project.

Response 35

The comment is consistent with the findings of the Draft Program EIR and no further response is required.

Comment 36

This comment has to do with the Regional Transportation Plan and references the goals and policies of the RTP that are relevant to the proposed project. These include:

Regional Transportation Plan Goals

- Protect the environment, improve air quality and promote energy efficiency.
- Encourage land use and growth patterns that complement our transportation investment.

Regional Transportation Plan Policies

- Transportation investments shall be based on SCAG’s adopted Regional Performance Indicators.
- Ensuring safety, adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the needs for system expansion investments.

- RTP land use and growth strategies that differ from current expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and sub-regions.

The commentator refers to unavoidable traffic, air quality, and noise impacts of the proposed project and requests that the EIR evaluate other means to reduce traffic and air quality impacts, such as on-site car pooling areas, on-site bus stops, and a bus route serving the Lancaster Transfer Center from the project.

Response 36

Please see Response 19 regarding the feasibility of these measures and their ability to substantially reduce traffic and air quality impacts.

Comment 37

The commentator references the following Growth Visioning principles:

Principle 1: Improve mobility for all residents

- Encourage transportation investments and land use decisions that are mutually supportive.
- Locate new housing near existing jobs and new jobs near existing housing.
- Encourage transit-oriented development.
- Promote a variety of travel choices.

Principle 2: Foster livability in all communities

- Promote infill development and redevelopment to revitalize existing communities.
- Promote development, which provide a mix of uses.
- Promote “people scaled”, walkable communities.
- Support the preservation of stable single-family neighborhoods.

Principle 3: Enable prosperity for all people

- Provide, in each community, a variety of housing types to meet the housing needs of all income levels.
- Support educational opportunities that promote balanced growth.
- Ensure environmental justice regardless of race, ethnicity or income class.

- Support local and state fiscal policies that encourage balanced growth.
- Encourage civic engagement.

Principle 4: Promote sustainability for future generations

- Preserve rural, agricultural, recreational and environmentally sensitive areas.
- Focus development in urban centers and existing cities.
- Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.
- Utilize “green” development techniques.

The commentator states that the proposed project would be consistent with these principles.

Response 37

This comment is not inconsistent with the findings of the Draft Program EIR; therefore, no further response is required.

Comment 38

The commentator states that the RCPG policy numbers in Section 5.1, Land Use and Planning, of the Draft Program EIR are not consistent with the policy numbers in the RCPG.

Response 38

The commentator is correct. The policy numbers in Section 5.1 have been replaced with the correct numbers.

Comment 39

The commentator states that all of the SCAG policies could be placed in one section of the Final Program EIR.

Response 39

This comment is acknowledged; however, for ease of analysis and for the benefit of the reader, the City prefers to consolidate all policies relevant to a topic in the pertinent section of the EIR. For instance, all policies related to air quality would remain in Section 5.6, Air Quality, all policies related to land use and planning would remain in Section 5.1, Land Use and Planning, etc.

Comment 40

The commentator points out a typographical error in Section 5.8, Water Supply, Treatment, and Distribution.

Response 40

The typographical error has been corrected in the Final Program EIR.

Comment 41

SCAG commends the efforts of the City for including a thorough review of the SCAG policies recommended for review in its March 1, 2007 letter in response to the NOP; states that the project is consistent with or supports many of the core and ancillary policies of the RCPG; and states that all feasible mitigation measures to mitigate potentially negative regional impacts should be implemented.

Response 41

These comments are noted. With respect to project consistency with RCPG policies and implementation of all feasible mitigation measures, the commentator is referred to Responses 1 through 40.

Comment 42

Comment 42 lists SCAG's Roles and Authorities.

Response 42

This comment is acknowledged and will be forwarded to the City's decision makers for consideration. As it does not address the content or adequacy of the Draft Program EIR, no further response is required.

Comment 43

This comment suggests that the Draft Program EIR include a table showing a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency, or inapplicability of each policy.

Response 43

This comment is acknowledged; however, for ease of analysis and for the benefit of the reader, the City prefers to consolidate all policies relevant to a topic in the pertinent section of the EIR.



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

June 15, 2007



Brian Ludicke, Planning Director
City of Lancaster Planning Department
44933 Fern Avenue
Lancaster, CA 93534

Dear Mr. Ludicke:

DRAFT ENVIRONMENTAL IMPACT REPORT (EIR), AMARGOSA CREEK SPECIFIC PLAN
DRAFT PROGRAM, SCH #2007021012, "CITY OF LANCASTER" - (FFER #200700149)

The Draft Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, and Forestry Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

- 1. Section 5.11 of the Draft EIR, Fire Protection, contains a few unclear or inaccurate statements. The City of Lancaster does not contract with the County for fire protection service.
2. Section 5.11.1.2.a. states, "...a paramedic assessment engine staffed by three firefighters who are also paramedics, a paramedic squad made up of two paramedics..."

