

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
Agencies		
A1	COUNTY OF LOS ANGELES FIRE DEPARTMENT	
A1-1	<p>October 17, 2019</p> <p>Grace Lee, Senior Planner City of Diamond Bar Planning Division 21810 Copley Drive Diamond Bar, CA 91765</p> <p>Dear Ms. Lee:</p> <p>NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT, "DIAMOND BAR GENERAL PLAN," WILL ESTABLISH THE CITY'S OVERALL APPROACH TO DEVELOPMENT, PUBLIC SERVICES, AND OTHER ISSUES FOR THE NEXT 20 YEARS, CITYWIDE - DIAMOND BAR, FFER (sic) 2019005639</p> <p>Notice of Availability of Draft Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.</p> <p>The following are their comments:</p>	<p>This comment is the salutation of the letter and introduces comments A1-2 through A1-8. Responses to these comments are provided below.</p>
A1-2	<p><u>PLANNING DIVISION:</u></p> <p>Under Section 7.0, Public Safety, Fire Service, of the Draft EIR, the first sentence in paragraph one, needs to be corrected to state that there are three fire stations serving</p>	<p>Comment acknowledged.</p> <p>With regards to fire stations, Chapter 3.7 states: "The City is served by the County of Los Angeles Fire Department, and unincorporated portions of the Planning Area are served by the Los Angeles County Fire Department and CAL</p>

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	<p>the City of Diamond Bar and <u>NOT</u> three within the City Limits.</p> <p>For any questions regarding this response, please contact Loretta Bagwell, Planning Analyst, at (323) 881-2404 or Loretta.Bagwell@fire.lacounty.gov.</p>	<p>FIRE. The locations of the three fire stations that serve the Planning Area are shown in Figure 3.7-4.” (page 3.7-16). Chapter 3.11 states: “The locations of the three fire stations that serve the City are depicted on Figure 3.11-1, and staffing and equipment at each station are shown in Table 3.11-1.” (page 3.11-2). Both chapters clearly state that there are three fire stations serving the City of Diamond Bar and do not state that there are three fire stations within City Limits.</p>
A1-3	<p><u>LAND DEVELOPMENT UNIT:</u></p> <p>The Land Development Unit is reviewing the proposed "Diamond Bar general plan 2040 and climate action plan" Project for access and water system requirements.</p> <p>The Land Development Unit comments are only preliminary requirements. Specific fire and life safety requirements will be addressed during the review for building and fire plan check phases. There may be additional requirements during this time.</p> <p>The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.</p>	<p>Development associated with the proposed Diamond Bar General Plan 2040 and Climate Action Plan would be subject to applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants. The Regulatory Settings sections within Draft EIR chapters include applicable code and ordinance requirements.</p>
A1-4	<p>ACCESS REQUIREMENTS:</p> <ol style="list-style-type: none"> 1. The proposed development will require multiple ingress/egress access for the circulation of traffic and emergency response issues. 2. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking. 	<p>This comment lists access requirements that development associated with the Proposed Project would be subject to. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>

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	a.	The Fire Apparatus Access Road shall be cross-hatch on the site plan with the width clearly noted on the plan.
3.	Every building constructed shall be accessible to Fire Department apparatus by way of access roadways with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.	
4.	Fire Apparatus Access Roads must be installed and maintained in a serviceable manner prior to and during the time of construction.	
5.	The edge of the Fire Apparatus Access Road shall be located a minimum of 5 feet from the building or any projections there from.	
6.	The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.	
7.	The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official.	
8.	Provide a minimum unobstructed width of 28 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building when the height of the building above the lowest level of the Fire Department vehicular access road is more than 30 feet high or the building is more than three stories. The access roadway shall be located a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial	

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	Fire Apparatus Access Road is positioned shall be approved by the fire code official.	
9.	If the Fire Apparatus Access Road is separated by island, provide a minimum unobstructed width of 20 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building.	
10.	Dead-end Fire Apparatus Access Roads in excess of 150 feet in-length shall be provided with an approved Fire Department turnaround. Include the dimensions of the turnaround with the orientation of the turnaround shall be properly placed in the direction of travel of the access roadway.	
11.	Fire Department Access Roads shall be provided with a 32-foot centerline turning radius. Indicate the centerline, inside, and outside turning radii for each change in direction on the site plan.	
12.	Fire Apparatus Access Roads shall be designed and maintained to support the imposed load of fire apparatus weighing 75,000 lbs. and shall be surfaced so as to provide all-weather driving capabilities. Fire Apparatus Access Roads having a grade of 10 percent or greater shall have a paved or concrete surface.	
13.	Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE." Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for Fire Apparatus Access Roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector.	

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14.	A minimum 5-foot wide approved firefighter access walkway leading from the Fire Department Access Road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Clearly identify firefighter walkway access routes on the site plan. Indicate the slope and walking surface material. Clearly show the required width on the site plan.	
15.	Fire Apparatus Access Roads shall not be obstructed in any manner, including by the parking of vehicles, or the use of traffic calming devices, including but not limited to, speed bumps or speed humps. The minimum widths and clearances established in Fire Code Section 503.2.1 shall be maintained at all times.	
16.	Traffic Calming Devices, including but not limited to, speed bumps and speed humps, shall be prohibited unless approved by the fire code official.	
17.	Security barriers, visual screen barriers, or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Clearly indicate the height of all parapets in a section view.	
18.	Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch.	
19.	Multiple residential and commercial buildings having entrances to individual units not visible from the street	

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	<p>or road shall have unit numbers displayed in groups for all units within each structure. Such numbers may be grouped on the wall of the structure or mounted on a post independent of the structure and shall be positioned to be plainly visible from the street or road as required by Fire Code 505.3 and in accordance with Fire Code 505.</p>	
A1-5	<p>WATER SYSTEM REQUIREMENTS:</p> <ol style="list-style-type: none"> 1. All fire hydrants shall measure 6"x 4 'l x 2-1/2" brass or bronze conforming to current AWWA standard 0503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Code. 2. The development may require fire flows up to 4,000 gallons per minute at 20 pounds per square inch residual pressure for up to a four-hour duration. Final fire flows will be based on the size of buildings, the installation of an automatic fire sprinkler system, and type(s) of construction used. 3. The fire hydrant spacing shall be every 300 feet for both the public and the on-site hydrants. The fire hydrants shall meet the following requirements: <ol style="list-style-type: none"> a. No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant. b. No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant. c. Additional hydrants will be required if hydrant spacing exceeds specified distances. 4. All required public fire hydrants shall be installed and tested prior to beginning construction. 5. All private on-site fire hydrants shall be installed, tested, and approved prior to building occupancy. 	<p>This comment lists water system requirements that development associated with the General Plan would be subject to. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>

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	<p>a. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation.</p> <p>6. An approved automatic fire sprinkler system is required for the proposed buildings within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.</p>	
A1-6	<p>Additional Department requirements will be determined by Fire Prevention Engineering during the Building Plan Check.</p> <p>For any questions regarding the response, please contact Inspector Claudia Soiza at (323) 890-4243 or Claudia.soiza@fire.lacounty.aov.</p>	<p>Comment acknowledged. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
A1-7	<p><u>FORESTRY DIVISION - OTHER ENVIRONMENTAL CONCERNS:</u> The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.</p> <p>Under the Los Angeles County Oak tree Ordinance, a permit is required to cut, destroy, remove, relocate, inflict damage or encroach into the protected zone of any tree of the Oak genus which is 25 inches or more in circumference (eight inches in diameter), as measured 4 1/2 feet above mean natural grade.</p>	<p>Impacts associated with soil erosion are discussed in Chapter 3.6: Geology, Soils, and Seismicity, specifically under Impact 3.6-2. Given the implementation of proposed General Plan policies aimed at preventing erosion, this impact is determined to be less than significant.</p> <p>Impacts associated with watershed management are discussed in Chapter 3.8: Hydrology and Water Quality, specifically under Impacts 3.8-1, 3.8-2, and 3.8-3. Given the implementation of proposed General Plan policies aimed at preserving natural watersheds, these impacts are determined to be less than significant.</p> <p>Impacts associated with rare and endangered species and vegetation are discussed in Chapter 3.3: Biological Resources. Given the implementation of proposed General Plan policies aimed at protecting biological resources in the Planning Area and extensive mitigation, these impacts are determined to be less than significant with mitigation. In the event that a future project would result in the loss of an oak woodland, development associated with the proposed General Plan would be subject to Mitigation Measure MM-BIO-4,</p>

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	<p>If Oak trees are known to exist in the proposed project area further field studies should be conducted to determine the presence of this species on the project site.</p> <p>The County of Los Angeles Fire Department's Forestry Division has no further comments regarding this project</p> <p>For any questions regarding this response, please contact Forestry Assistant, Joseph Brunet at (818) 890-5719.</p>	<p>which implements the mitigation requirements of the Los Angeles County Oak Woodland Conservation Management Plan Guide within the Planning Area.</p> <p>Impacts associated with development in Very High Fire Hazard Severity Zones are discussed in Chapter 3.7: Hazards, Hazardous Materials, and Wildfire, specifically under Impacts 3.7-8 through 3.7-11. Given the implementation of Los Angeles County Fire Department Fuel Modification Plans within the Sphere of Influence (SOI) and proposed General Plan policies aimed at development proposed within High or Very High Fire Hazard Severity Zones, these impacts are determined to be less than significant.</p> <p>Impacts associated with archaeological and cultural resources are discussed in Chapter 3.4: Cultural, Historic, and Tribal Cultural Resources. Given implementation of proposed General Plan policies that address archaeological resources and Mitigation Measure MM-CULT-2, this impact is determined to be less than significant with mitigation. While there is a potential for unrecorded cultural resources to occur within the Planning Area, implementation of proposed General Plan policies aimed at establishing development processes to avoid disturbance and conducting consultation early in the development review process would reduce these impacts to a level that is less than significant.</p>
A1-8	<p><u>HEALTH HAZARDOUS MATERIALS DIVISION:</u> The Health Hazardous Materials Division of the Los Angeles County Fire Department has no comments or requirements for the project at this time.</p> <p>Please contact HHMD senior typist-clerk, Perla Garcia at (323) 890-4035 or Perla.garcia@fire.lacounty.aov if you have any questions.</p>	<p>Comment acknowledged.</p>
A1-9	<p>If you have any additional questions, please contact this office at (323) 890-4330.</p>	<p>Comment acknowledged.</p>

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	<p>Very truly yours, MICHAEL Y. TAKESHITA, ACTING CHIEF, FORESTRY DIVISION PREVENTION SERVICES BUREAU</p>	
A2	COUNTY OF LOS ANGELES DEPARTMENT OF PARKS AND RECREATION	
A2-1	<p>October 30, 2019</p> <p>Ms. Grace S. Lee Senior Planner City of Diamond Bar, Planning Division 21810 Copley Drive Diamond Bar, CA 91765</p> <p>Dear Ms. Lee:</p> <p>NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE DIAMOND BAR GENERAL PLAN AND CLIMATE ACTION PLAN 2040</p> <p>I am writing with regards to the Draft Environmental Impact Report (DEIR) for the Diamond Bar General Plan and Climate Action Plan 2040. Located within the Planning Area are two Los Angeles County Department of Parks and Recreation (DPR) facilities: Diamond Bar Golf Course and the proposed Schabarum Extension Trail. Please find below DPR's comments and questions:</p>	<p>This comment is the salutation of the letter and introduces comments A2-2 through A2-12. Responses to these comments are provided below.</p>
A2-2	<p><u>Diamond Bar Golf Course</u> Diamond Bar Golf Course (DBGC) was established as a public golf course in 1964 and will continue to serve as such in the foreseeable future. The golf course is protected public parkland under the Public Park Preservation Act of 1971. The draft General Plan includes a "Community Core"</p>	<p>Comment acknowledged. Compliance with the Park Preservation Act would need to be addressed as part of any alternative use for the property. This does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>

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	focus area that overlays DBGC (page 2-8). The "Community Core" focus area proposes a mix of uses emphasizing destination and specialty retail, dining, and entertainment on the southern portion of the DBGC site. This proposal does not seem to take into consideration the Park Preservation Act which contains specific requirements that must be met in order to convert public parkland into non-park use(s).	
A2-3	Also, the City of Diamond Bar does not have jurisdiction over this County-owned golf course. Any proposed new uses on the DBGC site should be discussed and coordinated with the County. The Los Angeles County Board of Supervisors has the sole discretion to approve development on County-owned properties. As such, any proposed new use(s) on the DBGC would require review and approval by the Board.	Comment acknowledged. The County as the land owner would obviously need to be a project sponsor and comply with County processes to consider the future disposition of the property. This does not address the adequacy of the adequacy of the Draft EIR; therefore, no further response is required.
A2-4	<u>Schabarum Extension Trail (proposed)</u> The proposed Schabarum Extension Trail connects the DPR-operated Rowland Heights Loop Trail in the unincorporated community of Rowland Heights to San Bernardino County through preserved open space. This ten-mile segment of proposed multi-use trail (hiking, biking, and horseback riding) utilizes portions of unpaved Southern California Edison right-of-way and provides intermittent access to communities within the City of Diamond Bar via recorded trail easements.	Comment acknowledged.
A2-5	Please find below some questions and edits regarding the discussion of trails in the DEIR. Page 3.11-12 <ul style="list-style-type: none"> Are there any trails planned on the Tres Hermanos Ranch property? 	The General Plan does not propose any trails on the Tres Hermanos Ranch property.
A2-6	Page 3.11-13	Although the City trails do not include features expressly designed to accommodate equestrians, equestrians are not precluded from using the

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	<ul style="list-style-type: none"> Are equestrians accommodated on City trails? If the proposed Schabarum Extension Trail were developed, it would become a multi-use trail that would serve hikers, mountain bikers, and equestrians. 	trails. This comment does not address the adequacy of the Draft EIR; therefore, no further response is required.
A2-7	<p>Table 3.11-6: Existing and Proposed Trail Network (2019)</p> <ul style="list-style-type: none"> Which agency has proposed the Tonner Canyon Trail? 	The proposed Tonner Canyon Trail is depicted in the City of Diamond Bar 2011 Parks and Recreation Master Plan, but does not state which agency proposed the trail. Since the proposed trail is located outside of the City limits, it is presumed that the information regarding the proposed trail location was obtained from the County of Los Angeles. This does not address the adequacy of the Draft EIR; therefore, no further response is required.
A2-8	<ul style="list-style-type: none"> Please correct the name of the County trail. "Schabarum Trail (Skyline Extension)" should be corrected as "Scharabrum Extension Trail". The Schabarum Extension and Tonner Canyon Trails are "Proposed Trails," not "Existing Trails." 	Comment acknowledged. The Schabarum Extension Trail and the Tonner Canyon Trail are identified as proposed trails in Figure 3.11-4. Table 3.11-6 has been revised in Chapter 4 of the Final EIR to reflect this distinction.
A2-9	<p>Page 3.11-14</p> <ul style="list-style-type: none"> Please note that the Schabarum-Skyline Trail is operated by the County of Los Angeles Department of Parks and Recreation and is 29.7 miles long. 	Comment acknowledged. The Schabarum-Skyline Trail in its entirety is 29.7 miles long. However, the Planning Area only contains a portion of the trail and does not count all 29.7 miles towards the trail network total mileage.
A2-10	<ul style="list-style-type: none"> Please revise the sentence as follows: "The trail allows recreational users and commuters <u>hikers, mountain bikers, and equestrians</u> to connect to a variety of other trails in the area" 	The sentence has been revised as proposed in Chapter 4 of the Final EIR.
A2-11	<ul style="list-style-type: none"> Please include a note on this page that the development of staging areas and trailheads will be considered at strategic locations to accommodate multi-use trail users. 	The proposed revision has been added as a footnote in Chapter 4 of the Final EIR.
A2-12	<p><u>Notification</u></p> <p>Please note that DPR was not formally notified of the General Plan update even though the "Community Core" overlay was proposed on the DBGC site. We only received</p>	Comment acknowledged.

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	the Notice of Availability after signing up for e-mail notification on the project's website several months ago.	
A2-13	<p>Thank you for your consideration of our comments. If you have any questions or wish to discuss further, please contact Clement Lau, Departmental Facilities Planner, of my staff at (626) 588-5301 or by email at clau@parks.lacounty.gov.</p> <p>Sincerely, Alina Bokde Deputy Director</p>	This comment is the closing of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.
A3	CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE	
A3-1	<p>October 30, 2019 Ms. Grace Lee City of Diamond Bar 21810 Copley Drive Diamond Bar, CA 91765 Glee@DiamondBarCA.gov</p> <p>Subject: Draft Environmental Impact Report for the Diamond Bar Comprehensive General Plan Update and Climate Action Plan, City of Diamond Bar, Los Angeles County</p> <p>Dear Ms. Lee:</p> <p>The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Draft Environmental Impact Report (DEIR) for the Diamond Bar Comprehensive General Plan Update and Climate Action Plan (Project). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the</p>	Comment acknowledged. This comment is the salutation of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.

