

COMMENTS AND RESPONSES

The Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Tentative Tract Map No. 74976 project at 642 and 704 East Francisquito Avenue (proposed project) was circulated for a 22-day public review period that began on March 11, 2021 and ended on April 1, 2021. The City of West Covina received seven written comments on the IS/MND. The California Environmental Quality Act (CEQA) Guidelines Section 15074(b) requires the decision-making body of the lead agency to consider the proposed IS/MND and comments received during the public review process. The comment letters and responses are provided in this document, which has been prepared in accordance with CEQA.

Table 1 lists the public agency and persons who submitted written comments on the IS/MND, along with the page number on which each commenter's letter response appears.

TABLE 1: LIST OF WRITTEN COMMENT LETTERS RECEIVED			
Letter No.	Agency/Individual	Date	Response Page No.
1	Los Angeles County Sanitation Districts	March 25, 2021	4
2	Mary Kay Hage	March 12, 2021	7
3	Linh Trieu and Victor Thai	March 8, 2021 (received by Planning Division on March 16, 2021)	10
4	Claire Dickens	March 24, 2021	16
5	Raul Medina	March 29, 2021	25
6	Family Gutierrez	April 1, 2021	30
7	Rachel & Daniel Ortiz	April 1, 2021	32

Each comment letter has been assigned a number. The body of each comment letter is separated into individual comments, which are numbered. This results in a tiered numbering system, whereby the first comment in Letter 1 is depicted as Comment 1-1, and so on.

COMMENT LETTER NO. 1 – LOS ANGELES COUNTY SANITATION DISTRICTS LETTER
(PAGE 1 of 2)

COMMENT LETTER NO. 1 – LOS ANGELES COUNTY SANITATION DISTRICTS LETTER
(PAGE 2 of 2)

LETTER 1

Adriana Raza, Customer Service Specialist
Facilities Planning Department
Los Angeles County Sanitation Districts
1955 Workman Mill Road
Whittier, CA 90601-1400

Response 1-1

This comment contains introductory text. No further response is required because the comment does not raise any new significant environmental issues or address the adequacy of the environmental analysis included in the IS/MND.

Response 1-2

This comment states that wastewater flow originating from the project site would be discharged to a local sewer line for conveyance to the Amar Road Trunk Sewer, which has a capacity of 3.5 million gallons per day (mgd) and conveys a peak flow of 1.7 mgd when last measured in 2013.

Based on this information, the trunk sewer would have sufficient available sewer capacity to meet the demands of the proposed project.

Response 1-3

The comment states that wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP), which has a capacity of 100 mgd and currently processes an average flow of 58.5 mgd. The comment further states that all biosolids and wastewater flows that exceed the capacity of San Jose Creek WRP are diverted and treated at the Joint Water Pollution Control Plant.

Response to Checklist Question 3.19a in the IS/MND states that wastewater generated from the project site would be treated at the San Jose Creek WRP. The WRP treats approximately 65.7 mgd of wastewater and has the capacity to treat up to 100 mgd of wastewater. The IS/MND presents a higher amount of wastewater that is treated at the San Jose Creek WRP than provided by the commenter. Based on the Los Angeles County Sanitation Districts' (Districts) wastewater generation rate of 260 gallons per day (gpd) for a single-family home, implementation of the proposed project would result in the generation of approximately 1,560 gpd of wastewater, and San Jose Creek WRP would have adequate remaining available treatment capacity to accommodate the single-family residences on the project site. The information provided by this comment does not raise any new significant environmental issues and does not change the impact conclusions. Impacts would remain less than significant.

Response 1-4

The comment estimates that the proposed project would increase average wastewater flow by 1,040 gpd, after the structures on the project site are demolished.

Response to Checklist Question 3.19a in the IS/MND states that the proposed project would result in the generation of approximately 1,560 gpd of wastewater. The calculation presented in the IS/MND uses the same wastewater generation factor as the comment (i.e., 260 gpd per parcel for single-family homes). However, the calculations presented in the IS/MND is higher than the

estimate provided by the Districts since the estimated wastewater generation presented in the IS/MND was calculated for all six lots and represents a more conservative analysis. The information provided by this comment does not raise any new significant environmental issue and the impact conclusion would remain the same. San Jose Creek WRP would have adequate remaining available treatment capacity to accommodate the single-family residences on the project site, and impacts would remain less than significant.

Response 1-5

The comment states that payment of a connection fee may be required before the proposed project is permitted to discharge to the Districts' Sewer System.

The applicant will be made aware of the sewer connection fee and, if an expansion of the sewerage system is necessary to accommodate the proposed project, the applicant will be required to pay the Districts' capital facilities fee to fund said expansion.

Response 1-6

The comment states that the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). The comment further states that the letter does not constitute a guarantee of wastewater service but is to advise the developer that the Districts intend to provide this service up to the levels that are legally permitted and to inform the developer of the currently existing capacity and any proposed expansion of the Districts' facilities.