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SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

Table listing various cities and areas served by the Fire Department, including Agoura Hills, Artesia, Azusa, Baldwin Park, Bell, Bell Gardens, Bellflower, Bradbury, Calabasas, Carson, Cerritos, Claremont, Commerce, Covina, Cudahy, Diamond Bar, Duarte, El Monte, Gardena, Glendora, Hawaiian Gardens, Hawthorne, Hidden Hills, Huntington Park, Industry, Inglewood, Irwindale, La Canada-Flintridge, La Habra, La Mirada, La Puente, Lakewood, Lancaster, Lawndale, Lomita, Lynwood, Malibu, Maywood, Norwalk, Palmdale, Palos Verdes Estates, Paramount, Pico Rivera, Pomona, Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates, Rosemead, San Dimas, Santa Clarita, Signal Hill, South El Monte, South Gate, Temple City, Walnut, West Hollywood, Westlake Village, and Whittier.

3. Effective 7/1/2007, the resources in several Lancaster fire stations have been re-located to better serve the growth in the area. The new station resources are as follows:
- Station 129 has a Haz Mat (Hazardous Materials) Task Force consisting of a 5-person Haz Mat Squad and a 4-person Haz Mat Engine.
 - Station 134 has a 3-person engine, a 2-person paramedic squad, and a 1-person water tender (staffed only during fire-prone weather).
 - Station 33 has a 2-person Emergency Support Team (for manpower augmentation in major incidents) in addition to the engine, quint, squad, and battalion chief.
 - Station 130 has a USAR Task Force as defined above.

LAND DEVELOPMENT UNIT:

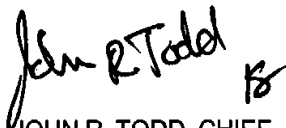
1. The Fire Prevention Division, Land Development Unit has no additional comments regarding this project. The conditions that were addressed in NOP #200700030, dated April 25, 2007, have not been changed at this time.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



JOHN R. TODD, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JRT:lc

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9. Responses to Letters Received from John R. Todd, Chief, Forestry Division, County of Los Angeles Fire Department, Los Angeles, California, correspondence dated June 15, 2007.

Comment 1

This comment states that the Draft Program EIR was reviewed by the Planning Division, Land Development Unit, and Forestry Division of the Los Angeles County Fire Department.

Response 1

This comment is acknowledged. As it does not specifically comment on the contents or adequacy of the Draft Program EIR, no further response is required.

Comment 2

Section 5.11, Fire Protection, Hazards, and Hazardous Materials, contains a few unclear or inaccurate statements and the commentator provides clarification on fire protection service to the City and sources of funding.

Response 2

Section 5.11 of the Final Program EIR has been revised to reflect the contents of this comment.

Comment 3

The commentator provides clarification on the staffing of Station 129.

Response 3

Section 5.11 of the Final Program EIR has been revised to reflect the contents of this comment.

Comment 4

Effective July 1, 2007, resources in Stations 129, 134, 33, and 130 have been re-located to better serve the growth in the area. These changes are listed in the comment.

Response 4

The information provided in the comment has been incorporated into Section 5.11.

Comment 5

The Fire Prevention Division, Land Development Unit has no additional comments regarding this project.

Response 5

This comment is acknowledged and no response is required.

Comment 6

The statutory responsibilities of the LACFD, Forestry Division are listed, and a statement is made that the areas germane to this division have been addressed.

Response 6

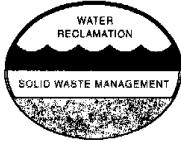
This comment is acknowledged. As it does not comment on the adequacy of the Draft Program EIR, no further response is required.

Comment 7

The commentator provides a contact phone number for additional questions regarding providing fire protection service to the proposed project.

Response 7

This comment is acknowledged and will be forwarded to the City decision-makers. As it does not comment on the content or adequacy of the Draft Program EIR, no further response is required.



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
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www.lacsd.org

STEPHEN R. MAGUIN
Chief Engineer and General Manager

June 20, 2007

File No: 14-00.04-00



Mr. Brian Ludicke
Planning Department
City of Lancaster
44933 North Fern Avenue
Lancaster, CA 93534-2461

Dear Mr. Ludicke:

Amargosa Creek Specific Plan

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report for the subject project on May 18, 2007. The proposed development is located within the jurisdictional boundaries of District No. 14. We offer the following comments:

5.9 Wastewater Collection and Treatment

- 1. Page 5.9-1, a. Collection, third paragraph, first sentence: (vitreous concrete pipe) should be changed to (vitrified clay pipe).
2. All information concerning Districts' facilities and sewerage service contained in the document is current.