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	<p>Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.</p>	
A3-2	<p><u>CDFW's Role</u> CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & Game Code, SS 711.7, subdivision (a) & 1802; Public Resources Code, S 21070; California Environmental Quality Act (CEQA) Guidelines, S 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., S 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.</p> <p>CDFW is also submitting comments as a Responsible Agency under CEQA (Public Resources Code, S 21069; CEQA Guidelines, S 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, S 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & Game Code, S 2050 et seq.), or state-listed rare plant pursuant to the Native Plant</p>	<p>Comment acknowledged.</p>

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	Protection Act (NPPA; Fish & Game Code, SI 900 et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.	
A3-3	<p><u>Project Description and Summary</u></p> <p><u>Objective:</u> The proposed Project is an update to the City of Diamond Bar (City) General Plan. The General Plan is a long-term policy document guiding future land use and policy decisions. The City's current General Plan was adopted in 1995. In 2016, the City began the process of comprehensively updating the General Plan.</p> <p><u>Location:</u> City of Diamond Bar (Citywide), Los Angeles County.</p>	Comment acknowledged.
A3-4	<p><u>Comments and Recommendations</u></p> <p>CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Additional comments or other suggestions may also be included to improve the document.</p>	Comment acknowledged. See responses to comments A3-5 through A3-14 below.
A3-5	<p><u>Project Description and Related Impact Shortcoming</u></p> <p><u>Comment #1: Impacts to Special-Status Plant Species</u></p> <p>Issue: Mitigation Measures MM-BIO-I A-C dictate the City's actions taken to mitigate impacts to any special-status plants that may be found within the City limits. These measures refer to US Fish and Wildlife Service (USFWS) oversight, but do not acknowledge CDFW protocol.</p> <p>Specific impact: CDFW considers plant communities, alliances, and associations with a statewide ranking of SI, S2, S3 and S4 as sensitive and declining at the local and regional level (Sawyer et al. 2008). An S3 ranking indicates there are 21-80 occurrences of this community in existence</p>	The omission of CDFW oversight and mitigation protocols was an unintended omission, and the inclusion of CDFW in the mitigation measures is included in Chapter 4 of the Final EIR. The consideration of specific impacts to sensitive plants, their causes and determination of their significance is discussed in the Draft EIR.

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	<p>in California, S2 has 6-20 occurrences, and SI has less than 6 occurrences. The Project may have direct or indirect effects to these sensitive species.</p> <p>Why impact would occur: Project implementation includes grading, vegetation clearing for construction, road maintenance, and other activities that may result in direct mortality, population declines, or local extirpation of sensitive plant species.</p> <p>Evidence impact would be significant: Impacts to special status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these sensitive plant species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.</p>	
A3-6	<p><u>Recommended Potentially Feasible Mitigation Measure(s):</u> Mitigation Measure #1: CDFW recommends conducting focused surveys for sensitive/rare plants on-site and disclosing the results in the DEIR. Based on the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW, 2018) (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959), a qualified biologist should "conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting." The final CEQA documentation should provide a thorough discussion on the presence/absence of sensitive plants on-</p>	<p>To the best of the City's understanding, CDFW will not accept or validate focused surveys that are over 1-year old. Insofar as the General Plan update and its policies are to guide the City's growth until 2040, focused surveys for special-status plants at this time would not be useful. Rather, surveys for sensitive plants at the time the specifics of projects have been detailed, as indicated in the Draft EIR, is felt to be a more practical approach. The seasonal timing of such surveys in the future and mitigation for potentially significant impacts on special-status surveys are discussed in the Draft EIR.</p> <p>To the extent feasible and practical in the context of a General Plan the MCV classification system was used to identify natural communities and their sensitivity in the study area. See also response to comment B3-10.</p>

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	<p>site and identify measures to protect sensitive plant communities from project-related direct and indirect impacts.</p> <p>Mitigation Measure #2: In 2007, the State Legislature required CDFW to develop and maintain a vegetation mapping standard for the state (Fish & Game Code, § 1940). This standard complies with the National Vegetation Classification System, which utilizes alliance and association-based classification of unique vegetation stands. CDFW utilizes vegetation descriptions found in the Manual of California Vegetation (MCV), found online at http://vegetation.cnps.org/. To determine the rarity ranking of vegetation communities on the Project site, the MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system.</p> <p>Mitigation Measure #3: CDFW recommends avoiding any sensitive natural communities found on the Project. If avoidance is not feasible, mitigating at a ratio of no less than 5:1 for impacts to S3 ranked communities and 7:1 for S2 communities should be implemented. This ratio is for the acreage and the individual plants that comprise each unique community. All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan, to be approved by USFWS and CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and, a funding mechanism to assure for in perpetuity management and reporting. Areas proposed as mitigation should have a recorded</p>	<p>Regarding the use of mitigation ratios see response to comment B3-19.</p>

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	conservation easement and be dedicated to an entity which has been approved to hold/manage lands (Assembly Bill 1094; Government code, §§ 65965-65968).	
A3-7	<p><u>Comment #2: Inadequate Survey Protocols for Special-Status Wildlife</u></p> <p>Issue: Mitigation Measure MM-BIO-IE indicates that future projects taking place within the City will require a clearance survey within one week of initiating ground disturbance. This measure also states that "[I]f any special-status animals are found on the site, a qualified biologist(s) with a CDFG Scientific Collecting Permit shall relocate these species to suitable habitats within surrounding open space areas that would remain undisturbed, unless the biologist determines that such relocation cannot reasonably be accomplished".</p> <p>Specific impacts: While MM-BIO-I E does dictate that CDFW will be consulted regarding relocation, it does not fully convey the appropriate protocols for a variety of sensitive species.</p> <p>Why impacts would occur: Inadequate survey protocols will likely lead to impacts to a variety of sensitive species as this process may overlook or fail to identify listed species and supporting habitat necessary for their survival.</p> <p>Evidence impact would be significant: Ground clearing and construction activities could lead to the direct mortality of a listed species or species of special concern. The loss of occupied habitat could yield a loss of foraging potential, nesting sites, basking sites, or refugia and would constitute a significant impact absent appropriate mitigation. CDFW considers impacts to CESA-listed and Species of Special Concern (SSC) a significant direct and cumulative adverse</p>	<p>It is assumed that the practicing professional is aware of the appropriate survey protocols for various species and/or that such individuals can research such protocols on the internet. For these reasons, the description of all possible protocols in the Draft EIR was not included. At the time of a future project’s specific analysis a species-specific survey and translocation plan will be prepared and included in the project’s Mitigation Monitoring and Reporting Plan.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>effect without implementing appropriate avoid and/or mitigation measures.</p>	
	<p><u>Recommended Potentially Feasible Mitigation Measure(s):</u> Mitigation Measure #1: CDFW recommends that future proposed projects within the City of Diamond Bar follow the appropriate survey protocol for a given species, since the suggested measures, MM-BIO-I seq., do not make distinctions among the breadth of wildlife species found throughout the Los Angeles Basin. Based on the listing status of a given wildlife species found on a future project site, the mitigative response will vary.</p>	
	<p>The following mitigation measures are suggested by CDFW for impacts to reptiles:</p>	
	<p>Mitigation Measure #1: To mitigate impacts to SSC, CDFW recommends focused surveys for the species. Surveys should typically be scheduled when these animals are most likely to be encountered, usually conducted between June and July. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on-site in appropriate habitat suitable for each of these species. Suitable habitat consists of areas of sandy, loose and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.</p>	
	<p>Mitigation Measure #2: In consultation with qualified biologist familiar with the life history of each of the SSC, a relocation plan (Plan) should be developed. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for this</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals of this species; and the documentation/recording of the number of animals relocated. CDFW recommends the Plan be submitted to the Lead Agency for approval 60 days prior to any ground disturbing activities within potentially occupied habitat.</p> <p>Mitigation Measure #3: The Plan should include specific survey and relocation efforts that occur during construction activities for the activity period of these reptiles (generally March to November) and for periods when the species may be present in the work area but difficult to detect due to weather conditions (generally December through February). Thirty days prior to construction activities in coastal scrub, chaparral, oak woodland, riparian habitats, or other areas supporting this species, qualified biologists should conduct surveys to capture and relocate individual reptiles to avoid or minimize take of these special-status species. The Plan should require a minimum of three surveys conducted during the time of year/day when these species most likely to be observed. Individuals should be relocated to nearby undisturbed areas with suitable habitat.</p> <p>Mitigation Measure #4: If construction is to occur during the low activity period (generally December through February), surveys should be conducted prior to this period if possible. Exclusion fencing should be placed to limit the potential for re-colonization of the site prior to construction. CDFW further recommends a qualified</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	biologist be present during ground-disturbing activities immediately adjacent to or within habitat, which supports populations of this species.	
A3-8	<p>The following mitigation measures are suggested by CDFW for impacts to nesting birds:</p> <p>Mitigation Measure #1: To protect nesting birds that may occur on-site, CDFW recommends that the final environmental document include a measure that no construction shall occur from February 15 through August 31. If construction is unavoidable during February 15 through August 31, a qualified biologist shall complete a survey for nesting bird activity within a 500-foot radius of the construction site. The nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. If any nests of birds of prey are observed, these nests shall be designated an ecologically sensitive area and protected (while occupied) by a minimum 500-foot radius during project construction.</p> <p>The following mitigation measures are suggested by CDFW for impacts to raptors:</p> <p>Mitigation Measure #1: To protect nesting birds that may occur on-site, CDFW recommends that the final environmental document include a measure that no construction shall occur from February 15 through August 31. If construction is unavoidable during February 15 through August 31, a qualified biologist shall complete surveys for nesting bird activity the orders Falconiformes and Strigiformes (raptors and owls) within a 500-foot radius of the construction site. The nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. If any</p>	<p>Mitigation consistent with the comment is provided for as MM-BIO-1G on page 3.3-50 of the Draft EIR. Protected species that have been observed or have a moderate to high potential to occur in the study area are identified in Table 3.3-4 in the Draft EIR. The fact that taking or possessing protected species is unlawful is discussed on page 3.3-45 of the Draft EIR.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>nests of birds of prey are observed, these nests shall be designated an ecologically sensitive area and protected (while occupied) by a minimum 500-foot radius during project construction. Pursuant to FGC Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey.</p> <p>Mitigation Measure #2: CDFW cannot authorize the take of any fully protected species as defined by state law. State fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for its take except for collecting those species for necessary scientific research and relocation of the bird species for protection of livestock (Fish & G. Code, §§ 3511, 4700, 5050, 5515). CDFW has advised the Permittee that take of any species designated as fully protected under the Fish and Game Code is prohibited. CDFW recognizes that certain fully-protected species are documented to occur on, or in, the vicinity of the Project area, or that such species have some potential to occur on, or in, the vicinity of the Project area, due to the presence of suitable habitat.</p>	
A3-9	<p>The following mitigation measures are suggested by CDFW for impacts to bats:</p> <p>Mitigation Measure #1: The CEQA document should provide a thorough discussion of potential impacts to bats from construction and operation of the Project to adequately disclose potential impacts and to identify appropriate avoidance and mitigation measures.</p> <p>Mitigation Measure #2: Measures to mitigate for impacts to bats should include preconstruction surveys to detect species, use of bat roost installations, and preparation of a</p>	<p>Mitigation measures consistent with those presented in the comment to prevent potentially significant impact to bat species are provided in MM-BIO-1I, MM-BIO-1J and MM-BIO-1K on pages 3.3-50 and 3.3-51 of the Draft EIR.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>bat protection and relocation plan to be submitted to CDFW for approval prior to commencement of project activities.</p>	<p>Mitigation Measure #3: CDFW recommends the Project avoid removal of trees that may be used by bats or avoid buildings or other occupied habitat for any species of bat. If bats cannot be avoided by Project activities and a bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling the tree with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, the tree should be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should then be pushed to the ground slowly. The bat specialist should determine the optimal time to disturb occupied bat habitat to maximize bats escaping during low light levels. Downed trees should remain in place until they are inspected by a bat specialist. Trees that are known to be bat roosts should not be sawn-up or mulched immediately. A period of at least 24 hours (preferably 48 hours) should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by placing one-way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building. In addition, CDFW recommends that the Project include measures to ensure that bat habitat remains available for evicted bats or loss of bat habitat resulting from the Project, including information on the availability of other potential roosts that could be used by bats within protected open space on or near the Project site.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
A3-10	<p><u>Comment #3: Impacts to CESA-Listed Species</u> Issue: There are multiple listed species with the potential to occur on the Project site.</p> <p>Specific Impacts: Project related activities, such as grading, road construction, or housing construction could lead to the direct or indirect mortality of listed animal and/or plant species.</p> <p>Why impact would occur: Take of special status plant species, including ESA and CESAlisted species, may occur without adequate detection, avoidance and mitigation measures.</p> <p>Evidence impacts would be significant: CDFW considers adverse impacts to special status species protected by CESA and the federal Endangered Species Act (ESA, 16 U.S.C. §1531 et seq.), for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any state endangered, threatened, candidate species, or listed rare plant species pursuant to the NPPA that results from the Project is prohibited, except as authorized by state law (Fish and Game code, §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill". Project impacts may result in substantial adverse effects, either directly or through habitat modifications, on a species protected under CESA.</p> <p><u>Recommended Potentially Feasible Mitigation Measure(s):</u> Mitigation Measure #1: If the Project, Project construction, or any Project-related activity during the life of the Project</p>	<p>Comment acknowledged. The Draft EIR includes discussions of such special-status species on pages 3.3-36 through 3.3-51 of the Draft EIR.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>will result in take of a plant or animal species designated as rare, endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an ITP or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 208, subds. [b],[c]). Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain CESA authorization. Revisions to the Fish and Game Code, effective January 1998, may require CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the fully mitigated requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an ITP.</p>	
A3-11	<p><u>Comment #4: Accuracy of Tree Surveys</u></p> <p>Issue: There are conflicting tree surveys for the City of Diamond Bar, one presented by the City (Diamond Bar Environmental Impact Report 2040) and one provided by a concerned group of citizens (Biological Resources Report for Open Space & Conservation Element Diamond Bar General Plan Update). Between these sources, there is uncertainty in the accuracy of vegetation surveys, their accounting of oak and walnut woodlands, and the resulting mitigation.</p> <p>Specific Impact: The classifications of oak woodlands, walnut woodlands, riparian woodlands, and California walnut/Coast live oak woodland are inconsistent among</p>	See responses to comments A3-6 and B3-9.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>the publicly available surveys provided in support of the DEIR. Based on the tree surveys provided for a given project, the potential impacts and their subsequent mitigation may vary greatly.</p> <p>Why impact would occur: If a habitat is misidentified, then the mitigative restored/replaced habitat may be of a different type, resulting in a habitat-type conversion and loss of the original habitat.</p> <p>Evidence impact would be significant: CDFW is concerned that inaccurate surveys of tree species as part of this Project would contribute to the degradation of natural open space or riparian habitats found within the City limits. CDFW is concerned that by not requiring all native trees and plants be replaced by similar native tree and plant species, the replacement trees would not be fully mitigating the function and value of the impacted native tree species.</p> <p>In 2007, the State Legislature required CDFW to develop and maintain a vegetation mapping standard for the state (Fish & Game Code, § 1940). This standard complies with the National Vegetation Classification System, which utilizes alliance and association based classification of unique vegetation stands. CDFW utilizes vegetation descriptions found in the Manual of California Vegetation (MCV), found online at http://vegetation.cnps.org/. To determine the rarity ranking of vegetation communities on the Project site, the MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system.</p>	

