

March 23, 2020

**To:** Ms. Trayci Nelson  
City of Bradbury Planning Department  
600 Winston Avenue  
Bradbury, CA 91008

**RE: Initial Study (IS) Chadwick Ranch Estate, Feb. 2020**

Dear Ms. Nelson,

The California Environmental Quality Act (CEQA) requires agencies to ensure “the long-term protection of the environment...” (Pub. Res. Code § 21001 (d).) To effectuate this purpose, CEQA requires public agencies considering a project of this magnitude to prepare an Environmental Impact Report (EIR) that informs governmental decision makers and the public about the potential significant environmental impacts of proposed activities, identifies ways that environmental damage can be avoided or significantly reduced, and requires the adoption of feasible alternatives and mitigation measures. CEQA Guidelines § 15002 (a)(1)-(3).

Unfortunately, the Oak View Estates Project now under review falls far short of meeting the legal mandates imposed by CEQA. The Project will have significant impacts on biological resources, traffic, air quality, water supply, and quality of life. I will follow up with more specific details in the rest of my letter regarding these concerns and issues.

Section 15123(b)(2) of the CEQA Guidelines states that an EIR summary should identify areas of controversy known to the Lead Agency, including issues raised by agencies and the public. A complete Draft EIR for the Oak View Estates Project is located in an extremely high fire area. The foothills and surrounding wildlands/urban interface are covered with large amounts of vegetation, also known by the LA County Fire Department as “fuel load”/ high fire danger. Recall that not too long ago, wildlands/urban interface homes in the nearby foothills were destroyed by the Colby Fire (2014).

**Here are some of my areas of concern and controversy:**

1. Living Conditions/Fire Prevention in Essential Planning for High Fire Risk Zones. Regarding the proposed 14 homes on the Chadwick Ranch Estates Project, the site is located in a High Fire Hazard Severity Zone on the foothill slopes of the San Gabriel Mountains. Existing fuel loads of vegetation on the site consist of mixed non-native grasslands, riparian woodlands, and chaparral/sagebrush scrub, including additional fire risks of canyons separated by hilltops. Thus, the proposed project does expose people

and/or structures to a significant risk of personal and property losses, including injury or death involving wildlands fires.

**2. Fire Prevention, Health Risks, and Mitigation Concerns.** The city of City of Bradbury is well-known for the Santa Ana winds with red flag warnings. Gusts of winds can pose safety concerns regarding fires within the foothills. In wildlands/urban interface areas, hot embers can come from many sources, such as devastating brushfires and family barbecues. Many homes have liquid- petroleum- gas -fueled cooking devices, plus outdoor barbecues, fire pits, and fire places, Even electric cooking devices pose a potential risk for brush fires in this area. Studies need to address these concerns and related mitigation plans? Related concerns affect both local and regional AQMD studies of air quality impacts, spread, and residual effects of toxic smoke and gases, resulting in more agency involvement which an EIR in final draft should emphasize. What health problems are most likely to happen to people, plants domestic animals, people with health problems, elderly, young children? What health effects will smoke potentially pose for us and wildlife? The DEIR needs to address these concerns regarding indoor and outdoor fires and cooking in the foothills.

**3. Wildlife & Increase of Pest Control, Prevention, Intervention.** Will cooking and smell of food attract wildlife to these areas and adjacent areas creating more of a danger to people and pets? The DEIR needs to assess this potential threat and provide in-depth local and regional studies, including comment from regional, state, and federal agencies on Pest Control, Prevention, and/or Intervention. These impacts are becoming of increasing concern in the foothill and wildlands/urban interface areas. Just for first steps, the DEIR for air quality for the above questions and concerns needs to be addressed. I'm sure the South coast Air Quality Management District has plenty of data to share for your area to help design more healthful planning, or recommend mitigation or no fireplaces, etc. for these impacts. As the impacts are becoming more varied and far-reaching in terms of negative and detrimental impacts on neighborhoods and wildlife, more agencies are needed and getting involved in planning processes.