The applicant will be made aware of the Districts' intent to provide wastewater services up to the levels that are legally permitted. The existing capacity for the Amar Road Trunk Sewer and at the San Jose Creek WRP is acknowledged. The information provided by the Districts does not raise any new significant environmental issues and does not change the impact conclusions. Impacts would remain less than significant.

COMMENT LETTER NO. 2 – MARY KAY HAGE EMAIL

LETTER 2

Mary Kay Hage
Mkay723@msn.com

Response 2-1

The comment requests an injunction to stop development on the project site, that the homes be sold, and to keep the existing homes in their historic condition. The comment states that the homes on the project site are pre-1950 dwellings and have been landmarks of the community for over 70 years. The comment further states that homes on the project site are protected by the historic preservation ordinance. The commenter urges the City to keep the larger homes and to discourage the development of multi-family homes.

The City's 2006 Historic Context Report and the 2019 Historic Resource Inventory Update, both of which identify and document historical and potentially historical resources in the City, do not identify the project site as being located in a designated or potential historic district. As discussed in Response to Checklist Question 3.5a of the IS/MND, the existing buildings on the project site were built in 1948 and are not listed or eligible for listing in the California Register of Historic Resources. Neither the City's 2006 Historic Context Report nor the 2019 Historic Resource Inventory Update identify the structures on project site as designated or eligible historic resources. As discussed in the IS/MND, the proposed project would not cause a substantial adverse change in significance of a historical resource, and no impact would occur.

The City of West Covina Municipal Code (WCMC), Article III, Section 17-107 states that the City's Historic Resource Preservation Ordinance applies "to all historic resources, publicly and privately owned, within the corporate limits of the City of West Covina." As the project site does not contain any designated or eligible historic resources, the City's Historic Resource Preservation Ordinance does not apply to the project site.

The proposed project would not result in the construction of multi-family residential housing. As discussed in Response to Checklist Question 3.11b of the IS/MND, the project site is zoned Single-Family Residential (R-1, Area District II) and has a General Plan designation of Neighborhood – Low Density Residential (NL). The proposed project does not involve any General Plan amendment or changes and does not include components that would conflict with the City's General Plan and applicable regulations in the WCMC. Future development on the project site would consist of single-family residential uses that are consistent with the General Plan NL designation and would be required to comply with all applicable Zoning Code regulations associated with the R-1, Area District II zone.

This comment will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

COMMENT LETTER NO. 3 – LINH M. TRIEU AND VICTOR THAI LETTER (PAGE 1 OF 2)

COMMENT LETTER NO. 3 – LINH M. TRIEU AND VICTOR THAI LETTER (PAGE 2 OF 2)

LETTER 3

Linh M. Trieu and Victor Thai
16067 Francisquito Avenue
La Puente, CA 91844

Response 3-1

This comment contains introductory text and raises concerns regarding the proposed project. Specific concerns raised by the commenters are responded to in the following responses to comments.

Response 3-2

The comment states that a lot of mature trees would be removed on the project site, resulting in a significant reduction in air quality for the environment, and immediate and long-term negative effects on the commenter's health issues.

No trees are currently proposed to be removed. Since no specific plans to develop on the project site have been proposed, the number of trees that would be removed, if any, as a result of the proposed project is unknown. However, for the purposes of analysis, the IS/MND assumes that mature trees could potentially be removed in the future if the proposed tentative tract map is approved. As discussed in Response to Checklist Question 3.4e of the IS/MND, tree removal on the project site would be required to comply with the City's tree preservation ordinance (WCMC, Chapter 26, Article VI, Division 9). The City's tree preservation ordinance requires that a tree permit be obtained if any significant trees or heritage trees are requested to be removed. Significant trees are defined by WCMC Section 26-289 as any tree that meet one or more of the following requirements:

- 1) Tree located in the front yard of a lot or parcel and has a caliper of one foot or more,
- 2) Tree that is located in the street-side yard of a corner lot and has a caliper of one foot or more, or
- 3) Oak, California Sycamore, or American Sycamore trees that are located anywhere on a lot and has a caliper of six inches or more.

Heritage trees are defined as trees that are of historical value; are identified on any historic or cultural resources survey as a significant feature of a landmark, historic site, or historic district; are representative of a significant period of the city's development; are designated for protection or conservation in a specific plan, conditional use permit, precise plan of design, tract or parcel map or similar development approval; or any Southern California black walnut tree species (*Juglans californica*) located in the San Jose Hills.

No heritage trees are located on the project site, and based on the above definition of significant trees, the City's tree preservation ordinance would protect mature trees that are located in the front or street-side yards of the project site.

In accordance with WCMC Section 26-293, if a tree permit is requested, the City would require the applicant to comply with various conditions including, but are not limited to, the following:

- 1) The replacement of the removed or cut down tree(s) with tree(s) of comparable species, size, and condition;
- 2) The relocation of the tree(s) on-site or off-site provided that the owner or applicant submit a report from an arborist describing the relocation method, and the owner or applicant is required to provide the City with a one-year survival guarantee; and/or
- 3) Payment of the proper restitution value of the tree(s), or donation of boxed tree(s) to the City or other public agency to be used elsewhere in the community should a suitable replacement location of the tree(s) is not be possible on-site or off-site.