5.10 Solid Waste

- 3. The Districts agree with the analysis in subsection 7, that more disposal capacity is needed within the existing system serving Los Angeles County to provide for its long-term disposal needs. To partially address this issue, the Districts are in the process of implementing a waste-by-rail system to the Mesquite Regional Landfill in Imperial County. Municipal solid waste will be transported approximately 210 miles to the site via the Union Pacific Railroad main line, which extends from Metropolitan Los Angeles to Glamis and then by a proposed 4.5-mile rail spur built to the site. The Districts have prepared a comprehensive master plan for the site and are in the process of designing and constructing the facilities necessary to begin operation. The Mesquite Regional Landfill is scheduled to be operational by the end of 2008. The waste-by-rail system is expected to be operational by 2011/2012.

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Doc #: 795190.1



Mr. Brian Ludicke

-2-

June 20, 2007

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



Very truly yours,

Stephen R. Maguin

Ruth I. Frazen
Engineering Technician
Facilities Planning Department

RIF:rf

cc: Z. El Jack

Doc #: 795190.1

10. Responses to Letters Received from Ruth I. Frazen, Engineering Technician, County Sanitation Districts of Los Angeles County, Whittier, California, correspondence dated June 20, 2007.

Comment 1

The commentator states that the proposed project is within District No. 14.

Response 1

This comment is consistent with the findings of the Draft Program EIR and no further response is required.

Comment 2

On page 5.9-1 of the Draft Program EIR, “vitreous concrete pipe” should be replaced with “vitrified clay pipe.”

Response 2

The text in Section 5.9 of the Final Program EIR has been revised to reflect the content of this comment.

Comment 3

All information concerning the District’s facilities and sewerage service contained in the Draft Program EIR is current.

Response 3

This comment is acknowledged. As it does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 4

The commentator describes a waste-by-rail system to the Mesquite Regional Landfill in Imperial County that would provide for the Sanitation District’s long-term disposal needs.

Response 4

This comment is acknowledged and it supplements the information provided in Section 5.10, Solid Waste, of the Draft Program EIR. It does not change the findings of Section 5.10 or the Draft Program

EIR. As it does not question or affect the content or adequacy of the Draft Program EIR, no further response is required.

Comment 5

The commentator provides a contact phone number for additional questions regarding providing sanitation service to the proposed project.

Response 5

This comment is acknowledged and will be forwarded to the City decision-makers. As it does not comment on the content or adequacy of the Draft Program EIR, no further response is required.



PALMDALE
a place to call home

JAMES C. LEDFORD, JR.
Mayor

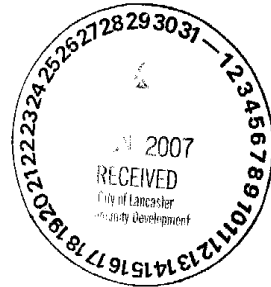
MIKE DISPENZA
Mayor Pro Tem

STEVEN D. HOFBAUER
Councilmember

STEPHEN KNIGHT
Councilmember

TOM LACKEY
Councilmember

June 26, 2007



Mr. Brain Ludicke
Director of Community Development
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534

RE: Draft Program Environmental Impact Report (SCH No. 2007021012) Amargosa Creek Specific Plan Program

38300 Sierra Highway

Palmdale, CA 93550-4798

Tel: 661/267-5100

Fax: 661/267-5122

TDD: 661/267-5167

Dear Mr. Ludicke

Thank you for the opportunity to comment on the above referenced document.

The City of Palmdale would like the Final Environmental Impact Report to note that any improvements to the southern half of the intersection of Columbia Way (Avenue M) and 10th Street West will require consultation with, and encroachment permits from, the City of Palmdale and not Caltrans.

Should you require any additional information, please contact Susan Koleda or me at 661/267-5200.

Sincerely

Asoka Herath
Director of Planning

AH:sk

cc: Laurie Lile
Bill Padilla

Auxiliary aids provided for
communication accessibility

upon 72 hours' notice and request

Vertical box with three numbered circles (1, 2, 3) on the right side.

www.cityofpalmdale.org

11. Responses to Letters Received from Asoka Herath, Director of Planning, City of Palmdale, Palmdale, California, correspondence dated June 26, 2007.

Comment 1

The commentator thanks the City of Lancaster for the opportunity to comment on the Draft Program EIR.

Response 1

This comment is noted; however, as it does not comment on the content or adequacy of the Draft Program EIR, no response is required.

Comment 2

The commentator requests that the Final Program EIR note that any improvements to the southern half of the intersection of Columbia Way (Avenue M) and 10th Street West will require coordination with the City of Palmdale, rather than with Caltrans.