**4. Wildlife Urban Interface Issues.** When we put housing developments in the hillsides of The City of Bradbury, we are building in nature's back yard. The deer, bear, rabbits, squirrels and birds inhabited the hillsides and fields long before homes and residential neighborhoods showed up. Animals do not recognize property boundaries. They live where there is habitat: food, water, shelter, and space. Normally these are provided for by nature. When subdivisions are built where the foothills areas once were open space, the animals will continue to live nearby. If the necessities for life are provided around houses, wild animals and people will intermingle. This creates a conflict and an opportunity for dangerous encounters and interactions, putting children and people at risk and possibly being attacked and injured or even killed.

The conflict arises because humans and wild animals do not necessarily make good neighbors. If pets and their food are left outside, these might prove to be an irresistible attraction to hungry bears or mountain lions. Bears will eat nearly anything including

garbage, pet food, seeds, and suet from bird feeders. Mountain lions and coyotes have been known to kill pets, and in many instances, attack small children. If wildlife is being attracted by food and garbage that homeowners leave out, either purposely or inadvertently, animals become attracted to our homes. Once animals lose their natural tendency to avoid people, dangerous situations are created. The DEIR needs to address this concern and should be addressed to insure and evaluate the potential dangers.

**5. Recorded Easements Omissions.** There are no recorded easements allowing waterlines, utility services, and roadways traveling through this property. Of particular concern are DEIR essential needs to address the known blue-line streams that travel through this proposed development. The three federal agencies, the State Resources Division Wildlife Conservation Board, USFWS and US Army Corps of Engineers, all will need to grant permits before anything is decided on this proposed development. My question and concern is that without the permits being granted, this proposed development does not have essential legal access. This is another concern that needs to be addressed in the DEIR. Also, the existing tanks that are intended to provide water have not been evaluated to meet codes for fire safety sprinklers for adequate water supply for fire protection. And also, are the water tanks undersized for additional housing to supply water services?

**6. Oak Woodlands Environmental Impacts.** I'm very concerned about the environmental impacts this proposed development will have on oak woodlands. Think of all the oxygen production and air cleaning by the oaks for an urban area that we will be losing. This is one of the last of the largest oak woodlands in the San Gabriel Valley and Foothills.

The draft EIR needs to take into account that more oak trees will be adversely impacted that run adjacent to this site increasing the number of oaks that will be destroyed. There are several mature oak trees that run adjacent to this property. Any mitigation by the major oak and established oak woodlands loss with this proposed project will fail.

The extensive grading in this area will also negatively impact the woodlands, causing the oaks to die from the alteration and disturbance of the soils. Native oaks valuable to humans and environment tolerate very few impacts and changes in their environment once established. Any substantial change in the mature oak's environment can weaken or kill an oak, even a healthy specimen. A good rule of thumb is to leave the tree's root protection zone (RPZ) undisturbed. This area, which is half again as large as the area from the trunk to the drip-line, is the most critical to the oak. Many problems for oaks are initiated by disturbing the roots within this zone. This impact cannot be mitigated. How does the city or developer prepare to mitigate the above issues? Where and how does the City Oak or Tree Ordinance help protect trees in developments? There are no supporting facts or studies that cover off-site tree impacts with adjacent proposed developments.

**7. Alternative Road Access to the Property. Ingress and Egress Concerns.** The DEIR needs to evaluate alternate road access points that may be feasible. This should be included in the DEIR to inform public full disclosure, including a comparison chart showing the impacts each road access alternative would have on adjacent stress, and also including traffic studies to help distribute the flow of traffic onto multiple street access points and ways to lessen the flow of traffic during peak hours. An environmental impact study needs to be included to compare the proposed Road Extension in comparison to alternate streets, and also, impacts each road access would pose.

If waivers or variances are approved for this project, will these approvals set City legal precedent by allowing other developers requesting similar waivers and variances to take advantage? Such approvals would weaken what the City had intended and adopted with what were once high standards to protect the hillsides and the scenic views of the hillsides for all to enjoy.