If any significant trees are to remain on the project site, the City's tree preservation ordinance requires protective measures to be implemented to preserve and protect the health of the trees. These protective measures are identified in WCMC Section 26-294 and includes prohibiting construction-related activities within the dripline of the significant tree, shielding the significant trees from damage during construction with an appropriate construction barrier, and prohibiting structures or impervious paving in the dripline or within a six-foot radius of the trunk perimeter, whichever is greater.

As the proposed project would be required to replace significant trees in the front or street-side yards of the project site, the proposed project is not expected to result in a net loss of any significant trees that could potentially affect air quality.

Response 3-3

This comment states that animals living in the mature trees would damage the commenters' fruit trees.

The comment does not raise any new significant environmental issues or address the adequacy of the environmental analysis included in the IS/MND. No further response is required.

Response 3-4

This comment states that polluted air, dust, and noise during construction would negatively affect the commenter's health. The comment further states that the commenters need clean air and a peaceful environment at all times of the day.

As discussed in Response to Checklist Question 3.3a of the IS/MND, construction activities associated with the proposed project would be required to comply with South Coast Air Quality Management District (SCAQMD) Rule 403, which requires the implementation of measures to prevent the generation of visible dust plumes. Compliance with Rule 403 would reduce fugitive dust emissions associated with construction activities. Additionally, construction activities would not exceed the SCAQMD regional and localized significance thresholds for construction. Projects that do not exceed the SCAQMD localized significance thresholds generally would not expose sensitive receptors (e.g., residents) to substantial pollutant concentrations. As further discussed in Response to Checklist Question 3.3c, construction of the proposed project would not expose sensitive receptors to substantial toxic air contaminants emissions during construction. Over the course of construction activities, the average diesel particulate matter emissions from on-site equipment would be approximately 0.7 pounds per day, which is unlikely to be of any public health concern during construction of the proposed project.

As discussed in Response to Checklist Question 3.13a of the IS/MND, the proposed project would be constructed in a manner typical of urban infill projects and would not require unusually noisy activities, such as pile driving. On-site construction activities may result in noise levels that would be disruptive to nearby residences, and the proposed project would be required to implement Mitigation Measures **N-1** through **N-3** to reduce disruptive construction noise levels. Mitigation Measure **N-1**, which requires construction equipment to be equipped with mufflers, would result in a noise reduction of approximately 3 decibels. Mitigation Measure **N-2** would require the installation of a temporary noise barrier along the project site perimeter that would reduce noise levels by at least 10 decibels. Although difficult to quantify, Mitigation Measure **N-3** would also help control noise levels by establishing a noise disturbance coordinator who would be responsible for responding to and resolving noise complaints during construction. With implementation of Mitigation Measures **N-1** through **N-3**, noise impacts from on-site construction activities would be reduced to less-than-significant impacts.

Based on the analysis presented in the IS/MND, the proposed project would not result in significant impacts on air quality and noise during construction.

Response 3-5

This comment states that the surrounding properties are in possession of dogs and that loud construction noise would create stress for the dogs and cause them to bark more, which would increase noise levels on top of the construction noise.

As discussed above in Response 2-4, the proposed project would be required to implement Mitigation Measures **N-1** through **N-3** to reduce disruptive construction noise levels. Under Mitigation Measure **N-3**, a “noise disturbance coordinator” would be established and would be responsible for responding to local complaints about construction noise. This mitigation measure is intended as a good-will measure to inform residents and tenants of construction activities and to provide an avenue for public complaints. Residents who believe that construction noise are disturbing their dogs can contact the noise disturbance coordinator so that the noise disturbance coordinator can address and resolve the noise complaint.

Response 3-6

The comment states that if the project site were divided into six properties, there would be at least three times the residents, parked cars, polluted air, traffic, party noise, utilities, and waste. The commentor further states that the Air Quality Management Plan growth forecast shows less-than-significant impact for normal individuals, but the commentors have special requirements for their health issues and the proposed project would cause significant impacts on their health.

Section 3.3 of the IS/MND addresses potential air quality impacts. The SCAQMD thresholds have been established to ensure that individual projects in the air basin meet the state and federal ambient air quality standards, which have been set at levels considered safe to protect public health (including the health of “sensitive” populations, such as asthmatics, children, and the elderly with a margin of safety) and to protect public welfare (including protection against decreased visibility and damage to animals, crops, vegetation, and buildings). Additionally, SCAQMD developed localized significance thresholds in response to concerns regarding exposure of individuals to criteria pollutants in local communities. Localized significance thresholds represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor. For the proposed project, the nearest sensitive receptor are the adjacent residents.

Sections 3.13, 3.14, 3.17, and 3.19 of the IS/MND address noise, population and housing, transportation, and utilities (including solid waste), respectively. As discussed, the proposed project would have less-than-significant impacts on these environmental topic areas. The types of noise and noise levels associated with the proposed project would be consistent with the surrounding single-family residential uses. Noise generated on the project site would be required to comply with the City's noise regulations as codified in WCMC Chapter 15, Article IV. WCMC Section 15-85 prohibits loud, unnecessary noise that disturbs the peace and quiet of residential neighborhoods or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

Any new homes that are to be constructed on the project site in the future would be required to comply with the City's Zoning Code, which requires each single-family residential unit to provide four accessible off-street parking spaces, with a minimum of two spaces that are enclosed on three sides and roofed (WCMC Section 26-402).