Response 2

Mitigation measure 5.5-27 has been revised in the Final Program EIR to state that the project-related improvements to the intersection of Columbia Way (Avenue M) and 10th Street West will require coordination with and approval by the City of Palmdale.

Comment 3

The commentator provides a contact phone number for additional information.

Response 3

This comment is acknowledged and will be forwarded to the City decision-makers. As it does not comment on the content or adequacy of the Draft Program EIR, no further response is required.



Kaiser Foundation Health Plan, Inc.

June 13, 2007

Brian Ludicke
City of Lancaster
Planning Department
44933 Fern Avenue
Lancaster, CA 93534

Re: Response Letter to DEIR State Clearing House #2007021012
Amargosa Creek Specific Plan Draft Environmental Impact Report

Dear Mr. Ludicke,

On behalf of Kaiser Permanente, I wish to respond to the following issues outlined in the Amargosa Creek Specific Plan Draft Environmental Impact Report:

- Section 5.3-6 states that "All on-site storm drainage improvements necessary to serve the project are to be constructed by the project developer(s) to the satisfaction of the City of Lancaster." As the Specific Plan project area contains more than one project, it is important that the storm drain improvements do not become the burden of just one project, i.e., the first project that is developed would have to install all improvements. It should be stated in the EIR that the schedule, approximate costs, and fair share allocations of these costs should be outlined in the Specific Plan or in a Development Agreement filed with the City of Lancaster.
- Section 5.4 states that the applicant shall retain a qualified biologist to conduct surveys of burrowing owl, silvery legless lizard, and Le Conte's thrasher habitat, nests, and presence. As biological reports for these species and their habitats have already been generated for this DEIR, it seems unreasonable to require that new certified biologist reports be generated. Reasonably, a certified biologist could update the report within the one-week or 30-day time frame prior to grading or construction, as required by the specific mitigation, rather than generate a new, full-blown report.
- Section 5.5, *Environmental Impact Analysis, Transportation and Mitigations* states in mitigation measures 5.5-1 through 5.5-31 state that "the project shall pay its fair share" of the mitigation measures, including, but not limited to: six (6) full and phased traffic signals; restriping, reconfiguration and construction of additional lanes, turn phases and roadways surrounding the entire specific plan area; and possible land acquisition for the aforementioned upgrades. There are at least three separate entities/ownerships within the specific plan area, each proposing a different project. Two projects are slated to be retail; one project is the Kaiser Permanente medical/hospital campus.

We are concerned, however, because there is no delineation in the document between the three projects of the total specific plan buildout impacts and required fair share

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Walnut Center
Pasadena, CA 91188

MS-367 (7/01)

costs, nor an accounting nor schedule of the fair share payments attributable to each project or entity. It is important that the costs be outlined, and that a fair share schedule of payments is included in this document, or in a Development Agreement for this project to be filed with the City of Lancaster.

4

- In Section 5.12 of the DEIR requires "The project developer(s) (to) employ a minimum of one private security service during all stages of project construction in order to prevent vandalism or theft at the construction site" Section 5.12-5 states that "Prior to the issuance of occupancy permits for the first development approval filed for the Medical District, a minimum of one permanent, private 24-hour security guard shall be retained to patrol the developed portions of the Medical District.

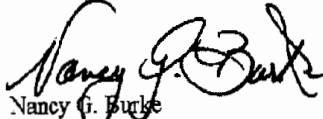
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In response to both 5.12 and 5.12-5, Kaiser provides its own security service at all of its medical centers. Kaiser has a security department which maintains security for more than 150 medical office buildings in California, and more than 20 hospital campuses. Although Kaiser does, in some cases, hire outside security, we believe that it will be superfluous and costly to be required to hire outside security firms rather than provide our own security. Whether or not Kaiser can provide security using its own security employees, we will have security onsite. Kaiser will be happy to provide a security plan to the Antelope Valley Sheriff's Department for review and approval, prior to the issuance of a certificate of occupancy.

6

Thank you for taking our comments under consideration. If you have any questions, please feel free to call me at 323-259-4404.

Sincerely,



Nancy G. Burke
Kaiser Permanente
Southern California Land Use / Entitlements Manager
825 Colorado Blvd., Suite 222
Pasadena, CA 90041

12. Responses to Letters Received from Nancy G. Burke, Kaiser Permanente, Pasadena, California, correspondence dated June 13, 2007.

Comment 1

The commentator states that she is responding to several issues in the Draft Program EIR on behalf of Kaiser Permanente.

Response 1

This comment is acknowledged and will be forwarded to the City decision-makers. As it does not comment on the content or adequacy of the Draft Program EIR, no further response is required.