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p><u>Recommended Potentially Feasible Mitigation Measure(s):</u> Mitigation Measure #1: Prior to completion of the Final Environmental Impact Report, the discrepancies between publicly available tree and vegetation surveys for the study area should be resolved by classifying vegetation according to the MCV.</p>	
	<p><u>Comment #5: Inadequate Oak and Walnut Woodlands Mitigation</u></p>	
	<p>Issue: The DEIR states that oak and walnut trees will be planted or transplanted, at a ratio of at least 1:1.</p>	
	<ul style="list-style-type: none"> • Page 3.3-54 states that future project mitigation will "Acquire oak woodland habitat that is comparable to the habitat that was impacted at a ratio of 1:1." • Page 3.3-55 states that future project mitigation will "Acquire walnut woodland habitat that is comparable to 	
	<p>Specific Impact: Oak woodland and walnut woodland alliances are considered rare communities and should be mitigated as an ecosystem. Oak and Walnut woodlands are a community that includes the trees, as well as any understory plants, duff, dead logs, etc. Removal or thinning of an understory in woodland directly impacts the function of the entire woodland.</p>	
	<p>Why impact would occur: Based on the tree surveys provided for a given project, the potential impacts and their subsequent mitigation may vary greatly. If a habitat is misidentified, then the mitigative restored/replaced habitat may be of a different type, resulting in a habitat-type conversion and loss of the original habitat.</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Evidence Impact would be significant: A functioning woodland system does not solely include trees. There is an important understory component which needs to be figured into the impact analysis and mitigation proposal to fully mitigate impacts to rare and sensitive CDFW plant communities, such as oak woodlands and walnut woodlands. The DEIR does not describe what species these trees are, where they occur, how many will be removed, or how large they are. CDFW is unable to concur with any proposed mitigation measures without knowing first what will be impacted.</p> <p>Correct mapping of recognized vegetation alliances is vital to disclose actual acreage-based impacts to these tree-dominated vegetation community, as well as ensure they are adequately mitigated. CDFW was unable to verify the validity of several vegetation communities listed in the DEIR as recognized alliances, therefore unable to determine if they are sensitive vegetation communities. Including the scientific names for alliances as well as a thorough description of the membership requirements of each alliance would be helpful for validating the assessment completed. Each future project within the City should provide this information to CDFW for review in an environmental document.</p>	
A3-12	<p><u>Recommended Potentially Feasible Mitigation Measure(s):</u> Mitigation Measure #1: CDFW recommends avoiding impacts to the oak or walnut woodland communities. If avoidance is not feasible, the City should minimize impacts to the maximum extent possible. Any impacts to the oak or walnut woodland communities should be mitigated at a minimum 10 acres of preservation/restoration for every 1 acre of impact. All mitigation should be held to quantifiable success criteria, including species diversity, species</p>	<p>The City has an adopted Tree Preservation and Protection Ordinance. However, the suggested mitigation contained in the comment are noted and will be considered when the existing ordinance is modified.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	richness, abundance, percent cover, and non-native cover below 5 percent. Success criteria should be based on the composition of the vegetation communities being impacted. Success should not be determined until the site has been irrigation-free and the metrics for success have remained stable for at least 5 years.	
	Mitigation Measure #2: CDFW recommends off-site habitat preservation of rare and sensitive vegetation communities (i.e., oak woodland, walnut woodland, etc.) at a ratio of at least 10:1 for impacts to these resources. Additionally, planting more trees in the existing on-site habitat at an excessive density should be avoided as it could result in an impact to that habitat.	
	Mitigation Measure #3: For all native trees not classified as a rare vegetation community according to MCV, CDFW recommends mitigating for those trees impacted by the Project at a 5:1 ratio for both the acreage of impact as well as the number of trees.	
	Mitigation Measure #4: CDFW recommends that all open space preservation/mitigation land be protected in perpetuity with minimal human intrusion by recording and executing a perpetual conservation easement in favor of an approved agent dedicated to conserving biological resources. In addition, CDFW recommends all mitigation lands be owned or managed by an entity with experience in managing habitat. Mitigation lands should be owned or managed by a conservancy or other land management company to allow for legal remedies should trespass and clearing/damage occur. A management and monitoring plan, including a funding commitment, should be developed for any conserved land, and implemented in	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	perpetuity to protect existing biological functions and values.	
A3-13	<p><u>Comment #6: Impacts to Streams</u> Issue: Mitigation Measure MM-BIO-3 Jurisdictional Waters discusses the need for consultation with regulating agencies regarding impacts to riparian resources and potential mitigation but does not indicate the need for notification for a Lake and Streambed Alteration Agreement with CDFW.</p> <p>Specific impacts: The Project may result in the loss of streams and associated watershed function and biological diversity. Grading and construction activities will likely alter the topography, and thus the hydrology, of the Project site.</p> <p>Why impacts would occur: Ground disturbing activities from grading and filling, water diversions and dewatering would physically remove or otherwise alter existing streams or their function and associated riparian habitat on the Project site. Downstream streams and associated biological resources beyond the Project development footprint may also be impacted by Project related releases of sediment and altered watershed effects resulting from Project activities.</p> <p>Evidence impacts would be significant: The Project may substantially adversely affect the existing stream pattern of the Project site through the alteration or diversion of a stream, which absent specific mitigation, could result in substantial erosion or siltation on site or off site of the project.</p> <p><u>Recommended Potentially Feasible Mitigation Measure(s):</u></p>	<p>The Draft EIR recognizes the presence of CDFG regulated drainages in the study area on page 3.3-8. Section 1602 of the California Fish and Game Code identifies related regulatory constraints of these resources on page 3.3-35. Impacts associated with the development of these resources, including mitigation are discussed on pages 3.3-51 through 3.3-53.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>Mitigation Measure #1: The Project may result in the alteration of streams. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW's web site at www.wildlife.ca.gov/habcon/1600.</p>	
	<p>CDFW's issuance of an LSA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. However, the DEIR does not meet CDFW's standard at this time. To minimize additional requirements by CDFW pursuant to section 1600 et seq. and/or under CEQA, the CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.</p>	
	<p>Mitigation Measure #2: Any LSA permit issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project. The LSA may include further erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA may include the following: avoidance of resources, on-site or off-site creation, enhancement or restoration, and/or protection and management of mitigation lands in perpetuity.</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
A3-14	<p><u>Filing Fees</u></p> <p>The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources code, § 21089).</p>	Comment acknowledged.
A3-15	<p><u>Conclusion</u></p> <p>We appreciate the opportunity to comment on the Project to assist the City of Diamond Bar in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines; §15073(e)]. If you have any questions or comments regarding this letter, please contact Andrew Valand, Environmental Scientist, at Andrew.Valand@wildlife.ca.gov or (562) 342-2142.</p> <p>Sincerely, Erinn Wilson Environmental Program Manager I</p>	The comment is the closing of the letter. Comments regarding the adequacy of the Draft EIR are addressed above.
A3-16	<p><u>References:</u></p> <p>California Department of Fish and Wildlife [CDFW]. March 20, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see https://www.wildlife.ca.gov/Conservation/Plants).</p>	The comment provides references to the comments made in the letter, addressed in comments A3-5 through A3-13. No response is required.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Dyett & Bhatia. September 2019. Diamond Bar Environmental Impact Report 2040. Public Review Draft. September 2019.</p> <p>Hamilton, Robert. February 2019. Biological Resources Report for Open Space & Conservation Element Diamond Bar General Plan Update.</p> <p>National Research Council. 1995. Science and the Endangered Species Act. Washington, DC: The National Academies Press. https://doi.org/10.17226/4978.</p> <p>Sawyer, J.O., Keeler Wolf, T., and Evens J.M. 2008. A manual of California Vegetation, 2nd ed. ISBN 978 0 943460 49 9.</p>	
A4	CALTRANS DISTRICT 7	
A4-1	<p>October 31, 2019</p> <p>Ms. Grace Lee City of Diamond Bar 21810 Copley Drive Diamond Bar, CA 91765</p> <p>RE: Diamond Bar Comprehensive General Plan Update and Climate Action Plan — Draft Environmental Impact Report (DEIR)</p> <p>SCH # 2018051066 GTS # 07-LA-2018-02837 Vic. LA-57/PM: R 1.184 - 6.08 LA-60/PM: R 22.064 - R 27.472</p> <p>Dear Ms. Grace Lee:</p>	<p>This comment is the opening of the letter and provides information regarding Caltrans’ responsibility to respond to the Draft EIR. See responses to comments A4-2 through A4-8 below.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project involves updating the city's General Plan and Climate Action Plan, as well as various elements of the General Plan.</p> <p>The nearest State facilities to the proposed project are State Route 57 and State Route 60.</p> <p>Based on the information received in the Draft Environmental Impact Report for the Diamond Bar Comprehensive General Plan Update and Climate Action Plan, Caltrans has the following comments:</p>	
A4-2	<p>Caltrans supports the implementation of complete streets and active transportation safety improvements, especially those represented in the Transportation section of the Draft General Plan. Some of Caltrans' recommended improvements include, but are not limited to, measures such as road diets, bike lanes, and other traffic calming elements to promote sustainable transportation. As mentioned in Caltrans' previous Notice of Perpetration (NOP) comment letter, the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.</p>	<p>Comment acknowledged. The General Plan includes multiple policies in Chapter 4, Circulation aimed at promoting sustainable transportation including, but not limited to, traffic calming measures, increased bicycle and pedestrian infrastructure, and electric vehicle infrastructure.</p>
A4-3	<p>When considering implementation of innovative bicycle infrastructure, the City may consult resources such as the National Association of Transportation Officials' (NACTO) Urban Bikeway Design Guide, or FHWA Separated Bike Lane Planning and Design Guide, to assist in the design process. Caltrans formally endorsed the NACTO Guide in</p>	<p>Comment acknowledged.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	2014 and the FHWA released its guide in 2015. Also, the State's Highway Design Manual now contains provisions for protected bike lanes under "Design Information Bulletin Number 89: Class [V Bikeway Guidance (Separated Bikeways/ Cycle Tracks)."	
A4-4	Regional and State level policy goals related to sustainable transportation seek to reduce the number of trips made by driving, reduce greenhouse gas emissions, and encourage alternative modes of travel. Caltrans' Strategic Management Plan has set a target of tripling trips made by bicycling, and doubling trips made by walking and public transit by 2020. The Strategic Plan also seeks to achieve a sizable reduction in statewide, per capita, vehicle miles traveled (VMT) by 2020. Similar goals are included in Caltrans' 2040 Transportation Plan, and the Southern California Association of Governments' Regional Transportation Plan. Statewide legislation such as AB 32 and SB 375 echo the need to pursue more sustainable development and transportation. The aforementioned policy goals related to sustainability and climate change can only be achieved with support from local agencies on all levels of planning.	Comment acknowledged. The Diamond Bar General Plan includes numerous goals and policies that support these efforts.
A4-5	Caltrans is moving towards replacing Level of Service (LOS) with Vehicle Miles Traveled (VMT) when evaluating traffic impact. Per SB 743 requirements, Caltrans supports the City's efforts towards developing these metrics and any development that may reduce VMT. As a reminder, Senate Bill 743 (2013) mandates that VMT be used as the primary metric in identifying transportation impacts of all future development projects under CEQA, starting July 1, 2020. For information on determining transportation impacts in terms of VMT on the State Highway System, see the Technical Advisory on Evaluating Transportation Impacts in CEQA by the California Governor's Office of Planning and	Comment acknowledged. Per SB 743 requirements and in accordance with 2019 CEQA Appendix G criteria, the following threshold of significance is used to determine if the proposed General Plan has an impact under the terms of Criteria 2: "A significant impact would occur if the proposed General Plan Update increases the Vehicle Miles Traveled (VMT) per person above the baseline conditions." (page 3.12-31, Impact 3.12-2).

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Research, dated December 2018: http://opr.ca.gov/docs/20190122-743 Technical_Advisory.pdf .	
A4-6	With regards to parking, Caltrans supports reducing the amount of parking whenever possible. Research on parking suggests that abundant car parking enables and encourages driving. Research looking at the relationship between land-use, parking, and transportation indicates that the amount of car parking supplied can undermine a project's ability to encourage public transit and active modes of transportation. For any future project to better promote public transit and reduce vehicle miles traveled, we recommend the implementation of Transportation Demand Management (TDM) strategies as an alternative to building excessive parking.	Comment acknowledged. The General Plan includes multiple policies that would reduce parking minimums, improve curbside management, and support transportation demand programs in order to promote multi-modal transportation and reduce VMT. Policies are cited in Chapter 3.12 and Chapter 3.5: Air Quality, Climate Change, and Greenhouse Gases.
A4-7	Due to the sensitivity of wildfires in Los Angeles County, Caltrans suggests the project please consider planning future implementation/construction in a way that will not impede the ability to perform an emergency evacuation. Please consider taking steps to ensure that evacuation roadways are free of any debris or project equipment and are accessible to the public/emergency vehicles at all times. As power outages become more common due to wildfire prevention, please consider alternative power sources for emergency evacuation route streetlights and traffic signals.	Comment acknowledged. The Draft EIR concludes that implementation of the General Plan would not result in inadequate emergency access in Impacts 3.7-6 (page 3.7-40) and 3.12-4 (page 3.12-37).
A4-8	Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. For any future projects Caltrans supports designs that discharge clean run-off water and/or incorporate green design elements that can capture storm water. Incorporating measures such as, but not limited to, permeable pavement, landscaping, and trees reduce urban water run-off and encourage a healthy, sustainable environment.	Comment acknowledged. The General Plan includes multiple policies that would limit run-off by requiring new development to incorporate Best Management Practices and Low Impact Development Strategies and requiring the implementation of a stormwater pollution prevention plan. Additionally, the General Plan provides policies that encourage sustainability in site design and protect waterways from pollution and degradation. Chapter 3.8: Hydrology and Water Quality concludes that impacts related to stormwater run-off would be less than significant.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
A4-9	<p>If you have any questions or concerns regarding these comments, please contact project coordinator, Reece Allen at ece.allen@dot.ca.gov and refer to 07-LA-2018-02837.</p> <p>Sincerely, MIYA EDMONSON IGR/CEQA Branch Chief</p>	<p>This comment is the closing of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
A5	LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO)	
A5-1	<p>October 31, 2019 Grace S. Lee, Senior Planner City of Diamond Bar, Planning Division 21810 Copley Drive Diamond Bar, CA 91765 Sent by Email: glee@diamondbarca.gov</p> <p>RE: Diamond Bar General Plan Update and Climate Action Plan (CAP) – Draft Environmental Impact Report (DEIR)</p> <p>Dear Ms. Lee:</p> <p>Thank you for coordinating with the Los Angeles County Metropolitan Transportation Authority (Metro) regarding the proposed General Plan Update and CAP (Plan), located in the City of Diamond Bar (City). Metro is committed to working with local municipalities, developers, and other stakeholders across Los Angeles County on transit-supportive developments to grow ridership, reduce driving, and promote walkable neighborhoods. Transit Oriented Communities (TOCs) are places (such as corridors or neighborhoods) that, by their design, allow people to drive</p>	<p>Comment acknowledged. This comment is the salutation of the letter and provides information on Metro’s commitment to supporting Transit Oriented Communities.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	less and access transit more. TOCs maximize equitable access to a multi-modal transit network as a key organizing principle of land use planning and holistic community development.	
A5-2	Within the Plan area, Metro funds Metrolink commuter rail service operated by the Southern California Regional Rail Authority (SCRRA). The purpose of this letter is to briefly describe the proposed Plan (based on the DEIR’s project description), outline recommendations from Metro concerning issues that are germane to our agency’s statutory responsibility in relation to Metrolink facilities and services that may be affected by the proposed Plan, and help identify opportunities in the Plan to support transit ridership.	Comment acknowledged.
A5-3	<u>Plan Description</u> The Plan includes the Diamond Bar Plan 2040, which is a long-term document expressing the goals, objectives, and policies necessary to guide the community toward achieving its vision over a 20-year period. The Plan also includes a CAP, which is a comprehensive plan for addressing a community’s greenhouse gas (GHG) emissions.	Comment acknowledged.
A5-4	Transit Service Considerations 1. Coordination Resource: To improve coordination between the City, adjacent development and Metro, Metro would like to provide the City with a user-friendly resource, the Metro Adjacent Development Handbook (attached), which provides an overview of common concerns for development adjacent to Metrolink ROW. This document and additional resources are available at www.metro.net/devreview/ . Metro encourages the City to provide this document as	Comment acknowledged. The Metro Adjacent Handbook is included in the Final EIR as a reference for all development projects adjacent to Metro ROW.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	a resource to all development projects adjacent to Metro ROW.	
A5-5	2. Rail Operations, Noise & Vibration: Metrolink operates within the Plan area, serving Industry Station. Metrolink operates in and out of revenue service, 24 hours a day, seven days a week. Considering the proximity of the Plan area to Metrolink, it is expected that rail operations may produce noise and vibration.	Comment acknowledged. Railroad sound levels were not measured for the Draft EIR; ambient noise measurements were conducted for the General Plan Update to characterize the general ambient noise environment in the Program Area; however, not for impact assessment in the Program EIR. Accordingly, as discussed on page 3.10-25, specific details on future railway expansions or improvements are unknown at this time, neither are the specific noise sources that might occur in conjunction with development of land uses near the railway under the Proposed Plan. Therefore, railway noise and vibration impacts are discussed on a qualitative basis. Policies within the General Plan Update (e.g., PS-P-52) take into consideration the siting of sensitive receptors near potential noise generators and would limit the exposure of sensitive receptors to any existing railway noise. Furthermore, the proposed General Plan Update does not include any railway upgrades or improvement that would increase train volumes or number of tracks.
A5-6	3. Plan Policies to address Transit: To further address the land use and noise compatibility of future development in the vicinity of Industry Station, Metro recommends that the Plan include policies to require future development projects in the Station’s vicinity to record a notice to property owners and tenants to advise of the presence of railway noise and vibration sources. Any noise mitigation required for future development projects must be borne by the project applicants and not Metrolink.	Policy revisions and additions are not relevant for the purposes of the Final EIR, and this comment does not address the adequacy of the Draft EIR. Goal LU-G-21 states “Ensure that new development is sensitive to the scale, density, and massing of adjacent residential uses and potential sources of noise and air pollution.” Policy LU-P-34 states “Ensure that development evaluates and mitigates to extent practical noise and air quality issues related to the proximity of the SR-60 and Metrolink.”
A5-7	4. Climate Action Planning: Metro encourages the City to review the Plan’s consistency with Metro’s 2019 Climate Action and Adaptation Plan (CAAP) and the Southern California Association of Governments’ 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy to ensure the Plan will not conflict with those plans. Metro’s 2019 CAP is available at	Chapter 3.5: Energy, Climate Change, and Greenhouse Gases concludes that the General Plan policies and land use designations, as well as the Climate Action Plan, would be consistent with the 2016-2040 SCAG RPT/SCS under Impacts 3.5-2 and 3.5-4. The 2020-2045 Draft RPT/SCS was published after the Public Review period for the Draft EIR closed. The General Plan and Climate Action Plan would not conflict with the Metro 2019 CAAP or the SCAG 2020-2045 RTP/SCS.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	http://media.metro.net/projects_studies/sustainability/images/Climate_Action_Plan.pdf .	
A5-8	<p><u>Transit Orientation Considerations</u></p> <p>Considering the Plan area’s proximity to the Industry Station, Metro would like to identify the potential synergies associated with transit-oriented development:</p> <ol style="list-style-type: none"> 1. Transit-Supportive Planning: To achieve Metro’s program objectives, Metro strongly recommends that the City review the Transit-Supportive Planning Toolkit which identifies 10 elements of transit-supportive places and applied collectively, has been shown to reduce vehicle miles traveled by establishing community-scaled density, diverse land use mix, combination of affordable housing, and infrastructure projects for pedestrians, bicyclists, and people of all ages and abilities. This resource is available at https://www.metro.net/projects/tod-toolkit. 	Comment acknowledged.
A5-9	<ol style="list-style-type: none"> 2. Land Use: Metro supports development of commercial and residential properties near transit stations and understands that increasing development near stations represents a mutually beneficial opportunity to increase ridership and enhance transportation options for the users of developments. Metro encourages the City to be mindful of the Plan’s proximity to the Industry Station, including orienting pedestrian pathways towards the station. 	Comment acknowledged. Policy LU-P-30 would “Ensure that building frontages and streetscaping define the public realm and encourage pedestrian activity and comfort with a mix of building patterns, ground floor transparency for commercial uses, and pedestrian-oriented elements such as building entrances and public outdoor spaces.” Policy LU-P-31 would “Promote convenient, attractive, and safe pedestrian, bicycle, and transit connections between the Transit-Oriented Mixed Use neighborhood and surrounding neighborhoods and other destinations within Diamond Bar such as schools, the Town Center, and parks.”
A5-10	<ol style="list-style-type: none"> 3. Transit Connections: <ol style="list-style-type: none"> a. Transfer Activity: Given the Plan’s proximity to the Industry Station, proposed project design should consider and accommodate transfer activity between bus and rail lines that will occur along the sidewalks and public spaces. Metro has completed the Metro Transfers 	Comment acknowledged. Policy revisions and additions are not relevant for the purpose of the Final EIR. Policy LU-P-31 would “Promote convenient, attractive, and safe pedestrian, bicycle, and transit connections between the Transit-Oriented Mixed Use neighborhood and surrounding neighborhoods and other destinations within Diamond Bar such as schools, the Town Center, and parks.” Policy LU-P-41 would “Maximize accessibility for transit,