Response 3-7

The comment identifies a concern that cars parked on the streets would obstruct views of traffic, cause unwanted accidents, and create difficult neighborhood watch at night.

As discussed in Response to Checklist Question 3.17c of the IS/MND, all access and circulation associated with the proposed project would be designed and constructed in conformance with all applicable City requirements. The proposed project would have no impact related to hazards associated with design features or incompatible uses. No changes have been proposed to street parking. Any cars that park on Frandale Avenue, Craig Drive, and the south side of Francisquito Avenue would be required to comply with existing City regulations associated with on-street parking. On the north side of the Francisquito Avenue, cars would be required to comply with existing Los Angeles County on-street parking regulations. Additionally, as previously discussed in Response 3-6, each single-family residential unit that would be built on the project site would be required to provide four accessible off-street parking spaces. Compliance with the City Zoning Code would limit the number of cars that would be parked on the streets. This comment will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

Response 3-8

The comment states that dividing the large lot properties into multiple small lot properties would cause the values of the commenters' large lot properties to decline. The commenter further states that more residents would use more utilities, causing high peak usage and increase utility costs for the entire neighborhood. The commenters express their opinion that the proposed project would result in an unsafe neighborhood environment that would cause property values to decline.

Section 3.19 of the IS/MND addresses utilities. As discussed, the proposed project is not expected to exceed available water supplies or the available capacity within the water distribution infrastructure that would serve the project site. Additionally, the San Jose Creek WRP would have adequate remaining available treatment capacity to accommodate the single-family residences on the project site, the proposed project would not exacerbate any existing deficiencies in the storm drain system or provide substantial additional sources of polluted runoff, no substantial electrical or natural gas infrastructure is present on or adjacent to the project site that would need to be constructed or relocated to accommodate the proposed project, and the proposed project can be adequately served by the City's solid waste provider. As discussed in Section 3.19 of the IS/MND, the proposed project would have less-than-significant impacts on utilities.

The proposed project's effect on property value is not within the purview of CEQA. This concern will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

Response 3-9

The comment contains conclusory remarks and reiterate concerns raised in previous comments. No further response is necessary as the concerns raised by the commenters have been responded to in Responses 3-2 through 3-8.

COMMENT LETTER NO. 4 – CLAIRE DICKENS EMAIL

LETTER 4

Claire Dickens
Claireb683@msn.com

Response 4-1

This comment contains introductory text. No further response is required because the comment does not raise any new significant environmental issues or address the adequacy of the environmental analysis included in the IS/MND.

Response 4-2

The comment is a question regarding the start and end date of construction.

The exact start and end date for construction activities are currently unknown. The applicant is proposing to subdivide the project site into six lots and has not proposed to construction on the project site. Specific plans to develop new single-family housing on the project site have not been proposed. If the proposed tentative tract map is approved, portions of the existing structures on the project site would need to be demolished to meet the City's setback requirements. Although no construction activities are currently proposed, the IS/MND evaluates the environmental impacts associated with the potential demolition of portions of the existing structures, expansion of the existing structures, and development of additional single-family residential structures on the project site since it is reasonably foreseeable that new and/or expanded residential structures could be built in the future if the proposed tentative tract map is approved. Section 2.3 of the IS/MND provides the estimated construction schedule that was used for the purpose of the environmental analysis. However, the exact start and end date for construction activities would be determined when future development on the project site is proposed.

Response 4-3

The comment is a question regarding whether the property owner would be selling the lots or build homes on the individual lots.

It is currently unknown whether the owner of the project site would be selling or building single-family residential houses on the project site, and no plans have been proposed to develop new homes on the project site. No further response is required because the comment does not raise any new significant environmental issues or address the adequacy of the environmental analysis included in the IS/MND.

Response 4-4

The comment is a question regarding whether the homes on the project site would be two stories.

As mentioned in Responses 4-2 and 4-3, no plans have been proposed to develop new homes on the project site. Any new homes that are to be constructed on the project site would be required to comply with the City's Zoning Code, which limit building heights on the project site to 25 feet. Per WCMC Section 26-401.5(e), any two-story home that are proposed on the project site would require the approval of an administrative use permit, which requires that notices be mailed to property owners and occupants within a 300-foot radius of the lot on which the two-story homes are proposed. If requested by the surrounding property owners or occupants, a separate public hearing would be required prior to the decision of whether to approve or deny the administrative use permit. No further response is required because the comment does not raise any new

significant environmental issues or address the adequacy of the environmental analysis included in the IS/MND.

Response 4-5

The comment is a question of whether Lots 1 and 6 would face Craig Drive and the driveway location for the proposed lots.