**8. Cultural Resources.** In 2014, the California Legislature approved Assembly Bill 52. AB 52 creates a new category of environmental resources that must be considered under the California Environmental Quality Act: “tribal cultural resources.” The legislation imposes new requirements for consultation regarding projects that may affect a tribal cultural resource, includes a broad definition of what may be considered to be a tribal cultural resource, and includes a list of recommended mitigation measures. AB 52 requires lead agencies to consider the effects of projects on tribal cultural resources and to conduct consultation with federally and non-federally recognized Native American tribe(s) early in the environmental planning process. If your project has filed a Notice of Preparation (NOP) or a notice of Negative Declaration or Mitigated Negative Declaration (MND) on or after July 1, 2015, and the tribe has submitted a request for consultation, your project is subject to AB 52.

CEQA defines tribal cultural resources as “sites, features, places cultural landscapes, sacred places and objects with cultural value to a California Native American Tribe” that have been determined to be significant. (Public Resources Code §21074.) It is important to note that tribal cultural resources are not limited to archeological artifacts, but also include landscapes and places of importance to tribes. The DSEIR needs to examine/review the Project site for possible impacts on such resources. It is well documented that the Gabrieleno Band of Mission Indians/ Kizh Nation has resided in the San Gabriel Valley Foothills. Dr. Gary Stickel, Ph.D., Tribal Archaeologist should be consulted for relevant input, studies, and maps.

**9. Chadwick Ranch Estate, Noise & Vibration Studies.** The residents who live adjacent to the proposed development would be impacted. Construction of the new roadways would include the use of a vibratory roller. It is anticipated that the vibratory roller would result in vibration levels that may exceeded State Standards. Such studies

need to be included in the DEIR to Consider Mitigation Measures for Significant Construction Noise and Vibration Impacts.

**10. Additional COMMENTS AND RECOMMENDATIONS for Sensitive Species & Geology Studies.** A number of state and federally listed rare and sensitive species are and have been studied and documented regionally, cautioning all proposed developments to include thorough studies within the San Gabriel Mountains/ Foothills Biodiversity Hotspot Areas.

The Thread-leaved Brodiaea is a California endangered plant species, also federally listed and protected. Studies need to be conducted by a trained biologist to see if this plant is on onsite. Thread-leaved brodiaea has been well documented in the San Gabriel Valley Foothills including Glendora and adjacent areas.

The plant species known as Braunton's Milk Vetch, another protected, endangered plant species, is also well-documented in nearby Monrovia.

The California Gnatcatcher is federally protected by the USFWS and CDFW. Focused surveys need to be done on site. California Gnatcatcher has been well documented within the San Gabriel Valley Foothills.

The Coastal Cactus Wren is presently listed as a California State Species of Special of Concern by the USFWS, and is well-known within the San Gabriel Valley Foothills. Surveys studies need to be done within this project site.

A complete study under CEQA and the impacts this proposed development will have on very rare snail Glyptostoma Gabrielense that is known to be on this proposed development site. The Glyptostoma genus of air-breathing land snails, terrestrial pulmonate gastropod mollusks in the family Megomphicidae. These are large (to about 40 mm or 1.5 inches in diameter) dark brown snails, much shorter than wide. They are found in hilly areas, or low mountains, along the Pacific coast of North America, from California to Baha California.

The San Gabriel Mountains is well documented for having the Sierra Madre Fault traveling through on and near this proposed development site. Complete Geotechnical Investigation and Geologic Study need to be verified and/or initiated to include: slope stability studies and groundwater studies. Historical springs have been noted in the Bradbury Foothills. Since faults can disrupt the movement of groundwater to the surface to form springs, the location of springs can be very important in locating faults.

### **11. Establishment of the National Monument**

The National Monument was established on October 10, 2014, by proclamation of President Barack Obama under the Antiquities Act. More than 15 million people live within 90 minutes of the San Gabriel Mountains, which provides 70 percent of the open space for Angeleños and 30 percent of their drinking water. The Oak View Estates

Project is adjacent to The National Monument. CEQA studies need to be done to see how this project will impact adjacent properties. The City of Monrovia and Duarte will be negatively impacted by this proposed development. CEQA studies need to address these issues.

**12. CONCLUSIVELY. For the record: Chadwick Ranch Estate, needs to have a complete EIR under CEQA. There are many unanswered questions that need to be addressed to help the decision-makers including the City, State, and Federal Agencies.**

Thank you in advance for considering all of the above comments.

Respectfully submitted,

Jeff Michelsen

Environmental Science Enforcement