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Design Guide, a best practices document on transit improvements. This can be accessed online at https://www.metro.net/projects/systemwidedesign .	automobiles, cyclists, and pedestrians to the Town Center from surrounding neighborhoods, the Metrolink station, and other Diamond Bar destinations.”
A5-11	b. Access: The Plan should address first-last mile connections to transit, encouraging development that is transit-accessible with bicycle and pedestrian-oriented street design that connects transportation with housing and employment centers. The City is also encouraged to support these connections with wayfinding signage inclusive of all modes of transportation. For reference, please review the First Last Mile Strategic Plan, authored by Metro and the Southern California Association of Governments (SCAG), available on-line at: http://media.metro.net/docs/sustainability_path_design_guidelines.pdf	Comment acknowledged. Multiple policies within the General Plan encourage transit-accessible development, pedestrian-oriented street design, and first- and last-mile connectivity. Policy CR-P-49 would “Create additional pedestrian, bus, and bikeway connections to the Metrolink station to address first- and last-mile (FMLM) connectivity and make it easier to travel to between the station and surrounding neighborhoods.”
A5-12	4. Active Transportation: Metro strongly encourages the City to install project features that help facilitate safe and convenient connections for pedestrians, people riding bicycles, and transit users to/from the Industry Station and nearby destinations. The City should consider requiring the installation of such features as part of the conditions of approval for proposed projects. These features can include the following: <ul style="list-style-type: none"> a. Walkability: The installation of wide sidewalks, pedestrian lighting, a continuous canopy of shade trees, enhanced crosswalks with ADA-compliant curb ramps, and other amenities along all public street frontages of the development site to improve pedestrian safety and comfort to access the nearby rail station. 	Comment acknowledged. The General Plan includes multiple policies that would ensure safe and convenient connections for pedestrians, bicyclists, and transit users in the Land Use and Circulation chapters. See responses to comments A5-9 through A5-11.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>b. Bicycle Use: The provision of adequate short-term bicycle parking, such as ground level bicycle racks, and secure, access-controlled, enclosed long-term bicycle parking for residents, employees and guests. Bicycle parking facilities should be designed with best practices in mind, including highly visible siting, effective surveillance, easy to locate, and equipment installed with preferred spacing dimensions, so they can be safely and conveniently accessed.</p>	
A5-13	<p>5. Parking: Metro encourages the incorporation of transit-oriented, pedestrian-oriented parking provision strategies such as the reduction or removal of minimum parking requirements for specific areas and the exploration of shared parking opportunities. These strategies could be pursued to reduce automobile-orientation in design and travel demand.</p>	<p>Comment acknowledged. Policy LU-P-32 states “In conjunction with new development, implement an overall parking strategy for the Transit-Oriented Mixed Use neighborhood, including consolidation of smaller parking lots and district-wide management of parking resources.” Policy LU-P-33 states “Consider amendments to the Development Code parking regulations as needed to allow lower parking minimums for developments with a mix of uses with different peak parking needs, as well as developments that implement enforceable residential parking demand reduction measures, such as parking permit and car share programs.”</p>
A5-14	<p>Metro looks forward to continuing to collaborate with the City to effectuate policies and implementation activities that promote transit oriented communities. If you have any questions regarding this response, please contact me by phone at 213-922-2671, by email at devreview@metro.net, or by mail at the following address: Metro Development Review One Gateway Plaza MS 99-22-1 Los Angeles, CA 90012-2952</p> <p>Sincerely, Shine Ling, AICP Manager, Transit Oriented Communities</p>	<p>This comment is the closing of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Attachments and links:</p> <ul style="list-style-type: none"> • Adjacent Development Handbook: https://www.metro.net/projects/devreview/ 	
A5-15	Attachment: Metro Adjacent Development Handbook, May 2018	The attachment is provided in support of comment A5-4, addressed above.
A6	SANITATION DISTRICTS OF LOS ANGELES COUNTY	
A6-1	<p>October 31, 2019 Ref. DOC 5311089 Ms. Grace S. Lee, Senior Planner Planning Division City of Diamond Bar 21810 Copley Drive Diamond Bar, CA 91765</p> <p>Dear Ms. Lee:</p> <p>DEIR Response to the Diamond Bar Comprehensive General Plan Update and Climate Action Plan</p> <p>The Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report (DEIR) for the subject project on September 20, 2019. The City of Diamond Bar (City) is located within the jurisdictional boundaries of District No. 21. We offer the following comments:</p>	This comment is the salutation of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.
A6-2	<p>1. Future Development, page 2-26, paragraph one — The Districts should review individual developments within the City in order to determine whether or not sufficient trunk sewer capacity exists to serve each project and if Districts' facilities will be affected by the project.</p>	Comment acknowledged. Such review would occur on a project-level basis separate from the programmatic analysis conducted in the Draft EIR for the General Plan.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
A6-3	2. Table 2.3-2, page 2-26, Projected Residential Buildout and Population (2040) — The table lists 3,264 housing units as future development within the City and breaks it down to 142 single-family residential units and 3,122 multi-family residential units. The expected average wastewater flow from 142 single family homes is 36,920 gallons per day (gpd). Depending on the type of multifamily unit, the expected average wastewater flow from 3,122 multi-family residential units could range from 487,032 gpd to 608,790 gpd. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org , Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.	Under Impact 3.13-1, the Draft EIR projects an overall increase in wastewater flows between 0.25 and 0.88 million gallons per day, or a range of 300,237 gallons per day to 1,056,836 gallons per day. The Sanitation Districts of Los Angeles County project average wastewater flow from multi-family residential units and non-residential future development (addressed in comment A6-4) to range between 887,314 gpd to 1,009,072 gpd. This is within the range provided in the Draft EIR, which assumes that the General Plan could result in a wastewater flow increase of up to 16 percent. Impact 3.13-1 is determined to be less than significant.
A6-4	3. Table 2.3-3, page 2-26, Projected Residential Buildout and Population (2040) — The table breaks down non-residential by square feet listing future development as 607,283 square feet of retail development, 519,892 square feet of office space, removal of 203,001 square feet of industrial use structure, and 693,409 square feet within the "other" category. The expected average wastewater flow for the non-residential future development is 400,282 gpd, after all scheduled industrial structures on the project site are demolished.	See response to comment A6-3.
A6-5	4. Impact 3.6-5, page 3.6-32, paragraph four— It should also be noted that the Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a	Comment acknowledged. This information has been added to the Impact 3.6-5 analysis in Chapter 4 of the Final EIR.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	connection fee will be required before this project is permitted to discharge to the Districts' Sewerage System.	
A6-6	All other information concerning Districts' facilities and sewerage service contained in the document is current. If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717. Very truly yours, Adriana Raza Customer Service Specialist Facilities Planning Department	Comment acknowledged.
A7	CALIFORNIA GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE AND PLANNING UNIT	
A7-1	October 31, 2019 Grace Lee Diamond Bar, City of 21810 Copley Drive Diamond Bar, CA 91765 Subject: Diamond Bar Comprehensive General Plan Update and Climate Action Plan SCH#: 2018051066 Dear Grace Lee:	This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.
A7-2	The State Clearinghouse submitted the above named EIR to selected state agencies for review. The review period closed on 10/30/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. 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.	Comment acknowledged.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Please note that Section 21104(c) of the California Public Resources Code states that:</p> <p>"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."</p> <p>Check the CEQA database for submitted comments for use in preparing your final environmental document: https://ceqanet.opr.ca.gov/2018051066/2. Should you need more information or clarification of the comments, we recommend that you contact the commenting agency directly.</p>	
A7-3	<p>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.</p>	<p>Comment acknowledged.</p>
A7-4	<p>Sincerely, Scott Morgan Director, State Clearinghouse</p> <p>cc: Resources Agency</p>	<p>This comment is the closing of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
Organizations and Individuals		
B1-A	DR. DOUGLAS BARCON	
B1-A-1	<p>Diamond Bar General Plan EIR comment October 8, 2019</p>	<p>Railroad sound levels were not measured for the program EIR; ambient noise measurements were conducted for the General Plan Update to characterize the general ambient noise environment in the Program Area; however, not for impact assessment in the Program EIR. Accordingly, as discussed on page</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Section 3 Transit Noise, Section 3.1 Noise of the 2018 Metrics Transit Noise and Vibration Impact Assessment Manual by the Federal Transit Administration:</p> <p>Railroad sound levels were measured using A-weighting that approximates typical human hearing and reported as dBA from the Google Earth reported distance from the railroad tracks with passing locomotives and rail cars to the receiving location near the intersection of N. Rock River Dr. and Red Cloud Dr. in Diamond Bar. The actual Sound Level Exposure (SEL) 50 feet from the source would require additional information and calculations or measurement at the source, which is easier than calculations. Note that Table 3-1 describes a human-perceived 10 dB increase above the actual measurements between 10 p.m. and 7 a.m. Therefore, a sound level of 60 dBA would be perceived as 70 dBA, and a 10 dB increase is perceived as a doubling of sound levels by the human ear.</p>	<p>3.10-25, “specific details on future railway expansions or improvements are unknown at this time, neither are the specific noise sources that might occur in conjunction with development of land uses near the railway under the Proposed Plan. Therefore, railway noise and vibration impacts are discussed on a <u>qualitative</u> basis (emphasis added). Policies within the General Plan Update (e.g., PS-P-52) take into consideration the siting of sensitive receptors near potential noise generators and would limit the exposure of sensitive receptors to any existing railway noise. Furthermore, the proposed General Plan Update does not include any railway upgrades or improvement that would increase train volumes or number of tracks.”</p>
B1-A-2	<p>Section 3.3 Paths of Transit Noise from Source to Receiver</p> <p>This section states: “Sound paths from source to receiver are predominantly through the air. Along these paths, sound reduces with distance due to divergence, absorption/diffusion, and shielding.” Per Figure 3-3 below, the approximate attenuation of the generator SEL at 50 feet would decrease by 20 dBA at 800 feet from the source and this is a logarithmic decrease. Instead of calculating the attenuation, it is somewhat easier to extrapolate from Figure 3-3. It is estimated that there is a 30 dBA attenuation at 2,000 feet from the source. However, when one considers Figure 3-4 attenuation over soft ground, it is clear that height above terrain determines attenuation, and the neighborhoods south of Dry Creek are more than 40 feet above the source and would have negligible sound level attenuation by the ground. This corresponds</p>	<p>See response to comment B1-A-1 above.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>reasonably well with trains passing west, northwest, and north of the receiving location, but not trains passing further west by the warehouses along Ferrero Parkway in the City of Industry. Direction of travel is critical in determining cumulative sound levels.</p> <p>Figure 3-3 Attenuation Due to Distance (Divergence)</p> <p>In the section on shielding, it is noted that noise barriers are one of the most effective means of mitigating noise, such as a wall. Walls also reflect sound. When the City of Industry permitted warehouses with flat vertical walls to be built along Ferrero Parkway near the Union Pacific Railroad tracks, railroad sound was amplified and reflected south and southeast into the Diamond Bar neighborhoods along Sunset Crossing Road and Prospectors Road. The noise intrudes into homes.</p> <p>Figure 3-4 Attenuation Due to Soft Ground</p> <p>Note that the time period when locomotives pass by those warehouses, sound is further amplified and reflected. There is no mitigation of that reflected sound. Possible mitigation could include sound deadening treatment of the warehouse walls. Further, when buildings are built on the flat-topped hill south of the railroad tracks, railroad noise would be reflected to the northwest and north and then reflected again off the walls of warehouses (in ellipse) along Ferrero Parkway. Whether phasing of that sound will amplify or attenuate the railroad noise is unknown. Sound/noise mitigation is warranted.</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B1-A-3	When it comes to community annoyance to the noise, Figure 3-7 describes it well, and no further discussion on annoyance is warranted.	See response to comment B1-A-1 above.
Figure 3-7 Community Annoyance Due to Noise		
B1-A-4	<p>Lastly, none of this means anything without actual data to assess the situation and how the Diamond Bar 2040 General Plan Environmental Impact Report will address the situation. Since there is no supporting data, I collected some from near the intersection of N. Rock River Dr. and Red Cloud Dr. in Diamond Bar, as specified in the table below. Note the time of collection, the distance from the railroad tracks, and the decibel measurements. It should be possible to estimate the noise levels at distances closer to the passing trains.</p> <p>Train Noise @ N. Rock River Dr. and Red Cloud Dr., Diamond Bar Baseline Level < 50 dB A-Weighting 500 Hz – 10 kHz Fast</p> <p>[Train Noise table]</p> <p>Measurement Equipment: Realistic Sound Level Meter No: 33-2050</p> <p>* Note: The very long train on 10/8/2019 also had a locomotive in the middle and two at the end.</p> <p>Freight trains have no posted schedule and pass at random times. During the measurement period, there were no EB heavy load trains and no braking. Only one very loud horn was measured (9/16/2019 at 0110), and it was west of the receiving location and directed west. Levels hover around</p>	See response to comment B1-A-1 above.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>reported values within 1-2 dB. Where levels are a range, the upper level is a peak.</p> <p>Data captured and logged by Douglas Barcon</p> <p>Submitted by: Dr. Douglas Barcon</p>	
B1-B	DR. DOUGLAS BARCON	
B1-B-1	<p>Diamond Bar General Plan 2040 and EIR Comment— Updated October 9, 2019</p> <p>The following is based on Section 3 Transit Noise; Section 3.1 Noise Metrics of the 2018 Transit Noise and Vibration Impact Assessment Manual by the Federal Transit Administration, which was provided as a reference in Chapter 3.10 Noise in the EIR and Chapter 7.8 in the 2040 General Plan.</p> <p>Railroad sound levels were measured using A-weighting that approximates typical human hearing and reported as dBA from the Google Earth reported distance from the railroad tracks with passing locomotives and rail cars to the receiving location near the intersection of N. Rock River Dr. and Red Cloud Dr. in Diamond Bar. The actual Sound Level Exposure (SEL) 50 feet from the source would require additional information and calculations or measurement at the source, which is easier than calculations. Note that Table 3-1 describes a human-perceived 10 dB increase above the actual measurements between 10 p.m. and 7 a.m. Therefore, a sound level of 60 dBA would be</p>	See response to comment B1-A-1 above.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	perceived as 70 dBA, and a 10 dB increase is perceived as a doubling of sound levels by the human ear.	
B1-B-2	<p>Section 3.3 Paths of Transit Noise from Source to Receiver This section states: “Sound paths from source to receiver are predominantly through the air. Along these paths, sound reduces with distance due to divergence, absorption/diffusion, and shielding.” Per Figure 3-3 below, the approximate attenuation of the generator SEL at 50 feet would decrease by 20 dBA at 800 feet from the source and this is a logarithmic decrease. Instead of calculating the attenuation, it is somewhat easier to extrapolate from Figure 3-3. It is estimated that there is a 30 dBA attenuation at 2,000 feet from the source. However, when one considers Figure 3-4 attenuation over soft ground, it is clear that height above terrain determines attenuation, and the neighborhoods south of Dry Creek are more than 40 feet above the source and would have negligible sound level attenuation by the ground. This corresponds reasonably well with trains passing west, northwest, and north of the receiving location, but not trains passing further west by the warehouses along Ferrero Parkway in the City of Industry. Direction of travel is critical in determining cumulative sound levels.</p> <p>Figure 3-3 Attenuation Due to Distance (Divergence)</p> <p>In the section on shielding, it is noted that noise barriers are one of the most effective means of mitigating noise, such as a wall. Walls also reflect sound. When the City of Industry permitted warehouses with flat vertical walls to be built along Ferrero Parkway near the Union Pacific railroad tracks, railroad sound was amplified and reflected south and southeast into the Diamond Bar neighborhoods</p>	See response to comment B1-A-1 above.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>along Sunset Crossing Road and Prospectors Road. The noise intrudes into homes.</p> <p>Figure 3-4 Attenuation Due to Soft Ground</p> <p>Note that the time period when locomotives pass by those warehouses, sound is further amplified and reflected. There is no mitigation of that reflected sound. Possible mitigation could include sound deadening treatment of the warehouse walls. Further, when buildings are built on the flat-topped hill south of the railroad tracks, railroad noise would be reflected to the northwest and north and then reflected again off the walls of warehouses (in ellipse) along Ferrero Parkway. Whether phasing of that sound will amplify or attenuate the railroad noise is unknown. Sound/noise mitigation is warranted as addressed in General Plan 2040 Chapter 7.8; policy PS-P-51 and Chapter 8.0; policy CHS-P-29.</p>	
B1-B-3	<p>When it comes to community annoyance to the noise, Figure 3-7 describes it well, and no further discussion on annoyance is warranted.</p> <p>[Figure 3-7 Community Annoyance Due to Noise]</p>	See response to comment B1-A-1 above.
B1-B-4	<p>Lastly, none of this means anything without actual data to assess the situation and how the Diamond Bar 2040 General Plan Environmental Impact Report will address the situation. Since there is no supporting data, I collected some from near the intersection of N. Rock River Dr. and Red Cloud Dr. in Diamond Bar, as specified in the table below. Note the time of collection, the distance from the railroad tracks, and the decibel measurements. It should be possible to estimate the noise levels at distances closer to</p>	See response to comment B1-A-1 above.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>the passing trains, such as along Big Falls Drive and Strongbow Drive.</p> <p>Train Noise @ N. Rock River Dr. and Red Cloud Dr., Diamond Bar Baseline Level < 50 dB A-Weighting 500 Hz – 10 kHz Fast</p> <p>[Train Noise table]</p> <p>Measurement Equipment: Realistic Sound Level Meter No: 33-2050</p> <p>* Note: The very long train on 10/8/2019 also had a locomotive in the middle and two at the end. There was a parallel train parked on the closer track that attenuated the noise level somewhat.</p> <p>Freight trains have no posted schedule and pass at random times. During the measurement period, there were no EB heavy load trains and no braking. Only one very loud horn was measured (9/16/2019 at 0110), and it was west of the receiving location and directed west. Levels hover around reported values within 1-2 dB. Where levels are a range, the upper level is a peak.</p>	
B1-B-5	<p>As a final point, in Chapter 7.8 of the 2040 General Plan, Figure 7-11 on page 7-41, the map shows existing noise contours in 2016 but does not show any railroad noise contour in the neighborhood bordered by SR 57 on the east, City of Industry on the west, and the SR 57/SR 60 confluence on the south. The same map is present in Chapter 3.10 of the EIR as Figure 3.10-2. The sound levels I measured and noted in the table above show that this residential area should have a noise contour included on the map and on the projected 2040 noise contour shown in</p>	<p>Figure 3.10-2 illustrates vehicle traffic noise contours on area roadways based on vehicle traffic noise levels estimated from vehicle traffic volumes. See response to comment B1-A-1 above.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Figure 7-12 on page 7-42 of the General Plan and in Figure 3.10-2 (or a revision) in the EIR. I will postulate that the railroad noise levels will decrease to the south of the highest points on Red Cloud Drive and Prospectors Road as both roads descend.</p> <p>Data captured and logged by Douglas Barcon</p> <p>Submitted by: Dr. Douglas Barcon</p>	
B1-C	DR. DOUGLAS BARCON	
B1-C-1	<p>Dr. Douglas Barcon XXXX N. Rock River Dr. Diamond Bar, CA 91765</p> <p>Grace Lee Senior Planner City of Diamond Bar 21810 Copley Drive Diamond Bar, CA 91765</p> <p>October 29, 2019</p> <p>Dear Grace,</p>	<p>This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B1-C-2	<p>Please add this additional information to my previous comment on railroad noise for the draft EIR.</p> <p>Since I submitted my comment on the subject of railroad noise in Chapter 3.10 Noise in the EIR and Chapter 7.8 in the 2040 General Plan, I was able to measure the sound levels of an additional Union Pacific freight train early</p>	<p>Comment acknowledged. See response to comment B1-A-1 above.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>morning on October 24, 2019. This was one of the trains where the locomotive horn was excessively loud and measured 82 dBA 2200 - 2500 feet from the source locomotive, which was facing west away from the homes in Diamond Bar in the area around N. Rock River Dr. and Red Cloud Dr. It was the loudest train horn I was able to measure. Occasional other trains have a horn sound level that the human ear can sense is even louder. In comparison to the 82 dBA sound level, I will estimate the loudest horn sound level to be in the range of 86 - 88 dBA. Some of these horns also sound at night when the ambient sound level is in the 40 dBA range. There are no roads where the locomotives sound their horns, so a quiet zone designation could mitigate the horn sounding without spending millions of dollars modifying intersections. A quiet zone will not impact the other railroad noises.</p> <p>[Train Noise table]</p> <p>Measurement Equipment: Realistic Sound Level Meter No: 33-2050</p>	
B1-C-3	<p>Respectfully, Dr. Douglas Barcon</p> <p>Data captured and logged by Douglas Barcon</p>	<p>This comment is the closing of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B1-D	DR. DOUGLAS BARCON	
B1-D-1	<p>Dr. Douglas Barcon XXXX N. Rock River Dr. Diamond Bar, CA 91765</p> <p>Grace Lee Senior Planner</p>	<p>This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>City of Diamond Bar 21810 Copley Drive Diamond Bar, CA 91765</p> <p>October 31, 2019</p> <p>Re: Draft Environmental Impact Report</p> <p>Dear Ms. Lee,</p>	
B1-D-2	<p>I have been reviewing the draft Environmental Impact Report and have additional comments on other topics beyond those I have previously submitted regarding railroad noise.</p> <p>In the Executive Summary of the Draft Environmental Impact Report for the Diamond Bar General Plan 2040 and Climate Action Plan Table ES-4: Summary of Impacts and Mitigation Measures in section 3.6 Geology, Soils, Seismicity, and Paleontology starting on page ES-46 shows no mitigation measures are necessary for section 3.6-3 Implementation of the Proposed Project and would not result in significant development located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. I must question the statement that mitigation is not necessary. Specifically, I am addressing the mixed-use area on North Diamond Bar Boulevard between SR-60 and Sunset Crossing Road. This is the area next to the Diamond Bar Boulevard exit from the westbound SR-60.</p>	<p>Comment acknowledged. The Draft EIR assumes that development under the General Plan, including the mixed use area discussed in this comment, could include development occurring on unstable soil or geologic units such as the surrounding steep slopes. These potential hazards would be addressed through the integration of geotechnical information in the planning and design process for projects in accordance with standard industry practices and state-provided requirements. Development must be compliant with the California Building Standards Code Chapters 16 and 18 and Appendix J, as well as Diamond Bar Municipal Code Chapter 22.22 (Hillside Management), Chapter 22.48 (Development Review), and Section 15.00.320. Notably, Section 1803.8.1 states that work requiring a building or grading permit is not allowed in an area that the City Engineer determines to be subject to hazard from landslide, settlement, or slippage. Therefore, approval of any development project in this area would be contingent on its ability to comply with these regulations. As stated, multiple General Plan policies, including policy LU-P-56, address potential impacts associated with development in this area.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>The area in question is shown in the excerpt Figure 3.6-1: Steep Slopes below.</p>	<p>[Figure 3.6-1: Steep Slopes]</p> <p>Note the green areas (steep slopes) beside the Diamond Bar Boulevard off-ramp (red-brown) from the WB SR-60 and along the right side of Diamond Bar Boulevard (gray line parallel to SR-57) toward Sunset Crossing Road. There are homes at the top of those slopes. The beige area at the off-ramp and extending to Sunset Crossing Road is flat land sandwiched between Diamond Bar Boulevard and the steep slopes in green. This flat land has been incorporated into the North Diamond Bar Boulevard mixed-use area. Civil engineers have previously stated that the slopes can be damaged, and their stability compromised by cutting into them to develop the narrow ribbon of flat land to the right of Diamond Bar Boulevard north of the off-ramp. Further, building a driveway adjacent to a busy freeway off-ramp is a safety issue that can lead to collisions and injuries. The flat land should remain as open space that could be landscaped, providing weeds on the hillsides can be removed to mitigate fire danger to the houses above. Developers should not be permitted to develop a property that jeopardizes the environment and creates a risk to others. Such development of this property is also addressed in section 3.6-4, which also states no mitigation measures are required. The direct risk is a possible collapse of the hillside by carving into it a non-specified distance to enlarge the flat pad. This area should be removed from the mixed-use designation in the General Plan Update and left as open space, perhaps with landscaping. Policies LU-P-55, LU-P-56, PS-G-1, and PS-P-2 address some of this.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B1-D-3	The colors shown in Figure 3.8-1: FEMA Flood Insurance Rate Map on page 3.8-5 are incorrect. Diamond Bar is shown in white on the map, but the map key shows it is cream-colored. The key currently indicates that white is a county boundary.	Comment acknowledged. The map key for Figure 3.8-1 indicates that the black dashed line shows the City of Diamond Bar boundary, while the light gray dashed line shows the County Boundary. Figure 3. The colors shown on the map in Figure 3.8-1 are correct. The map key in Figure 3.8-1 has been revised in Chapter 4 of the Final EIR to remove the cream-colored fill of the City of Diamond Bar key.
B1-D-4	In Chapter 3.9: Land Use, Population, and Housing, the 2040 projections on page 3.9-7 state that Diamond Bar’s population will increase to 66,685 residents from the current 57,853 residents or an increase of 8,832 residents according to SCAG. At a population of 3.16 persons per occupied unit, that equates to 2,795 new residential units. Where are these units going to be built, and what is their impact on circulation, land use, and public safety? Transit-oriented-development and mixed-use will accommodate some of these units. If the city intends to preserve open space, it may not be possible with the SCAG projected growth.	The General Plan would concentrate residential growth in the proposed mixed-use districts (Town Center Mixed Use, Neighborhood Mixed Use, Transit Oriented Mixed Use, and Community Core). The Draft EIR includes analysis of circulation, land use, and public safety impacts based on this land use pattern. Buildout of the General Plan assumes standard growth rates in the rest of the City of Diamond Bar and does not propose new development in existing residential neighborhoods. The General Plan does not propose development of open space and includes multiple policies and land use designations aimed at preserving open space.
B1-D-5	Table 3.12-11: Commuter Mode Split in Diamond Bar and Surrounding Areas on page 3.12-4 indicates that Diamond Bar currently had 0.7% of the population commuting by bicycle and walking compared to 3.6% in Los Angeles County. Figure 3.12-2: Proposed Bicycle Network on page 3.12-11 is a map that shows the proposed bicycle network in Diamond Bar. The location of Diamond Bar to jobs and the hilly area probably explains the variation. The likelihood of bicycling and walking increasing by even 2 percent over the next 20 years is questionable regardless of any state mandates. The state cannot dictate how a person commutes or travels.	Comment acknowledged. The City acknowledges existing barriers to bicycling and walking that result in this variation. The General Plan proposes multiple policies aimed at prioritizing bicycle and pedestrian infrastructure and reducing risk and injury to bicyclists and pedestrians. Development of new mixed-use areas and construction of protected bike lanes would further encourage residents to commute via bicycle and walking.
B1-D-6	The draft general plan has proposed bike lanes where bike travel is difficult, such as up Sunset Crossing Road to Golden Springs Drive and up Gold Rush Drive from Diamond Bar Boulevard to the top of the hill at Leyland.	Comment acknowledged. See response to comment B1-D-5 above. This comment discusses bicycle and circulation policies proposed in the General