The lot frontage and future driveway locations for each of the proposed lots are currently unknown. Typically, the front property line is the narrowest property line that abuts a public street. Based on the configuration of Lots 1 and 6, the front property line for Lot 1 would likely be on Francisquito Avenue and the front property line for Lot 6 would likely face Craig Drive.

Lot 1 has an existing driveway on Francisquito Avenue, and it is likely that this driveway would remain and be the driveway for Lot 1. Based on the configuration of Lot 6, the driveway for Lot 6 must be located on Craig Drive. Any new driveway approaches proposed on the proposed lots would require the review and approval of a driveway approach permit by the City's Engineering Division.

No further response is required because the comment does not raise any new significant environmental issues or address the adequacy of the environmental analysis included in the IS/MND.

Response 4-6

The comment is a question of whether the proposed project would have an effect on the property value and taxes of the commenter.

The proposed project's effect on property value and taxes are not within the purview of CEQA. This concern will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

Response 4-7

The comment is a question regarding the contact information of the proposed project contractor and the City committee manager who residents surrounding the project site can contact if they have concerns during construction.

No construction activities have been proposed on the project site. The construction contractor has not yet been determined and would be established prior to construction on the project site. If the proposed project is approved and construction activities are proposed on the project site, the commenter and residents surrounding the project site can contact the City Building Division regarding concerns associated with construction activities on the project site. It should be noted that Mitigation Measure **N-3** in the IS/MND requires that a "noise disturbance coordinator" be established prior to the commencement of construction activities. The noise disturbance coordinator can be contacted if residents have any noise concerns during construction. The mitigation measure requires that all notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site list the telephone number for the noise disturbance coordinator.

Questions regarding the proposed project prior to construction can be directed to the Case Planner:

Camillia Martinez, Assistant Planner
Email: cmartinez2@westcovina.org
Direct Phone Number: (626) 939-8768

Response 4-8

The comment is a question regarding construction work hours.

No construction activities have been proposed on the project site, and the construction schedule has not been identified. If the applicant receives permission to construct on the project site, construction activities occurring on the project site would be required to comply with applicable WCMC regulations. As discussed in Response to Checklist Question 3.13a of the IS/MND, the proposed project would be constructed in a manner typical of urban infill projects and would not require unusually noisy activities such as pile driving. In addition, the proposed project would not require nighttime construction activities. Construction would be required to comply with WCMC Section 15-95, which prohibits the use of construction tools, equipment, or the performance of any outside construction on buildings, structures, or projects within 500 feet of a residential zone which would cause the ambient noise level to be exceeded by 5 decibels as measured at property lines, except for the hours of 7:00 a.m. to 8:00 p.m. would comply with the allowable construction hours of 7:00 a.m. to 8:00 p.m., which is designed to control noise exposure. WCMC Section 15-95 also prohibits any person within 500 feet of generally occupied residences to unload, load, or otherwise perform duties preparatory to the commencement of construction or repair work on buildings or structures between the hours of 8:00 p.m. of one day and 6:00 a.m. of the next day.

Residential construction is typically over by 4:00 p.m. even though later construction is allowed. As the WCMC does not restrict the days in which construction activities can occur, it is possible that construction activities may occur during the weekends.

Response 4-9

The comment is a question regarding whether there is something in place to reduce excessive noise during construction and whether the City requires an additional permit if jackhammers are to be used.

As discussed in Response 4-8, above, construction activities would be required to comply with WCMC Section 15-95, which is designed to control noise exposure. WCMC Section 15-95 requires a permit to operation construction equipment, including pneumatic hammers, between the hours of 8:00 p.m. of one day and 7:00 a.m. of the next day if noise levels of the equipment exceeds 5 decibels.

As discussed in Response to Checklist Question 3.13a in the IS/MND, the proposed project would be constructed in a manner typical of urban infill projects and would not require unusually noisy activities. Additionally, the proposed project would be required to implement Mitigation Measures **N-1** through **N-3** to reduce disruptive construction noise levels. Mitigation Measure **N-1** would require construction equipment to be equipped with mufflers, which would result in a noise reduction of approximately 3 decibels. Mitigation Measure **N-2** would require the installation of a temporary noise barrier along the project site perimeter that would reduce noise levels by at least 10 dBA. Although difficult to quantify, Mitigation Measure **N-3** would also help control noise levels by establishing a noise disturbance coordinator. With implementation of Mitigation Measures **N-1** through **N-3**, noise impacts from on-site construction activities would be reduced to less-than-

significant impacts. Based on the analysis presented in the IS/MND, construction of the proposed project would result in less-than-significant impacts with implementation of mitigation measures.

Response 4-10

The comment is a question regarding whether safety rules are in place for demolition, including protecting neighbors from dust, debris, and trash. The commenter asks whether tall construction fences would be placed on the project site to help with noise, dust, and debris, and whether water tanks would be used to help with dust and debris.