Comment 2

As the Specific Plan area would contain more than one development application, it is important that the storm drain improvements not become the burden on just one applicant.

Response 2

The financing of the storm drain improvements is a decision that will be made by the City Council, and could include a variety of approaches including assessment district, fee credits, and public participation. As this comment does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 3

As biological reports for the burrowing owl, silvery legless lizard, and Le Conte's thrasher habitat have already been generated, it seems unreasonable to require new "full-blown" biology reports.

Response 3

CDFG requires surveys for active nests of bird species protected by the MBTA and/or the California Fish and Game Code, burrowing owl, and the silvery legless lizard within 30 days of construction activities. The pre-construction surveys would be conducted and survey findings would meet the minimum requirements of the CDFG prior to construction activity for each development application. A new, "full-blown" biology reports would not be required for each development application.

Comment 4

The commentator is concerned because there is no delineation in the Draft Program EIR as to how the fair share of transportation improvement costs would be allocated to each development application.

Response 4

At this program level of planning, it is not possible to determine the costs of each improvement, as well as the fair share value of each on- and off-site development proposal over the life of the project. It is also outside of the purview of the Draft Program EIR to identify specific funding mechanisms.

Various on-site public improvements including streets and utility systems will be installed on a phased basis determined by the Specific Plan reviewing agency as development occurs within various portions of the Specific Plan site. Typically, development projects are responsible for the installation of improvements on and immediately adjacent to the development site. Traffic, signal, and other impact fees are paid at the time building permits are issued and are intended to cover a project's fair share contribution towards cumulative impacts on City infrastructure. Since development of the project will occur in a phased manner over time, it is not possible at this point to specifically identify which on or off-site improvements each portion of the project will be responsible for completing, since other development projects in the vicinity of the site will also be installing various improvements that may be considered part of the cumulative mitigation requirements for the Amargosa Creek Specific Plan.

Comment 5

The commentator refers to mitigation measure 5.12-5 in Section 5.12, Police Protection, which states, "Prior to issuance of occupancy permits for the first development approval filed for the Medical District, a minimum of one permanent, private 24-hour security guard shall be retained to patrol the developed portions of the Medical District. The Los Angeles County Sheriff's Department shall be consulted to assist in determining the minimum number of security guards that shall patrol the Medical District upon buildout."

Kaiser provides its own security service and has a security department which maintains security for more than 150 medical office buildings in California and more than 20 hospital campuses. The commentator, in reference to the mitigation measure states, "it will be superfluous and costly to be required to hire outside security firms rather than provide our own security. Kaiser will be happy to provide a security plan to the Antelope Valley Sheriff's Department for review and approval, prior to issuance of a certificate of occupancy."

Response 5

Mitigation measure 5.12-5 does not require that the occupant of the Medical District hire an outside security firm. The security services already utilized by the occupant of the Medical District would satisfy the requirement of mitigation measure 5.12-5. As the comment is not inconsistent with the Draft Program EIR, no further response is required.

Comment 6

The commentator provides a contact phone number for additional questions regarding providing fire protection service to the proposed project.

Response 6

This comment is acknowledged and will be forwarded to the City decision-makers. As it does not comment on the content or adequacy of the Draft Program EIR, no further response is required.

June 26, 2007

Amargosa Creek Project

TO: Mr. Brian Ludicke,
City of Lancaster Planning Department
44933 Fern Avenue
Lancaster, CA., 93534
Email: bludicke@cityoflancafterca.org.



ATTN: Brian Ludicke, Planning Director

SUBJECT: Draft EIR for the Amargosa Creek Specific Plan

I am in favor of the proposed "up-scale" Amargosa shopping Center with all the amenities that would bring Lancaster and the AV. A hospital would be a nice capstone for the Center. A part of this project should be the addition of more natural aesthetics, to meet the growing needs of our more and more compressed society. I am in favor of the integration of the up-scale shopping center with a design utilizing an "open Amargosa Creek". See Figure 7.0-1 of the DEIR. Alternative 4 Site Plan would keep Amargosa Creek open, and could be modified to add the hospital in the eastern portion of the Specific Plan. The placement of the hospital away from the proximity of the corner on 10 St West and Ave L, would also serve to reduce the traffic congestion near the hospital.

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A representative from California Fish and Game made some comments recently to officials of the City of Lancaster, on the subject of the Amargosa Creek, --- "Citizens of other Cities are in support of getting rid of concrete lined drainages to return them to soft bottomed drainages and even day lighting historic drainages (at great expense) and in Lancaster they are still opting to run drainages underground into large drainage pipes with no biological or aesthetic value".