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Traffic mitigation is also planned for Gold Rush Drive. Bicycle riders are at risk of injury on either of these routes, and the likelihood of a bicycle rider using such bike lanes is minimal. Type IV bikeways are impractical on Sunset Crossing Road or Gold Rush Drive, so any bicyclists are not protected from motor vehicle traffic. It is the same issue along Prospectors Road because cars are parked along the sides of the road where a bike lane also exists. It is not practical to eliminate street parking to accommodate bicycles. Various policies in Circulation address bicycles. Providing expanded bike lanes is reasonable, but expanding bike lanes into areas where they are impractical and can result in increased risk and injury to the bicycle rider should be reconsidered. The concept of bicycle riders switching to motorized bicycles has DMV licensing issues and additional safety issues and is not an answer to riding a bicycle up a steep roadway. There are lofty goals in the Circulation policies that are not practical regardless of whether the wording uses encourage instead of another word. Circulation policy CR-P-4 cited on page 3.12-33 will have minimal impact on the few pedestrians who walk from Temple Avenue to Sunset Crossing Road, but it will have a significant impact on vehicular traffic. The southbound side of Diamond Bar Boulevard to SR-60 is bordered by SR-57 to the right; there is nothing built on that side of the street. Traffic calming serves no purpose on that side of the street, but it will impact a bike lane on that side of the street if there are bump-outs placed that require a bicycle rider to navigate around and move them closer to vehicular traffic.</p>	<p>Plan but does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B1-D-7	<p>Respectfully, Dr. Douglas Barcon</p>	<p>This comment is the closing of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B2	HILLS FOR EVERYONE	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B2-1	<p>October 29, 2019</p> <p>Submitted via email to: GLee@DiamondBarCA.Gov</p> <p>Grace Lee, Senior Planner City of Diamond Bar 21810 Copley Drive Diamond Bar California 91765</p> <p>RE: Comments on the Diamond Bar General Plan Update and EIR</p> <p>Dear Ms. Lee:</p>	<p>This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B2-2	<p>I'm writing on behalf of Hills For Everyone (HFE), to provide comments on the City of Diamond Bar's (City) General Plan Update (GPU). HFE is a non-profit organization that strives to protect, preserve, and restore the environmental resources and natural environs of the Puente-Chino Hills and surrounding areas for the enjoyment of current and succeeding generations. We are closely following the City's GPU as there are natural lands within the city proper and its sphere of influence.</p>	<p>Comment acknowledged.</p>
B2-3	<p><u>Public Process Comments</u></p> <p>This letter serves as a follow up to our comment letter from July 6, 2018 and focuses on the policies in the new General Plan. It is our understanding from the Diamond Bar General Plan Update website (http://www.diamondbargp.com/) that the documents (Environmental Impact Report, GPU, and Climate Action Plan) were released for a 45 day review period beginning September 16, 2019 and set to end October 31, 2019.</p>	<p>Comment acknowledged. This comment discusses the public review process and does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>In our 2018 letter, we specifically requested notification per Public Resources Code §21092.2 to receive updates about the project. However, it appears that two meetings (listed as Study Sessions on the website) from September 25 and October 8, 2019 literally changed the documents we were reviewing during the public comment period. These Study Sessions and document changes should have occurred prior to the document’s release for public review.</p> <p>We have accessed the changes published on the website, but must relay our dismay at the public process. As a governmental entity, as public officials, and as planners you should know better.</p> <p>We do not understand why after release for public review, these documents were then significantly modified. This is exactly the type of poor public process that confuses the public, limits engagement, clouds transparency, and leads to distrust toward government. We request that you officially re-notice and recirculate the entire suite of documents (with the updates from September and October 2019 included) for a new 45-day review period.</p>	
B2-4	<p>Further, it appears that most of the modifications made essentially eliminate any enforceability of the General Plan policies. The General Plan needs to be the document that sets the ground rules for the future of the city. When you change “require” to “encourage,” there is too much flexibility in the policy. Using the flexible policy language implies interest in the policy, but no real commitment to it or its enforcement. Flexible policy language does not carry the force of law.</p>	<p>Comment acknowledged. Revisions to General Plan policy language were carefully made in order to reflect the City’s capabilities and provide consistent language throughout the document without diminishing the City’s commitment to upholding the proposed policies throughout implementation of the General Plan. Revisions to the policy language do not change the intent of these policies or significantly reduce their applicability in the Draft EIR impact analysis and resulting conclusions. These modifications do not result in any new significant impacts and the Draft EIR therefore remains adequate.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>According to the General Plan Guidelines developed by the comprehensive state planning agency, the Office of Planning and Research (OPR), “It is better to adopt no policy than to adopt a policy with no backbone.” (Office of Planning and Research. “General Plan Guidelines.” 15.) In addition, for a policy to be counted towards “mitigating of a plan’s impacts,” it must be expressed as mandatory. We urge you to reconsider the edits made in September and October 2019 and require enforceability through stronger policy language.</p>	
B2-5	<p><u>General Plan Policy Comments</u></p> <p>Hills For Everyone provided a suite of topics to consider during the Notice of Preparation of an Environmental Impact Report for the GPU. These bulleted items relay what we noticed from the draft GPU.</p> <ul style="list-style-type: none"> We support the focus of infill and preservation of open space (LU-G-2 and -4) and we support the plan’s attempt to limit impacts to existing residential areas by ensuring there are compatible adjacent land uses (LU-P-8 and -9).¹ LU-P-10 is a good goal (incentivize affordable housing) and should help (if implemented) meet the new Regional Housing Needs Assessment numbers for Diamond Bar. <p>¹The policies have since been modified to a less enforceable policy; we instead support the original language.</p>	<p>Comment acknowledged. Policies LU-P-8 and LU-P-9 as revised ensure that new development is compatible with existing adjacent land uses. See response to comment B2-4 above.</p>
B2-6	<ul style="list-style-type: none"> The inclusion of density and massing in several policies and setting a maximum dwelling unit/acre for the Transit-Oriented Mixed Use designation is appreciated. This should help stable residential neighborhoods understand what may or may not be possible to build next to them. 	<p>Comment acknowledged.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B2-7	<ul style="list-style-type: none"> Ensuring existing vistas of significant hillside features are preserved will help maintain Diamond Bar’s character. This sets a good tone for the community too. 	Comment acknowledged.
B2-8	<ul style="list-style-type: none"> In LU-P-2, we appreciate your inclusion of sensitive species and wildlife corridors. Further, RC-P-11² helps maintain more natural characteristics of wildland areas especially with the inclusion of wildlife movement linkages, reduced night lighting, and vegetative buffering. These policies should help the Puente-Chino Hills Wildlife Corridor lands function and maintain their integrity across multiple counties and multiple cities. <p>²Ibid.</p>	Comment acknowledged. The City looks forward to working with Hills for Everyone in securing and maintaining the Puente-Chino Hills Wildlife Movement Corridor.
B2-9	<ul style="list-style-type: none"> We appreciate the inclusion of language to not only acknowledge Significant Ecological Areas, but also to maintain, protect and preserve those biologically significant lands (RC-G-4 and RC-P-8).³ 	Comment acknowledged. As stated in policy RC-P-8, the City looks forward to supporting the efforts of neighboring jurisdictions and conservation organizations, including Hills For Everyone, to protect biologically significant lands such as areas identified as Significant Ecological Areas.
B2-10	<p><u>Missed Opportunities</u></p> <p>We noticed that there were no opportunities for streamlined permitting for land uses like mixed use. This could help Diamond Bar residents reduce their single occupancy vehicle use and reduce greenhouse gas emissions. We encourage Diamond Bar to consider adding streamlined/incentivized permitting for mixed use and transit-oriented projects.</p>	Comment acknowledged. The General Plan proposes four new areas of mixed-use development and includes multiple policies regarding development in mixed-use areas. This comment does not address the adequacy of the Draft EIR; therefore, no further response is required.
B2-11	With new legislation regarding Accessory Dwelling Units (ADUs), Diamond Bar missed a chance to memorialize policies related to ADUs. This should be considered and incorporated so that it is vertically consistent with the zoning code (§22.42.120).	Comment acknowledged. This comment does not address the adequacy of the Draft EIR; therefore, no further response is required.
B2-12	We again recommend defining what a “major project” is in this document (either by the number of units, project size, acreage, or amount of grading). For example, this applies	Comment acknowledged. Policy LU-P-4 actually states: “Monitor and evaluate potential impacts of proposed adjacent, local, and regional developments to