Construction of the proposed project would be required to comply with SCAQMD Rule 403, which applies to any activity capable of generating fugitive dust. Rule 403 prohibits fugitive dust emissions that remain visible in the atmosphere beyond the property line of the emission source and does not allow dirt to track out beyond 25 feet from the project site. Dirt that has been tracked-out are required to be removed at the conclusion of each workday. Additionally, as discussed in Response to Checklist Question 3.3a in the IS/MND, Rule 403 requires the implementation of dust control measures, such as the application of soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system or other control measures to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas. Rule 403 requires that soil be stabilized before, during, and after clearing activities, as well as during demolition and earth-moving activities, by applying water in sufficient quality to prevent the generation of dust plumes.

During construction, the proposed project would be required to implement Mitigation Measure **N-2**, which requires the installation of a temporary eight-foot tall noise barrier along the property line of the project site. The noise barrier is required to be able to reduce noise levels by at least 10 decibels. Any demolition and construction waste that is generated is required to be maintained on the project site. The temporary barrier along the perimeter of the project site would help reduce noise levels, as well as limit public views of demolition and construction waste from the project site.

Response 4-11

The comment is a question regarding where the portable toilets and dumpsters would be located during construction. The commenter also asked what the plan is to make sure that the portable toilets and dumpsters are as far from neighbors' homes as possible and emptied when full.

The location of portable toilets and dumpsters during construction is currently unknown since no construction activities have been proposed on the project site. Any portable toilets and dumpsters that would be used during construction are required to be located on the project site. Per WCMC Section 12-20(d), solid waste containers are required to be kept in an area that is not visible from the public street and will not be offensive to neighboring property. Concerns regarding the potential location of portable toilets and dumpsters will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

Response 4-12

The comment is a question regarding whether construction of the proposed project would block sidewalks, roads, and driveways, whether there are plans to prevent these obstructions, and whether neighbors would be notified prior to these blockages.

No construction activities have been proposed on the project site. However, given that some of the proposed lots do not currently have driveway approaches, it is likely that some construction activities would occur within the public right-of-way (sidewalk and/or streets) to construct driveway approaches. Driveways and sidewalks in front of properties surrounding the project site would not be obstructed, and street closures are not expected to occur. Access to all surrounding properties would be maintained. Any construction activities occurring within the public right-of-way, such as construction of sidewalks and driveway approaches, and construction activities that would obstruct portions of the streets are required to obtain an engineering permit from the City. As part of the engineering permit, light barricades, delineators, and traffic control personnel would be required if construction activities occur within the public right-of-way. The engineering permit would require that construction activities on public right-of-way be limited to the hours of 7:00 a.m. and 4:00 p.m. Neighbors are not required to be notified of potential sidewalk, driveway, and street blockages, but the City does request that the construction contractors notify neighbors of blockages.

Response 4-13

The comment is a question regarding whether damaged roads would be fixed after construction.

No construction activities have been proposed on the project site. The City requires that public rights-of-way, including roads, be fixed if they are damaged during construction. Any construction activities occurring within the public right-of-way would require an engineering permit and the applicant would be required to comply with all provisions and conditions imposed by the City's Engineering Division. This concern is not within the purview of CEQA and will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

Response 4-14

The comment is a question regarding the person to contact if residential structures are damaged from construction-related vibration.

No construction activities have been proposed on the project site. If the proposed project is approved and construction activities are proposed, the commenter and residents surrounding the project site can contact the City Building Division regarding concerns associated with construction activities on the project site. As discussed in Response to Checklist Question 3.13b of the IS/MND, construction of the proposed project is not anticipated to result in damage to nearby structures. Vibration is a localized event and attenuates rapidly with distance. Heavy-duty equipment would typically operate at least 15 feet away from the property line of the adjacent uses, and at this distance, vibration damage would not occur.

COMMENT LETTER NO. 5 – RAUL MEDINA (PAGE 1 OF 4)

COMMENT LETTER NO. 5 – RAUL MEDINA (PAGE 2 OF 4)

COMMENT LETTER NO. 5 – RAUL MEDINA (PAGE 3 OF 4)

COMMENT LETTER NO. 5 – RAUL MEDINA (PAGE 4 OF 4)

LETTER 5

Raul Medina
1422 South Frandale Avenue
West Covina, CA 91790

Response 5-1

This comment contains introductory text. Specific CEQA concerns raised by the commenter are addressed in subsequent responses.

Response 5-2

This comment states that the project location description in Section 2.1 and Figure 2-2 of the IS/MND should be updated to reflect that a multi-story apartment complex is under construction at the corner of Walnut Avenue and Francisquito Avenue.

The suggested corrections have been made to Section 2.1 and Figure 2-2 of the IS/MND. The corrections do not change the impact conclusions for each of the environmental topic areas discussed in the IS/MND.

Response 5-3

The comment suggests that the construction activities and schedule in Section 2.3 of the IS/MND be transformed into a Gantt Chart with tasks and milestones. The commenter also recommend that the section provide as much detailed tasks as possible.

See Response 4-2. Details regarding the specific types of construction activities and construction schedule are currently unknown and would be determined when future development on the project site is proposed.

Response 5-4

The comment asserts the “Potentially Significant Impact” for Checklist Question 3.1a be checked, rather than “No Impact”. The commenter provided a picture of Mount Baldy and states that the area always had clear views of and direct line-of-sight of Mount Baldy. The commenter also states that the construction of two-story houses on the project site would permanently block views of the mountains.