2

The addition of a walking and bicycle trail along with several open meeting gazebos would add much to the flavor of the center. Natural vegetation (i.e. Joshua trees, poppies and etc.) along with some trees and resting areas would add to the shopper's enjoyment. The pathway(s) along the creek would serve to connect to the Lancaster City Park and form a recreation network both north and south to other facilities.

3

Please note the following points below for historical background and reference material:

4

The 1992 Lancaster General Plan for a "Living Environment" had an Urban Primary Trail along the Amargosa Creek corridor (most of the way) between Ave H and Ave M identified

October 1994 the City Council directed staff to prepare a Master Plan of Trails in accordance with the City's General Plan.

January 1995 a Trails and Pathway Committee was formed. They interviewed groups and individuals interested in trails and recreation.

October 28, 1995 an all-day workshop was held with 40 people taking part in planning this trail system (the results were turned over to the City staff for developing a plan).

An "Amargosa Creek Pathway" Master plan and Design Guidelines document was prepared (note: some work has started along the Creek near the new AV Fair grounds and between Ave H and Ave I).

Question(s): Has the City General Plan been amended to drop the basic Amargosa Creek corridor?

January 2005 when the City adopted a "Master Plan of Drainage" a covering of 6,500 feet of the Creek in a cement box was proposed. Was the Amargosa Creek Pathway corridor discussed by the City Council?

Channel-zing the Creek in cement will reduce recharge into our aquifer and also send more storm water onto Rosamond dry lake and EAFB. Will this be reviewed?

Has an analyses been performed on the effects of covering a long portion of the Creek using a 50 year storm event design?
(In the event of more than a 50-year storm, drainage from Ritter Ridge, Sierra Peloma and other areas of the San Gabriel Mtns could provide a large water flow into the Amargosa Creek and the AV). With a long enclosed tube, the water flow may become choked and pile-up at the entrance.

Final comment. To name a future major shopping area after the Creek, and then burying it underground forever seems contradictory.

Sincerely,

Dean Webb, Antelope Valley Environmental Group (AVEG),
1000 E. Caperton,
Lancaster, CA., 93535
eMail < ldwebbo@aol.com >

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13. Responses to Letters Received from Dean Webb, Lancaster, California, correspondence dated June 26, 2007.

Comment 1

The commentator states that he is in favor of the proposed “up-scale” Amargosa shopping center, and is in favor of a design utilizing an “open Amargosa Creek.” The commentator refers to Alternative 4 of the Draft Program EIR, and states that it could be modified to include a hospital.

Response 1

Under Alternative 4, the project site would be developed with commercial and residential uses; no medical facilities would occur on the site. The comment represents the opinion of the commentator and will be forwarded to the City’s decision-makers for their review. As the comment does not question the adequacy of the Draft Program EIR, no further response is required.

Comment 2

The commentator quotes an unnamed representative of CDFG.

Response 2

The quotation is acknowledged and will be forwarded to the City’s decision-makers for their consideration. As the comment does not specifically question the adequacy of the Draft Program EIR, no further response is required.

Comment 3

“The addition of a walking and bicycle trail along with several open meeting gazebos would add much to the flavor of the center. Natural vegetation (i.e., Joshua trees, poppies, etc.) along with some trees and resting areas would add to the shopper’s enjoyment. The pathway(s) along the creek would serve to connect to the Lancaster City Park and form a recreation network both north and south to other facilities.”

Response 3

The comment represents the opinion of the commentator and will be forwarded to the City’s decision-makers for their review. As the comment does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 4

The commentator provides historical background on a plan for a pathway along Amargosa Creek.

Response 4

As stated in Section 5.1, Land Use and Planning, of the Draft Program EIR,

In December 1996, the City Council approved the Amargosa Creek Master Plan and Design Guidelines for the establishment of a trail along a 5-mile segment of Amargosa Creek, which is referred to as the Amargosa Creek Pathway.³ When implemented, the pathway would provide a recreational facility and alternative transportation corridor for bicyclists, pedestrians, and other trail users. While the Amargosa Creek Master Plan and Design Guidelines could represent a part of the establishment of a Citywide system of trails, there is no overall master plan of trails currently adopted for the City as a whole. Further, the Amargosa Creek Master Plan and Design Guidelines did not commit the City to a specific course of action regarding a trail in the project site area since no pathway alignment was adopted. Therefore, there is no adopted trail through the project site along Amargosa Creek, and this planning document does not apply to the proposed project.

As the comment does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 5

The commentator asks if the City's *General Plan* has been amended to drop the basic Amargosa Creek corridor.

Response 5

The City's *General Plan* has been never included plans for pathways or trailways within the Amargosa Creek corridor. As the comment does not question the content or adequacy of the Draft Program EIR, no further response is required.

Comment 6

The commentator asks if the Amargosa Creek Pathway was discussed by City Council when it adopted the *Master Plan of Drainage*.