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>to LU-P-4: “Monitor and evaluate potential impacts of major proposed adjacent, local, and regional developments...” What exactly triggers this “monitoring and evaluating?”</p> <p>We recommend, again, setting consistent guidelines that link density, massing, and design. It would make the document more consistent throughout and set the tone for the City.</p>	<p>anticipate and require mitigation to the greatest extent feasible to reduce land use, circulation, and economic impacts on Diamond Bar.”</p> <p>This comment does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B2-13	<p><u>Errors in the Document</u></p> <p>We again remind you that the area labeled Firestone Scout Reservation on several figures in the document are not accurate. Firestone Scout Reservation was the former name, but that land has been owned by the City of Industry since 2001. This naming error should be corrected on Figures 1-1, 5-1, 6-1, 6-2, 6-3, and 7-9, and Table 5.2 (in two places). Additionally, this land is not designated parks/open space. We recommend labeling this land as Significant Ecological Area instead.</p>	<p>Comment acknowledged. This comment proposes changes to the General Plan figures and tables and does not address the adequacy of analysis in the Draft EIR; therefore, no further response is required.</p>
B2-14	<p>Thank you for the opportunity to provide substantive feedback on the GPU. To reiterate, we urge the City to re-notice and recirculate the documents. Should you have any questions, I can be reached at 714-996-0502.</p>	<p>Comment acknowledged.</p>
B2-15	<p>Sincerely, Claire Schlotterbeck Executive Director</p>	<p>This comment is the closing of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B3	HAMILTON BIOLOGICAL	
B3-1	<p>October 31, 2019</p> <p>Mr. Greg Gubman Director of Community Development</p>	<p>This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>City of Diamond Bar 21810 Copley Drive Diamond Bar, CA 91765</p> <p>SUBJECT: COMMENTS ON DRAFT EIR DIAMOND BAR GENERAL PLAN UPDATE</p> <p>Dear Mr. Gubman,</p>	
B3-2	<p>Working on behalf of a consortium of Diamond Bar residents, including Diamond Bar Preservation Foundation, Responsible Land Use, and the Diamond Bar/Pomona Valley Sierra Club Task Force, Hamilton Biological, Inc., (hereafter “Hamilton Biological”) provides these comments on a proposed update to the City of Diamond Bar (hereafter the “City”) General Plan. My comments focus on Chapter 3.3 (Biological Resources) and Chapter 5.0 (Conservation Element).</p> <p>As described in the attached Curriculum Vitae, Hamilton Biological specializes in third-party review of technical biological reports and CEQA documentation. Relevant to this project, Hamilton Biological prepared the following documents that were submitted to the City in February 2019:</p> <ul style="list-style-type: none"> • Biological Resources Report, City of Diamond Bar. Report dated February 25, 2019, prepared for a consortium of Diamond Bar residents and submitted to Mr. Greg Gubman, Director of Community Development, City of Diamond Bar. 35 pp. plus Appendix A (Methods and Technical Information). • Cover letter dated February 21, 2019, accompanying the above-referenced Biological Resources Report, submitted to Mr. Greg Gubman, Director of Community 	Comment acknowledged.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Development, City of Diamond Bar. 10 pp. plus Curriculum Vitae. [copy attached]	
	This letter addresses Chapter 3.3 (Biological Resources) and Chapter 5.0 (Conservation Element).	
B3-3	<p><u>EIR'S CONTENT AND ANALYSES STRAY FROM THE STATED METHODS</u></p> <p>The DEIR does not identify the biologist(s) responsible for preparing its analyses, but Steve Nelson of ESA has served as the City's biological consultant during public meetings and Chapter 7.1 lists him as a preparer of the DEIR, so it appears that Mr. Nelson and ESA was responsible for the analyses contained in Chapter 3.3 (Biological Resources) and Chapter 5.0 (Conservation Element).</p> <p>Page 3-3.1 of the DEIR states: The assessment of sensitive habitats and watersheds in this EIR is based on literature review and the Hamilton Biological Resources Report, as discussed below, rather than on the Existing Conditions Report.</p> <p>If the EIR's assessment of these core issues were truly based upon the Hamilton Biological Resources Report, with certain modifications based upon the EIR preparer's review of the relevant literature, my comments on the DEIR would be few and mostly complimentary. Such is not the case.</p> <p>As a start, the DEIR fails to incorporate numerous records of special-status species documented in the City limits during recent years. For example, Dan Cooper's records of California Gnatcatchers at Pantera Park was available on the California Natural Diversity Database (CNDDDB) as of February 27, 2019, and on eBird (http://ebird.org) in 2017.</p>	<p>Steve Nelson was ESA's lead biologist for the EIR assessment. To the extent it was appropriate to incorporate the information provided in the Hamilton Biological Resources Report as part of a General Plan Update EIR, it was. In some cases, however, the intent of incorporating such information was addressed in a manner that better served the purpose of a General Plan program. For example, the comment criticizes the omission of specific records of special-status species. Rather, the EIR includes Tables 3.3-3 and Table 3.3-4 which summarizes such special-status species of plants and wildlife, their special-status character, their preferred habitat, and their presence or the potential for occurrence in the study area. In addition, Table 3.3-6 indicates the habitats in which federal and state-listed species have been observed or could occur in the study area. In the context of a General Plan that is intended to guide the city's future development, this approach was felt to be much more effective in identifying areas/habitats of special concern. Moreover, specific sites where special-status species have been observed are likely to change over time. As such, the presentation of data as suggested in the comment could lead to the interpretation that the existing sightings and records are the only place where special-status species may occur.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Records of several Red-diamond Rattlesnakes at Summitridge Park from 2014 to 2017 were available on the CNDDDB on March 22, 2019. The EIR preparer claims to have reviewed both the CNDDDB and eBird in “May 2019,” yet these records are missing from Figure 5.4 in the DEIR (Special Status Animals). The CNDDDB has not yet entered my observations of special-status birds from January 2019, but they have been available on eBird since that month. My cover letter to the City dated February 21, 2019, provided specific following links to eBird checklists that report/document the relevant following records, including UTM coordinates:</p> <ul style="list-style-type: none"> • California Gnatcatchers and Cactus Wrens — Steep Canyon near Diamond Bar Boulevard, 1/4/19: https://ebird.org/view/checklist/S51322203 • Cactus Wrens — Pantera Park, 1/4/19: https://ebird.org/view/checklist/S51324514 • California Gnatcatcher and Cactus Wrens — vic. northwestern part of Tres Hermanos Ranch, 1/4/19: https://ebird.org/view/checklist/S51324625 • California Gnatcatchers — vic. Diamond Ranch High School, 1/4/19: https://ebird.org/view/checklist/S51324760 • Northern Harrier — Tres Hermanos Ranch north of Grand Avenue, 1/4/19: https://ebird.org/view/checklist/S51324857 • California Gnatcatchers and Cactus Wrens, plus Golden Eagle seen soaring over Tres Hermanos Ranch — Summitridge Trail, 1/8/19: https://ebird.org/view/checklist/S51487531 	
B3-4	[Occurrence Report, California Department of Fish and Wildlife, California Natural Diversity Database: coastal	See response to B3-3 above.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	California gnatcatcher. Report dated September 29, 2019. Report printed Thursday, October 17, 2019.]	
B3-5	[Occurrence Report, California Department of Fish and Wildlife, California Natural Diversity Database: red-diamond rattlesnake. Report dated September 29, 2019. Report printed Thursday, October 17, 2019.]	See response to B3-3 above.
B3-6	Photos from my eBird reports, showing special-status species recorded in the City:	See response to B3-3 above.
	Photo 1. California Gnatcatcher, Diamond Ranch High School, January 4, 2019. UTM 428495 3764853 Photo: Robert A. Hamilton	
	Photo 2. California Gnatcatcher, Summitridge Park, January 8, 2019. UTM 425808 3762536 Photo: Robert A. Hamilton	
	Photo 3. Cactus Wren pair, Summitridge Park, January 8, 2019. UTM 425811 3762529 Photo: Robert A. Hamilton	
B3-7	Chapter 6 of the DEIR shows that the EIR preparer’s “literature review” for biological resources includes only seven entries: Beier, P. and R.H. Barrett. 1993. The cougar in the Santa Ana Mountain Range, California. Final report. Orange County Cooperative Mountain Lion Study, Department of	Chapter 6 of the DEIR only included the literature cited in the assessment. It did not include materials used as general references, including but not necessarily limited to: <ul style="list-style-type: none"> • American Ornithologists’ Union (AOU). 2018. Checklist of North American and Middle American Birds. AOU website http://checklist.aou.org/taxa/. • Baldwin, et al. 2012. Jepson Manual: Vascular Plants of California; Second Edition. University of California Press.

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>Forestry and Resource Management, University of California, Berkeley, USA.</p> <p>Beier, P.1993. Determining minimum habitat areas and habitat corridors for cougars. Conservation Biology 7:94-108. California Native Plant Society. 2019. Electronic Inventory of Rare and Endangered Vascular Plants of California. http://www.rareplants.cnps.org/. Accessed May 2019.</p> <p>California Department of Fish and Wildlife. 2019. California Natural Diversity Database: Rarefind. https://www.wildlife.ca.gov/Data/CNDDDB. Accessed May 2019.</p> <p>eBird. 2019. Explore Species. https://ebird.org/explore. Accessed May 2019.</p> <p>Hamilton Biological, Inc. 2019. Biological Resources Report for the City of Diamond Bar.</p> <p>Los Angeles Audubon. 2009. Los Angeles County’s Sensitive Bird Species. http://planning.lacounty.gov/site/sea/wp-content/uploads/2018/08/LA-Countys-Sensitive-Bird-Species.pdf. Accessed May 2019.</p> <p>As demonstrated previously, the EIR preparer’s reviews of the CNDDDB and eBird, which reportedly took place in “May 2019,” failed to turn up documented records of several special-status species from within the City limits. Furthermore, this short list of basic references is grossly inadequate for a biological assessment and analysis covering the City of Diamond Bar and its extensive Sphere of Influence in Tonner Canyon. Page 3.3-2 of the DEIR states:</p> <p>However, it should be noted that site specific assessments and focused surveys have been conducted in areas of future development anticipated by the Proposed Project</p>	<ul style="list-style-type: none"> • Calflora. 2018. Information on California plants for education, research and conservation [web application]. Berkeley, California: The Calflora Database [a non-profit organization]. Available: http://www.calflora.org/ (Accessed: April 26, 2018). • California Herps (CalHerps). 2018. A Guide to the Amphibians and Reptiles of California. Accessed online at http://www.californiaherps.com/. • California Department of Fish and Wildlife (CDFW). 2018a. California Natural Diversity Database (CNDDDB) Rarefind 5. Electronic database, Sacramento, California. Accessed at: https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data. Accessed on April 6 and December 12, 2018. • CDFW. 2018b. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. State of California Natural Resources Agency. March 20, 2018. • CDFW. 2018c. California Natural Community List. Vegetation Classification and Mapping Program. October 15, 2018. https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities#natural%20communities%20lists. • California Native Plant Society (CNPS). 2018. Inventory of Rare and Endangered Plants (online edition, v8-01a). Sacramento, CA. http://www.rareplants.cnps.org/. Accessed on April 6 and December 12, 2018. • Cowardin, L.M., V. Carter, F.C. Golet, E.T. LaRoe. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U. S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. • Crother, B. 2018. Checklist of the Standard English and Scientific Names of Amphibians and Reptiles. Society for the Study of Amphibians and Reptiles. Accessed at https://ssarherps.org/publications/north-american-checklist/.