The photo that the commenter provided does not show a clear unobstructed view of the mountains. As with other mountain views in the surrounding area, the mountain view in the photo is partially obstructed by buildings, trees, and utility wires. Due to the intervening structures, landscaping, and utility wires, views of the mountains in this area are not considered scenic vistas. As no scenic vistas are present on or in the surrounding area, no impacts on scenic vistas would occur. While it is currently unknown whether two-story homes would be built on the project site, all structures on the project site would be required to comply with the City’s Zoning Code, which limits building height to 25 feet. See Response 4-4.

Response 5-5

The comment states that mitigation measures to suppress dust emissions and to prevent dust from becoming a public nuisance should be provided.

As discussed in Response to Checklist Question 3.3a of the IS/MND, construction of the proposed project would be required to comply with SCAQMD Rule 403, which includes measures to suppress dust emissions and the track-out of dirt from the project site. See Response 4-10.

Response 5-6

The comment summarizes Response to Checklist Question 3.7b of the IS/MND and requests information regarding the type of National Pollutant Discharge Elimination System (NPDES) permit that is required for the proposed project, the permittee, and the timeline for securing the permit.

Pursuant to Clean Water Act Section 402(p) and the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board issued a statewide NPDES Construction General Permit under Order No. 2009-0009-DWQ. Construction activities subject to this permit includes clearing, grading, and ground disturbances, such as stockpiling or excavation. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP), which must be prepared prior to the beginning of construction for construction activities that would disturb one or more acres of soil. SWPPP requirements are enforced through the City's Engineering Division during the plan review and approval process. During the review process, project plans are reviewed for compliance with stormwater requirements. In addition, the City requires that all construction sites implement the following storm water pollution control measures:

- Eroded sediments and other pollutants must be retained on site and may not be transported from the project site via sheet flow, swales, area drains, natural drainage courses or wind.
- Stockpiles of earth and other construction related materials must be protected from being transported from the project site by the forces of wind or water.
- Fuels, oils, solvents, and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil and surface waters. All approved storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into the drainage system.
- Non-stormwater runoff from equipment and vehicle washing and any other activity shall be contained at the project site.
- Excess or waste concrete may not be washed into the public way or any other drainage system. Provisions shall be made to retain concrete wastes on site until they can be disposed of as solid waste.
- Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
- Sediments and other materials may not be tracked from the project site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental depositions must be swept up immediately and may not be washed down by rain or other means.

- Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to inhibit erosion by wind and water.

Response 5-7

The comment summarizes Response to Checklist Question 3.10a of the IS/MND and requests that the wastewater produced within the project site be specified. The commenter asks whether wastewater discharge from the project site would require a wastewater permit from the Districts. The commenter also recommends that applicable sections of the IS/MND be revised to clarify who would comply with federal, state, and local regulations. The commenter expresses his opinion that only the permittee can comply with regulations, not the proposed project.

Wastewater that would be generated by the proposed project are typical of single-family residential homes and include, but are not limited to, bathing, toilet flushing, laundry, dishwashing. The types of wastewater generated from the proposed project would not require wastewater permit from the Districts. The Districts' issue trunk sewer connection permits for the direct connection of six-inch diameter or smaller private sewer laterals to the Districts' trunk sewers. Since wastewater flow originating from the proposed project would be discharged to a local sewer line that is not maintained by the Districts, a permit from the Districts is not required.

The definition of comply is to act or be in accordance with requirements or conditions. The commenter's use of "comply" refers to the act of compliance, which a person or entity can do but not the proposed project. However, "comply" can also be used for the proposed project as the proposed project must meet specific requirements or conditions. A person or entity complies with rules and regulations if the person or entity acts in accordance with rules and regulations. The proposed project can also comply with regulations since the proposed project is required to be in accordance with specific regulations. Various portions of the IS/MND state that the proposed project would be required to comply with applicable regulations rather than specifying the permittee, entity, company, and/or project proponent because the proposed project, as a whole, is required to be in accordance with applicable regulations, regardless of the person or entity. For the proposed project, specifying the person or entity that is required to comply with applicable regulations implies that other people or entities associated with the proposed project may not need to comply with applicable regulations.

Response 5-8

The comment states that the noise analysis should assess and provide mitigation measures for construction noise associated with loud music that is typically played on a construction site.

Music that is played on the project site during construction would be required to comply with WCMC Chapter 15, Article IV, Section 15-94, which states that between the hours of 10:00 p.m. on one day and 7:00 a.m. of the following day, it is unlawful to use or operate any radio receiving set, musical instrument, phonograph, television set, or other machine or device for the producing or reproducing of sound or any device by which voice, music, or any other sound is amplified, in such a manner as to create any noise which causes the noise level at the property line of any property (or if a condominium or apartment house, within any adjoining unit or apartment), building, structure or vehicle to be plainly audible at a distance of 50 feet. This section of the WCMC is discussed on page 3-37 of the IS/MND.