³ City of Lancaster, *City of Lancaster General Plan Policy Document and Master Environmental Assessment*, October 1997, p. 9.4-14.

Response 6

There is no adopted plan for path or trailways through the project site (see Response 4 above) and inclusion of discussion by City Council members for the *Master Plan of Drainage* is outside the purview of this EIR. This question, however, is acknowledged and will be submitted to the City decision-makers for their consideration. As it does not pertain to the content or adequacy of the Draft Program EIR, no further response is required.

Comment 7

The commentator states that channelizing the creek will reduce discharge in the aquifer, and it would send more storm water onto Rosamond dry lake bed and EAFB. The commentator asks if this will be reviewed.

Response 7

As stated in Sections 5.1, Land Use and Planning, 5.2, Geotechnical Resources, 5.3, Hydrology, Storm Drainage, and Water Quality, and 5.8, Water Supply, Treatment, and Distribution, the segment of Amargosa Creek that flows through the Amargosa Creek Specific Plan site is subject to sedimentation by fine silts which have poor porosity and, therefore, poor infiltration rates. Runoff through the creek through the site tends to be of a flash-flood nature with rapid rates of runoff with little settling and infiltration time. Therefore, Amargosa Creek through the project site does not serve as a significant recharge area to the underlying aquifer.

The increase in site runoff as a result of the proposed project is discussed in Section 5.3, Hydrology, Storm Drainage, and Water Quality, of the Draft Program EIR.

Comment 8

The commentator asks if an analysis has been performed on the effects of covering a long portion of the creek using a 50-year storm event design.

Response 8

As stated in Section 5.3, Hydrology, Storm Drainage, and Water Quality, of the Draft Program EIR, the proposed 6,500-foot armorflex lined concrete arch channel that would be constructed in the existing alignment of the creek through the project site would be designed for the 100-year storm event. According to the City Engineer, downstream flood control facilities are also designed for the 100-year

storm event, Therefore, water flow through the site would not “become choked and pile up at the entrance” to the armorflex lined concrete arch channel.

Comment 9

The commentator states, “To name a future major shopping area after the Creek, and then burying it underground forever seems contradictory,”

Response 9

The comment represents the opinion of the commentator and will be forwarded to the City’s decision-makers for their review. As the comment does not question the adequacy of the Draft Program EIR, no further response is required.

YAVITZ COMPANIES

July 2, 2007

VIA FACSIMILE 661/723-5926 AND FEDERAL EXPRESS

Ms. Jocelyn Swain
City of Lancaster
44933 Fern Ave.
Lancaster, CA 93534-2461

**RE: Amargosa Creek Specific Plan
Draft Environmental Impact Report - May 2007**

Dear Jocelyn:

The following are our comments to the Amargosa Creek Draft Environmental Impact Report dated May 2007.

A. Hydrology

Comment No. 1: Incorporate by reference the environmental review documentation for the Master Plan of Drainage (January 2005) (5.3-2 and 5.3-10)

Comment No. 2: Apparent inconsistency between whether the soils have poor infiltration rates. (p. 5.3-5) or high infiltration rates. (p. 5.3-15). Please confirm which soil types/areas of the site these statements relate.

Comment No. 3: The discussion of criterion 8 should be revised to clarify that the project is not subject to flood risks, but not because the criterion does not apply because there are no levees or dams (risk of flooding, including levee or dam failure.) (p. 5.3-12)

B. Transportation and Circulation

Comment No. 4: Traffic Impact Fee shall be paid at issuance of grading permit (5.5-2)

C. Air Quality

Comment No. 5: P. 5.6-32, strike the word "fully in the 5th line of the first paragraph of subsection b, because the impact will just be mitigated to less than significant.

Comment No. 6: 5.6-14 – Specific Plan does not permit on-site child care.

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222 Main St., Suite C • Seal Beach, CA 90740
PH: 562.596.9900 • FAX: 562.596.9904

Ms. Jocelyn Swain
RE: Amargosa Creek – Specific Plan
July 2, 2007
Page Two

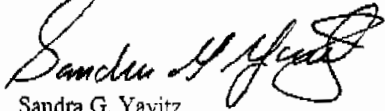
D. General Comments

Should Global Warming be part of the Report?

7

Thank you for your consideration.

Sincerely,



Sandra G. Yavitz

SGY/afc

Cc: Michael Busch (via facsimile - 661/723-5926)
Brian Ludicke (via facsimile - 661/723-5926)
Jim Gilley (via facsimile - 661/948-9613)
Jim Wood (via facsimile - 949/497-8760)
Tamsen Plume (via facsimile - 415/743-6910)

14. Responses to Letters Received from Sandra G. Yavitz, Yavitz Companies, Seal Beach, California, correspondence dated July 2, 2007.