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	<p>where the occurrence of special status species do exist. The Diamond Bar Village Specific Plan, South Pointe West Specific Plan, and Site D Specific Plan previously completed assessments of biological resources located within their planning areas. The City of Industry has completed multiple site specific assessments of Tonner Canyon.</p> <p>None of these reports is cited in the DEIR, and no relevant biological information appears to have been obtained from them, or from any other biological assessments and analyses prepared for projects in and around the City of Diamond Bar. Numerous relevant citations from the scientific literature on habitat loss, habitat degradation, and habitat fragmentation and their effects on plant and wildlife populations, are also missing.</p>	<ul style="list-style-type: none"> • Environmental Laboratory. 1987. U.S. Army Corps of Engineers Wetland Delineation Manual. Prepared for the U.S. Army Corps of Engineers. • Kaufman, Kenn, Nora Bowers, Rick Bowers. 2004. Field Guide to Mammals of North America. New York, New York: Houghton Mifflin Company. • Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. Arid West 2016 Regional Wetland Plant List. Phytoneuron 2016-30: 1-17. Published 28 April 2016. • Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society, Sacramento, CA. • South Coast Wildlands. 2008. South Coast Missing Linkages: A Wildland Network for the South Coast Ecoregion. http://www.scwildlands.org/reports/SCMLRegionalReport.pdf. March 2008. • Stebbins, R. C. 2003. A Field Guide to Western Reptiles and Amphibians Third Edition. Boston: Houghton-Mifflin. • USACE. 2008. A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States. A Delineation Manual. August 2008. http://www.dtic.mil/dtic/tr/fulltext/u2/a486603.pdf. • USFWS. 2018b. Critical Habitat Portal. Accessible online at: http://ecos.fws.gov/crithab/. • USFWS. 2018c. National Wetland Inventory. https://www.fws.gov/wetlands/data/Mapper.html. • United States Geological Survey (USGS). Yorba Linda and San Dimas, California. 7.5-minute topographic quadrangle maps.
B3-7	<u>GENERAL PLAN SHOULD FOCUS ON GUIDING CEQA REVIEW PROCESS</u>	Whereas the comment indicates the Hamilton Biological Resource Report was geared toward assisting the city in its on-going role as a CEQA lead agency, the cover letter subject is stated as “Biological Resources Report for Open Space & Conservation Element Diamond Bar General Plan Update” and is organized accordingly. While the information that was incorporated in the

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	<p>The Hamilton Biological Resources Report is intentionally geared toward making connections between resources and conservation policies, with the ultimate goal of assisting the City in its ongoing role as a CEQA lead agency. Note that the Hamilton Biological Resources Report did not map the plant communities within the area covered in the General Plan. Instead, my report:</p> <ol style="list-style-type: none"> 1. Mapped the areas of natural open space in the City and its Sphere of Influence. 2. Described the general types of plant communities found in each area. 3. Identified the methods that should be used to implement project-level investigations (e.g., characterizing plant communities, conducting focused surveys for special-status species). 4. Developed reasonable policies designed to effectively protect any biologically sensitive resources that might be found in the project-level investigations. <p>The report’s final section, Natural Resource Conservation Policies, specifically builds upon existing policies from the current draft version of the General Plan update, adapting them to facilitate efforts to identify and protect areas of particular ecological concern in the City and its Sphere of Influence.</p> <p>Given the DEIR’s explicit statement that the “assessment of sensitive habitats and watersheds in this EIR is based on literature review and the Hamilton Biological Resources Report,” the City should adopt Hamilton Biological’s rational, factual, defensible approach to these issues.</p>	<p>EIR assessment was helpful and appreciated the focus of the report was not targeted on the EIR assessment. In fact, the city’s General Plan does not include an Open Space & Conservation Element by its choice, but instead includes this information in the extensive Resource Conservation chapter. It is the City’s option and responsibility to base its adoption of policies on the bases of more than a single perspective.</p>

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B3-9	<p><u>MIS-MAPPING OF PLANT COMMUNITIES</u></p> <p>Figure 3.3-1 on page 3-3-10 of the DEIR maps some very small areas in the northeastern part of the City as “Coast Live Oak Woodland,” and some extensive areas in Tonner Canyon (areas very unlikely to be developed in the future) as “California Walnut Woodland/Coast Live Oak Woodland.” But, as in the Existing Conditions Report (that as explicitly not used to for the EIR’s assessment of sensitive habitats and watersheds), nearly all woodlands within City limits are mapped as “California Walnut Woodland.” As stated on page 3.3-2 of the DEIR:</p> <p>ESA (Environmental Science Associates) biologists conducted a reconnaissance survey on August 25, 2016, to develop a broad-scale classification of the vegetation communities within the Planning Area. Prior to field surveys, a desktop analysis was conducted to obtain contextual information relevant to the area. Mapping and habitat types were compiled based on a desktop analysis of 2015 aerial imagery, as well as the reconnaissance survey to confirm natural communities as interpreted from aerial imagery (Google Maps 2015) and the reconnaissance-level inspection.</p> <p>A single survey day is clearly inadequate to accurately map all of the plant communities in the City of Diamond Bar and its Sphere of Influence, even at a broad scale.</p> <p>I addressed the issue of erroneous mapping of oak resources on page 5 of my letter to the City dated February 21, 2019:</p> <p>Natural Communities Mis-Mapped</p>	<p>It is acknowledged that the distinction and mapping of oak versus oak/walnut versus walnut woodlands is an on-going issue in the General Plan Update process. On the one hand, the EIR assessment states:</p> <p>“Although considered distinct vegetation alliances by Sawyer et. al., there is a high degree of intermixing between the oak woodland alliance and walnut woodland alliance. For the purpose of this assessment it was not practical to distinguish between the two over the mosaic these alliances form in the City and SOI. However, as needed for the City’s environmental review process, this may be needed at the site-specific level.”</p> <p>and,</p> <p>“there can be misinterpretations of the alliance type when viewed from a distance or in aerial photography, particularly in the winter when the winter-deciduous California walnut has no leaves. For this reason, the mapping of these alliances in Figure 3.3-1 should be viewed as being subject to site-specific investigations.” It should also be noted that both the oak and walnut natural communities are considered sensitive to the same degree in the assessment. However, there remains controversy.</p> <p>In support of the commenter’s position, maps provided in the Los Angeles County Oak Woodlands Conservation Management Plan Guide are cited as showing extensive areas of oak woodlands throughout the study area. The reader should note, however, that the document states the following caveat for its use:</p> <p>“This figure includes a 200 foot (sic) buffer around the woodland interface zone and potential oak woodland zone, as mapped by CALVEG. Due to the scale of the CALVEG layers used to generate this map, it is possible that not all parcels located within the illustrated oak woodlands areas actually support existing oak trees. Individual parcels will be examined further whenever a permit request or application for voluntary oak woodland conserved is reviewed.” Thus, the CALVEG are an over exaggeration of the actual extent of</p>

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	<p>Part of my study involved identifying the main natural communities occurring in natural open space areas scattered throughout the Study Area. As shown in Figure 7, below, oak woodlands occur extensively throughout the undeveloped parts of the Study Area:</p>	<p>oak woodlands in the Puente Hills; and walnut woodland (which has its largest distribution in the Puente Hills, and cannot be overlooked. Further, CALVEG’s guidance to examine individual parcels is the precise approach the EIR assessment includes. As such there does not appear to be a controversy on how this issue should be approached. Notwithstanding, the EIR assessment added an additional layer of analysis to focus this analysis.</p>
	<p>Figure 7. Excerpt from Figure 3 in the Los Angeles County Oak Woodlands Conservation Management Plan Guide (http://planning.lacounty.gov/assets/upl/project/oakwoodlands_conservation-management-plan-guide.pdf) showing the southeastern part of the County and accurately depicting extensive oak woodlands in the Study Area. Beige polygons represent oak woodlands.</p>	<p>According to the body of knowledge on the subject north and east-facing slopes typically hold greater moisture than south and west-facing slopes, at least in the southern California region. As a result, coast live oak trees dominate woodlands found on north and east-facing slopes and walnut trees typically dominate woodlands found on south and west-facing slopes. By using a slope aspect direction between 315 to 135 degrees to identify north and east-facing slopes and a slope aspect between 135 to 315 degrees to identify south and west-facing slopes on a GIS platform a refined means of identifying woodland types in the study area may be employed. The results of adding a slope aspect layer to the analysis are:</p>
	<p>During my own field work I have observed that throughout the Study Area, oak woodlands cover much larger areas than do walnut woodlands. The Dyett & Bhatia Report provides no explanation for the contrary findings depicted in their Figure 2-1 [which has been recycled as Figure 3-3.1 in the DEIR]. Dyett & Bhatia’s claim of 1,189.9 acres of California Walnut Woodland in the Study Area, compared with only 206.9 acres of Coast Live Oak Woodland and 585.4 acres of walnut/oak woodlands, represents an error that grossly under-represents the extent of oak woodlands in the Study Area. If the City determines that large-scale mapping of natural communities is needed for the General Plan update, the mapping provided in the Dyett & Bhatia report must be completely revised and carefully field-checked for accuracy.</p>	<ul style="list-style-type: none"> • The 1,982.98 acres of Native Oak/Walnut Woodland is omitted as a classification. • Native Oak Woodland comprises 1,270.44 acres of the woodlands in the study area (715.50 acres within the city limits and 554.94 acres within the SOI. • Native Walnut Woodland comprises 711.84 acres of the woodlands in the study area (447.48 acres within the city boundaries and 264.36 acres within the SOI.
	<p>Especially in light of the recent unpermitted removal of numerous large oaks in Diamond Bar (https://www.diamondbarca.gov/724/Millennium-Development-TR-53430), the City should be cognizant of</p>	<p>A revised map of natural communities reflecting these changes is provided in Chapter 4 of the Final EIR. Whereas these acres are likely to reflect a relatively accurate percent relative woodland cover of 64 percent oak woodland to 36% walnut woodland, the caveat that woodland habitats should be evaluated on a project by project site-specific basis remains in place.</p>

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	<p>the serious problems that could be precipitated by misrepresenting the distribution of oaks.</p> <p>The City should have adequately considered my comments, and those of others, and required the EIR preparer to carefully evaluate the plant community mapping.</p> <p>As an example, consider Steep Canyon:</p> <p>Excerpt from Figure 3.3-1, Vegetation Communities. The DEIR maps all of the woodland in the bottom of Steep Canyon east of Diamond Bar Boulevard as California Walnut Woodland (yellow screen). Blue arrow added to show where the photo below was taken from. Photo: Robert A. Hamilton</p> <p>Photograph taken on January 4, 2019, showing classic oak/sycamore woodland in the bottom of Steep Canyon (i.e., in the area mapped above as “California Walnut Woodland”). Photo: Robert A. Hamilton</p> <p>I could provide numerous other similar examples.</p> <p>Instead of correcting the problem, the City and EIR preparer have “doubled down” by reproducing the same vegetation map in the DEIR that was provided as Figure 2-1 in the Existing Conditions Report, adding an odd canard on page 3.3-5: As can be seen in the above description of these alliances, there can be misinterpretations of the alliance type when viewed from a distance or in aerial photography,</p>	

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	<p>particularly in the winter when the winter-deciduous California walnut has no leaves. For this reason, the mapping of these alliances in Figure 3.3-1 should be viewed as being subject to site-specific investigations.</p> <p>Biologists do not have nearly as much trouble seeing walnut trees in winter as this statement suggests. The standard caveat that broad-scale mapping contained in a General Plan should not be used for CEQA review of individual projects does not alleviate the need to avoid misrepresenting the distributions of sensitive resources in the General Plan. The City’s unwillingness to comply with multiple requests for accurate representation of oak woodlands within the City limits — contrasted with widespread mapping of oaks in the unincorporated Sphere of Influence — raises questions about whether oaks and oak woodlands will be adequately protected under the revised General Plan.</p>	
B3-10	<p><u>RECOMMENDED METHOD FOR CLASSIFYING NATURAL COMMUNITIES</u></p> <p>Since the mid-1990s, the California Department of Fish and Wildlife (CDFW) and its partners, including the California Native Plant Society (CNPS), have been working on classifying vegetation types using standards embodied in the Survey of California Vegetation, which comply with the National Vegetation Classification Standard (NVCS; http://usnvc.org/explore-classification/). The NVCS is a hierarchical classification, with the most granular level being the Association. Associations are grouped into Alliances, Alliances into Groups, and upward, as follows: Formation Class > Formation Subclass > Formation > Division > Macrogroup > Group > Alliance > Association. For CEQA review of specific projects, Appendix A to the Hamilton Biological Resources Report recommends</p>	<p>The comment appears to be a description of the current industry standards to be followed when classifying natural communities for CEQA purposes. The comment states that the described standards apply to the review of specific projects and recommends classification and mapping of natural communities at the Alliance of Association level. A general plan update that designates general land uses and is void of specific plans for future projects within those land uses is not a specific project.</p> <p>As a start, it is recommended that all natural communities within the project footprint be identified using the best means possible. For the purpose of this assessment and the scale at which the assessment was completed, it was not practical or necessary to describe and map natural communities at the granular scale suggested in the comment. Rather, the classification of natural communities in the study area is initially identified by its general composition and structure (woodland, shrubland, or grassland/herbland). Within the description of the general vegetation type, the alliance used by Sawyer et. al.</p>

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	<p>classification and mapping of Natural Communities at the more detailed Alliance or Association level.</p> <p>The method recommended by CDFW for classifying Natural Communities and conducting CEQA review reads as follows:</p> <ul style="list-style-type: none"> • Identify all Natural Communities within the project footprint using the best means possible, for example, keying them out in the Manual of California Vegetation, Second Edition (Sawyer et al. 2009) or in classification or mapping reports from the region, available on VegCAMP's Reports and Maps page. • Refer to the current standard list of Natural Communities to determine if any of these types are ranked Sensitive (S1-S3 rank); if so, see CEQA Guidelines checklist at IVb. • Other considerations when assessing potential impacts to Sensitive Natural Communities from a project include: <ol style="list-style-type: none"> 1. Compliance with state and federal wetland and riparian policies and codes, as certain Natural Communities are restricted to wetlands or riparian settings. 2. Compliance with the Native Plant Protection Act and the state and federal Endangered Species Acts, as some Natural Communities either support rare species or are defined by the dominance or presence of such species. 3. Compliance with CEQA Guidelines Section 15065(a), which mandates completion of an EIR if a project would threaten to eliminate a plant community. 	<p>is provided, followed by the more distinctive plant associations, or alliances within the study area. Further, the classification system and the vegetation mapping should be used as a guide for future site-specific assessments.</p> <p>A listing of sensitive alliances that occur in the study area and their global and state sensitivity levels is provided in the assessment with the qualifier that all vegetation associations associated with the listed alliances are considered to be at the same sensitivity level as the alliance.</p>

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	<p>4. Compliance with local regional plans, regulations, or ordinances that call for consideration of impacts to Natural Communities.</p> <p>5. Vegetation types that are not on the state’s sensitive list but that may be considered rare or unique to the region under CEQA Guidelines Section 15125(c).</p> <ul style="list-style-type: none"> • If a Natural Community in the project area has not previously been described, it may be a rare type. In this case, please contact VegCAMP (Todd Keeler-Wolf or Diana Hickson) about documenting the Natural Community. • If there are Sensitive Natural Communities on your project site and you need guidance, contact the appropriate regional staff person through the local CDFW Regional Office to discuss potential project impacts; these staff have local knowledge and context. 	
B3-11	<p><u>IDENTIFYING SENSITIVE NATURAL COMMUNITIES</u> The California Department of Fish and Wildlife (CDFW), at its VegCAMP page, provides guidance on appropriate methods for “Addressing Sensitive Natural Communities in Environmental Review”:</p> <p>https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities#sensitive%20natural%20communities</p> <p>The State’s guidance consists of the following steps:</p> <ul style="list-style-type: none"> • Identify all Natural Communities within the project footprint using the best means possible, for example, keying them out in the Manual of California, Second Edition (Sawyer et al. 2009) or in classification or mapping reports from the region, available on VegCAMP’s Reports and Maps page. 	<p>The comment describes the State’s guidance in how to address sensitive natural communities. These guidelines are acknowledged by the City and are incorporated into Chapter 4 of the Final EIR as a practice in considering the impacts of future projects.</p>

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	<ul style="list-style-type: none"> • Refer to the current standard list of Natural Communities to determine if any of these types are ranked Sensitive (S1-S3 rank); if so, see CEQA Guidelines checklist at IVb. • Other considerations when assessing potential impacts to Sensitive Natural Communities from a project include: <ul style="list-style-type: none"> ○ Compliance with state and federal wetland and riparian policies and codes, as certain Natural Communities are restricted to wetlands or riparian settings. ○ Compliance with the Native Plant Protection Act and the state and federal Endangered Species Acts, as some Natural Communities either support rare species or are defined by the dominance or presence of such species. ○ Compliance with CEQA Guidelines Section 15065(a), which mandates completion of an EIR if a project would threaten to eliminate a plant community. ○ Compliance with local regional plans, regulations, or ordinances that call for consideration of impacts to Natural Communities. • Vegetation types that are not on the State’s sensitive list but that may be considered rare or unique to the region under CEQA Guidelines Section 15125(c). • If a Natural Community in the project area has not previously been described, it may be a rare type. In this case, please contact VegCAMP (Todd Keeler-Wolf or Diana Hickson) about documenting the Natural Community. 	