Mitigation Measure **N-3** in the IS/MND would also reduce noise from loud music during construction. With implementation of this mitigation measure, residents who are bothered by loud music on the project site during construction can contact the noise disturbance coordinator, and

the noise disturbance coordinator would be required to resolve these complaints. Mitigation Measure **N-3** has been revised to include loud music as an example of the type of noise complaint that could be resolved by the noise disturbance coordinator.

Response 5-9

This comment states that there is a typographical error for the noise monitoring location at 1422 Farndale Avenue in Table 3-5 of the IS/MND.

The suggested corrections have been made to Table 3-5.

Response 5-10

The comment states that a map legend should be provided in Attachment A of the Traffic Technical Memorandum in Appendix C of the IS/MND.

The red boxes in Attachment A of the Traffic Technical Memorandum represent the potential driveway locations for each of the six lots that were used in the traffic analysis.

Response 5-11

The comment states that the commenter would like to receive all comments and responses for the IS/MND during the public review period, as well as the mailing list recipients for the proposed project.

Comments and responses have been posted on the City's website: <https://www.westcovina.org/departments/community-development/planning-division/projects-and-environmental-documents>.

The mailing list recipients will also be provided to the commenter.

COMMENT LETTER NO. 6 – FAMILY GUTIERREZ EMAIL

LETTER 6

Family Gutierrez
Guti93@msn.com

Response 6-1

This comment states that the proposed project would cause a lot of traffic. The commenter expresses his/her opposition to the proposed project and his/her opinion that the community does not need more noise, people, and cars parking on the streets.

Please see Response 3-6, above, regarding the City's noise and off-street parking requirements. Section 3.13, 3.14, and 3.17 of the IS/MND discusses the effects the proposed project would have on noise, population, and traffic, respectively. As discussed in Response to Checklist Question 3.14a of the IS/MND, the proposed project is estimated to increase population by approximately 14 persons, which represents less-than-one percent of the City's population in 2019 and the planned population growth from the City's General Plan. As discussed in Response to Checklist Question 3.17a of the IS/MND, the proposed project is estimated to generate 57 vehicle trips a day, which includes four vehicle trips in the AM peak hour and six vehicle trips in the PM peak hour. The estimated proposed project vehicle trips would be below the City's minimum threshold to conduct a traffic impact analysis. As discussed in the IS/MND, the proposed project would have a less-than-significant impact on noise with implementation of mitigation measures and less-than-significant impacts on population and traffic.

This comment will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

COMMENT LETTER NO. 7 – RACHEL & DANIEL ORTIZ EMAIL

LETTER 7

Rachel and Daniel Ortiz
Ortizr58@live.com

Response 7-1

The comment contains introductory text and expresses concerns regarding the proposed project. Specific CEQA concerns raised by the commenter are addressed in subsequent responses.

Response 7-2

The comment expresses the commenters' concern of the possibility of rats and other animals that would go to the commenters' property during construction. The commenter would like to know how the City would handle or prevent this situation.

The City does not have a policy or requirement that addresses rats and other feral animals on residential properties. The potential for these animals to relocate to adjacent properties during construction are not within the purview of CEQA as they are not candidate, sensitive, special status, or migratory wildlife species. This concern will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

Response 7-3

The comment expresses a concern that debris would travel over to and fall into the commenters' backyard and pool. The commenters state that they would need to get the pool cleaned twice a week instead of once a week. The commenters ask if they could get reimbursed for having to clean their pool twice a week.

See Response 3-4 regarding compliance with Rule 403 to control fugitive dust emissions during construction. No construction activities have been proposed on the project site. If the proposed project is approved and construction activities are proposed on the project site in the future, the City recommends that the commenters contact the project applicant regarding their request to be reimbursed for having to clean their pool more often during construction. This concern will be forwarded to the decision-makers for their consideration prior to taking any action on the proposed project.

Response 7-4

The comment expresses a concern regarding how noise levels would interrupt the commenters' workday since they are working remotely.

No construction activities have been proposed on the project site. The proposed project's effect on noise levels (including construction noise if construction activities occurs on the project site in the future) is discussed in Response to Checklist Question 3.13a of the IS/MND. Also, see Response to 3-4, above, regarding construction noise. During operational activities, noise generated on the project site would be required to comply with the City's noise regulations as codified in WCMC Chapter 15, Article IV. WCMC Section 15-85 prohibits loud, unnecessary noise that disturbs the peace and quiet of residential neighborhoods or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

Response 7-5

The comment expresses a concern regarding structural damage to the commenters' home due to vibrations in the ground.

Groundborne vibrations are addressed in Response to Checklist Question 3.13b of the IS/MND. As discussed, construction of the proposed project is not anticipated to result in damage to nearby structures. Vibration is a localized event and attenuates rapidly with distance. Heavy-duty equipment would typically operate at least 15 feet away from the property line of adjacent uses. At this distance, vibration damage would not occur.

Response 7-6

The comment is a question regarding who to contact if the commenters have issues during construction.

See Response 4-7.

Response 7-7

The comment is a question regarding whether one- or two-story single-family residences/units would be built on the proposed lots.

See Response 4-4.

Response 7-8

The comment contains conclusory remarks. No further response is necessary.