Comment 1

The commentator requests that the Draft Program EIR incorporate the environmental review documentation for the *Master Plan of Drainage* by reference.

Response 1

It is unclear why the document would be incorporated by reference in the Draft Program EIR. The Draft Program EIR provides a more adequate and a more up-to-date review of the potential environmental impacts of the proposed 6,500-foot armorflex lined concrete arch channel through the project site than the environmental review for the *Master Plan of Drainage*. As incorporating the environmental review documentation for the *Master Plan of Drainage* by reference would not improve or enhance the adequacy of the Draft Program EIR, no further response is required.

Comment 2

The commentator asks for clarification of the infiltration rates of on-site soils.

Response 2

As indicated in Section 5.3, Hydrology, Storm Drainage, and Water Quality, existing on-site soils are generally sandy and have high infiltration rates, and runoff rates and volumes from the site are lower than on other parcels in its vicinity that are already developed and covered over with impermeable surfaces. However, the segment of the creek that flows through the Amargosa Creek Specific Plan site is subject to sedimentation by fine silts which have poor porosity and, therefore, poor infiltration rates. Therefore, while site soils have high infiltration rates, the sediment in the creek bed has a poor infiltration rate.

Comment 3

“The discussion of criterion 8 should be revised to clarify that the project is not subject to flood risks, but not because the criterion does not apply because there are no levees or dams (risk of flooding, including levee or dam failure) (p. 5.3-12).”

Response 3

Criterion 8 in Section 5.3, Hydrology, Storm Drainage, and Water Quality, states, “Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.”

The following paragraph in the Draft Program EIR states, “There are no levees or dams upstream of the project site, and people or structures on the project site would not be exposed to a significant risk of loss, injury, or death involving flooding as a result of levee or dam failure; criterion 8 therefore does not apply to the project.”

This paragraph has been revised to state, “There are no levees or dams upstream of the project site, and people or structures on the project site would not be exposed to a significant risk of loss, injury, or death involving flooding as a result of levee or dam failure. Project impacts relative to exposing people or structures to a significant risk of loss, injury or death involving flooding are discussed under Criteria 4, 5, and 7; therefore, criterion 8, as it pertains to flooding from levee or dam failure, will not be specifically addressed in the following impact analysis.”

Comment 4

The commentator states that the traffic impact fee is paid at the issuance of grading permit.

Response 4

The traffic impact fee is paid concurrent with the issuance of building permits for each development application. The applicable mitigation measures in Section 5.5, Transportation and Circulation, have been revised to state the appropriate timing of traffic impact fee payment.

Comment 5

The commentator asks that the word “fully” be deleted in the 5th line of the first paragraph on page 5.6-32 of Section 5.6, Air Quality, of the Draft Program EIR “because the impact will just be mitigated to less than significant.”

Response 5

The word “fully” has been deleted in the 5th line of the first paragraph on page 5.6-32 of Section 5.6, Air Quality, of the Draft Program EIR.

Comment 6

Regarding p. 5.6-32 of Section 5.6, Air Quality, of the Draft Program EIR, the Specific Plan does not permit on-site child care.

Response 6

The commentator is correct. Mitigation measure 5.6-14, which recommended on-site child care and after-school facilities, has been deleted from the Final Program EIR.

Comment 7

The commentator asks if global warming should be part of the record.

Response 7

The primary source of global greenhouse gases (GHGs) in California is fossil fuel combustion. The primary GHG associated with fuel combustion is carbon dioxide, with lesser amounts of methane and nitrous oxide. Accordingly, the project would result in emissions of these GHGs due to fuel combustion in motor vehicles and building heating systems associated with the project. Building and motor vehicle air conditioning systems may use hydrofluorocarbons (and hydrochlorofluorocarbons and chlorofluorocarbons to the extent that they have not been completely phased out at later dates), which may result in emissions through leaks. The other GHGs (perfluorocarbons and sulfur hexafluoride) are associated with specific industrial sources and are not expected to be associated with the proposed project.

While the project would result in emissions of GHGs, the significance of the impact of a single project on global climate cannot be determined at this time. First, no guidance exists to indicate what level of GHG emissions would be considered substantial enough to result in a significant adverse impact on global climate. Even though the GHG emissions associated with an individual development project could be estimated, there is no emissions threshold that can be used to evaluate the significance of these emissions. Second, global climate change models are not sensitive enough to be able to predict the effect of a single project on global temperatures and the resultant effect on climate; therefore, they cannot be used to evaluate the significance of a project's impact. Thus, while the proposed project emissions would contribute to global warming, insufficient information and predictive tools exist to assess whether the project would result in a significant impact on global climate.