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	<ul style="list-style-type: none"> • If there are Sensitive Natural Communities on your project site and you need guidance, contact the appropriate regional staff person through the local CDFW Regional Office to discuss potential project impacts; these staff have local knowledge and context. • The Department’s document, Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (PDF) provides information on reporting. 	
	<p>As recommended in the Hamilton Biological Resources Report, the City should adopt the above-specified methods, consistent with State guidance. Doing so would help to ensure the thoroughness and adequacy of CEQA documentation completed within the City and its Sphere of Influence.</p>	
B3-12	<p><u>FAILURE TO IDENTIFY POTENTIAL FOR NATIVE GRASSLANDS</u> The DEIR characterizes all grasslands in the City and the Sphere of Influence as “seminal natural herbaceous stands,” and fails to identify any potential for the occurrence of perennial native grasslands, which are identified as sensitive by CDFW. Nevertheless, as stated on page 10 of the Hamilton Biological Resources Report, pockets of native grassland almost certainly occur within the non-native annual grasslands:</p> <p>Areas of perennial grassland, distinguished by possessing non-trace cover of native grasses, are identified as Sensitive by CDFW. As examples, the Nassella spp. – Melica spp. Herbaceous alliance is characterized by having at least 2–5 percent cover of native needlegrass (Nassella spp.) or other native grasses (http://vegetation.cnps.org/alliance/536); and the Bromus</p>	<p>The comment indicates the almost certain occurrence of native grasslands within the study area. Despite the many years of livestock grazing in areas of non-native grassland, however, it is acknowledged that native grassland species (e.g., Nassella (Stipa) sp. and Melica californica) could exist in the study area. In addition, native grassland species may occur in areas of shrublands, scrub and oak woodland. Chapter 4 of the Final EIR includes native grasslands as a sensitive natural community potentially occurring in the study area.</p>

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	<p>carinatus – Elymus glaucus herbaceous alliance has California brome (<i>Bromus carinatus</i>) characteristically present, with native plants providing more than 10 percent relative cover (http://vegetation.cnps.org/alliance/499). It is likely that vernal pools/seasonal ponds occur in the site’s grasslands, and/or along dirt roads that pass through other Natural Communities.</p> <p>The DEIR should identify the potential for areas of native grassland to occur within the Study Area, and should recognize any such areas as biologically “sensitive” in their own right (independent of the occurrence of special-status plants or wildlife). The General Plan’s resource-protection policies should address avoidance and/or mitigation of impacts to native grasslands.</p>	
B3-13	<p><u>ADVERSE EFFECTS OF DEVELOPMENT ON PRESERVED HABITAT AREAS</u></p> <p>An important goal of a General Plan, far from realized in the DEIR, is to guide future development so as to minimize adverse effects upon natural communities and declining native plant and wildlife populations, to the extent feasible. Beyond the outright removal of natural areas, which obviously impacts natural resources, nearby development inevitably degrades and fragments preserved habitat along the urban/wildland interface. These secondary, or indirect, impacts have been subject to intensive study in recent years, to (a) understand and characterize them, and (b) develop strategies for minimizing and mitigating them. The DEIR, citing only two published articles from the peer-reviewed literature, fails to adequately acknowledge the range of issues that must be considered when planning future development in and around Diamond Bar’s remaining natural areas. The following discussions, including citations from the scientific</p>	<p>The comment identifies a number of the adverse effects that may result from development within and adjacent to natural communities and the plant and wildlife populations that occur within them which are generally referred to as “edge effects. These potentially adverse effects can result in habitat degradation and/or fragmentation for a variety of reasons, including:</p> <ul style="list-style-type: none"> • The introduction of invasive non-native plants. • Increased frequency of wildfires. • The introduction of cats and dogs which can act as non-native predators to native wildlife. • Increased human presence that can disturb soils, damage vegetation and increase ambient noise levels. • The potential introduction of chemicals harmful to plants and wildlife contained in herbicides and rodenticides. • General adverse effects on biological systems such as water pollution. <p>The comment discusses these potential issues in great detail.</p>

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	<p>literature, were provided in Appendix A to the Hamilton Biological Resources Report. Although the DEIR identifies this report as providing the basis for “assessment of sensitive habitats and watersheds in this EIR,” most of this important underlying information has been omitted from the DEIR and its analyses. To the contrary, the following information should be taken into account when developing the General Plan’s land-use policies concerning edge and fragmentation effects.</p> <p>Urbanization typically includes residential, commercial, industrial, and road-related development. At the perimeter of the built environment is an area known as the urban/wildland interface, or “development edge.” Edges are places where natural communities interface, vegetation or ecological conditions within natural communities interact (Noss 1983), or patches with differing qualities abut one another (Ries and Sisk 2004). “Edge effects” are spillover effects from the adjacent human-modified matrix that cause physical gradients in light, moisture, noise, etc. (Camargo and Kapos 1995; Murcia 1995, Sisk et al. 1997) and/or changes in biotic factors such as predator communities, density of human-adapted species, and food availability (Soulé et al. 1988; Matlack 1994; Murcia 1995; Ries and Sisk 2004). Loss, degradation, and fragmentation of habitat due to urbanization are the most pervasive threats to biodiversity in southern California (Soulé 1991). Edge-related impacts may include:</p> <ul style="list-style-type: none"> • Introduction/expansion of invasive exotic vegetation carried in from vehicles, people, animals or spread from backyards or fuel modification zones adjacent to wildlands. • Increased frequency and/or severity of fire as compared to natural fire cycles or intensities. 	<p>Contrary to the comments implication that the DEIR fails to acknowledge, adequately describe, and adequately mitigate these adverse effects, each was disclosed and addressed in the General Plan Update Policies, as summarized below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Adverse Effect</th> <th style="text-align: left;">DEIR Disclosure Page(s)</th> <th style="text-align: left;">GP Policy / Mitigation</th> </tr> </thead> <tbody> <tr> <td>Introduction of invasive non-native plants.</td> <td>3.3-45</td> <td>RC-P-13</td> </tr> <tr> <td>Increased frequency of wildfires.</td> <td>3.7-12</td> <td>PS-P-15 and PS-P-32 through PS-P-36</td> </tr> <tr> <td>Introduction of cats and dogs which can act as non-native predators to native wildlife.</td> <td>3.3-45</td> <td>RC-P-14, MM-BIO-1D and MM-BIO-6</td> </tr> <tr> <td>Increased human presence that can disturb soils, damage vegetation and increase ambient noise levels.</td> <td>3.3-45</td> <td>RC-G-4, RC-P-9, RC-P-11 and MM-BIO-1D</td> </tr> <tr> <td>Potential introduction of chemicals harmful to plants and wildlife contained in herbicides and rodenticides.</td> <td>3.7-32</td> <td>RC-G-7; RC-G-9; RC-P-25; RC-P-26</td> </tr> <tr> <td>Adverse effects on biological systems such as water pollution.</td> <td>3.3-45</td> <td>RC-P-9; RC-P-11; RC-P-24; LU-P-56 / MM-BIO-3</td> </tr> </tbody> </table>	Adverse Effect	DEIR Disclosure Page(s)	GP Policy / Mitigation	Introduction of invasive non-native plants.	3.3-45	RC-P-13	Increased frequency of wildfires.	3.7-12	PS-P-15 and PS-P-32 through PS-P-36	Introduction of cats and dogs which can act as non-native predators to native wildlife.	3.3-45	RC-P-14, MM-BIO-1D and MM-BIO-6	Increased human presence that can disturb soils, damage vegetation and increase ambient noise levels.	3.3-45	RC-G-4, RC-P-9, RC-P-11 and MM-BIO-1D	Potential introduction of chemicals harmful to plants and wildlife contained in herbicides and rodenticides.	3.7-32	RC-G-7; RC-G-9; RC-P-25; RC-P-26	Adverse effects on biological systems such as water pollution.	3.3-45	RC-P-9; RC-P-11; RC-P-24; LU-P-56 / MM-BIO-3
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	<ul style="list-style-type: none"> • Companion animals (pets) that often act as predators of, and/or competitors with, native wildlife. • Creation and use of trails that often significantly degrade intact ecosystems through such changes as increases in soil disturbance, vegetation damage, and noise. • Introduction of exotic animals which compete with or prey on native animals. • Pesticide exposure can be linked to cancer, endocrine disruption, reproductive effects, neurotoxicity, kidney and liver damage, birth defects, and developmental changes in a wide range of species, from insects to top predators. • Influence on earth systems and ecosystem processes, such as solar radiation, soil richness and erosion, wind damage, hydrologic cycle, and water pollution that can affect the natural environment. <p>Any of these impacts, individually or in combination, can result in the effective loss or degradation of habitats used for foraging, breeding or resting, with concomitant effects on population demographic rates of sensitive species.</p> <p>The coastal slope of southern California is among the most highly fragmented and urbanized regions in North America (Atwood 1993). Urbanization has already claimed more than 90 percent of the region’s coastal sage scrub habitat, 99 percent of the coastal prairie, and 95 percent of the vernal pools (McCaul 1994; Mattoni & Longcore 1997; Bauder & McMillan 1998). A review of studies completed by Harrison and Bruna (1999) identified a general pattern of reduction of biological diversity in fragmented habitats compared with more intact ones, particularly with regard to habitat specialists. While physical effects associated</p>	<p>Considering the context of Section 15146 of the CEQA Guidelines, the disclosure of these effects in the Draft EIR is appropriate. As stated in this section of the guidelines “The degree of specificity required in an EIR will correspond to the degree of specificity in the underlying activity which is described in the EIR. An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. An EIR on a project such as the adoption or amendment of comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow.”</p> <p>The comment letter, however, is appreciated by the City and is made available in the Final EIR.</p>

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	<p>with edges were predominant among species impacts, they found evidence for indirect effects including altered ecological interactions. Fletcher et al. (2007) found that distance from edge had a stronger effect on species than did habitat patch size, but they acknowledged the difficulty in separating those effects empirically. Many southern California plant and animal species are known to be sensitive to fragmentation and edge effects; that is, their abundance declines with fragment size and proximity to an edge (Wilcove 1985; Soulé et al. 1992; Bolger et al. 1997a,b; Suarez et al. 1998; Burke and Nol 2000).</p>	
	<p>Wildlife populations are typically changed in proximity to edges, either by changes in their demographic rates (survival and fecundity), or through behavioral avoidance of or attraction to the edge (Sisk et al. 1997; Ries and Sisk 2004). For example, coastal sage scrub areas within 250 meters of urban edges consistently contain significantly less bare ground and more coarse vegetative litter than do more “intermediate” or “interior” areas, presumably due increased human activity/disturbance of the vegetation structure near edges (Kristan et al. 2003). Increases in vegetative litter often facilitate growth of non-native plants (particularly grasses), resulting in a positive feedback loop likely to enhance plant invasion success (Wolkovich et al. 2009). In another coastal southern California example, the abundance of native bird species sensitive to disturbance is typically depressed within 200 to 500 meters (650 to 1640 feet) of an urban edge, and the abundance of disturbance-tolerant species is elevated up to 1000 meters (3280 feet) from an urban edge, depending on the species (Bolger et al. 1997a).</p>	

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	<p>Habitat fragmentation is usually defined as a landscape scale process involving habitat loss and breaking apart of habitats (Fahrig 2003). Habitat fragmentation is among the most important of all threats to global biodiversity; edge effects (particularly the diverse physical and biotic alterations associated with the artificial boundaries of fragments) are dominant drivers of change in many fragmented landscapes (Laurance and Bierregaard 1997; Laurance et al. 2007).</p>	
	<p>Fragmentation decreases the connectivity of the landscape while increasing both edge and remnant habitats. Urban and agricultural development often fragments wildland ecosystems and creates sharp edges between the natural and human-altered habitats. Edge effects for many species indirectly reduce available habitat use or utility in surrounding remaining areas; these species experience fine-scale functional habitat losses (e.g., see Bolger et al. 2000; Kristan et al. 2003; Drolet et al. 2016). Losses of coastal sage scrub in southern California have increased isolation of the remaining habitat fragments (O’Leary 1990) and led to calls to preserve and restore landscape connectivity to permit long-term persistence of native species with low vagility (e.g., Vandergast et al. 2006).</p>	
	<p>Fragmentation has a greater relative negative impact on specialist species (e.g., coastal populations of the Cactus Wren) that have strict vegetation structure and area habitat requirements (Soulé et al. 1992). Specialist species have an increased risk of extirpation in isolated habitat remnants because the specialized vegetative structures and/or interspecific relationships on which they depend are more vulnerable to disruption in these areas (Vaughan 2010). In studies of the coastal sage scrub and chaparral</p>	

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>systems of coastal southern California, fragment area and age (time since isolation) were the most important landscape predictors of the distribution and abundance of native plants (Soulé et al. 1993), scrub-breeding birds (Soulé et al. 1988; Crooks et al. 2001), native rodents (Bolger et al. 1997b), and invertebrates (Suarez et al. 1998; Bolger et al. 2000).</p> <p>Edge effects that emanate from the human-dominated matrix can increase the extinction probability of isolated populations (Murcia 1995; Woodroffe and Ginsberg 1998). In studies of coastal sage scrub urban fragments, exotic cover and distance to the urban edge were the strongest local predictors of native and exotic carnivore distribution and abundance (Crooks 2002). These two variables were correlated, with more exotic cover and less native shrub cover closer to the urban edge (Crooks 2002).</p> <p>The increased presence of human-tolerant “mesopredators” in southern California represents an edge effect of development; they occur within the developed matrix and are thus more abundant along the edges of habitat fragments, and they are effective predators on birds, bird nests, and other vertebrates in coastal sage scrub and chaparral systems and elsewhere (Crooks and Soulé 1999). The mammalian carnivores more typically detected in coastal southern California habitat fragments are resource generalists that likely benefit from the supplemental food resources (e.g., garden fruits and vegetables, garbage, direct feeding by humans) associated with residential developments. As a result, the overall mesopredator abundance, of such species as raccoons, opossums, and domestic cats, increases at sites with more exotic plant cover and closer to the urban edge (Crooks</p>	

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	<p>2002). Although some carnivores within coastal sage scrub fragments seem tolerant of disturbance, many fragments have (either actually or effectively) already lost an entire suite of predator species, including mountain lion, bobcats, spotted skunks, long-tailed weasels, and badgers (Crooks 2002). Most “interior” sites within such fragments are still relatively near (within 250 meters of) urban edges (Crooks 2002).</p>	
	<p>Fragmentation generally increases the amount of edge per unit land area, and species that are adversely affected by edges can experience reduced effective area of suitable habitat (Temple and Cary 1988), which can lead to increased probability of extirpation/extinction in fragmented landscapes (Woodroffe and Ginsberg 1998). For example, diversity of native bees (Hung et al. 2015) and native rodents (Bolger et al. 1997b) is lower, and decomposition and nutrient cycling are significantly reduced (Treseder and McGuire 2009), within fragmented coastal sage scrub ecosystems as compared to larger core reserves. Similarly, habitat fragmentation and alterations of sage scrub habitats likely have reduced both the genetic connectivity and diversity of coastal-slope populations of the Cactus Wren in southern California (Barr et al. 2015). Both Bell’s Sparrows and California Thrashers show strong evidence of direct, negative behavioral responses to edges in coastal sage scrub; that is, they are edge-averse (Kristan et al. 2003), and California Thrashers and California Quail were found to be more vulnerable to extirpation with smaller fragment size of the habitat patch (Bolger et al. 1991), demonstrating that both behavioral and demographic parameters can be involved. Other species in coastal sage scrub ecosystems, particularly the Cactus Wren and likely the California Gnatcatcher and San Diego</p>	

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	<p>Pocket Mouse, are likely vulnerable to fragmentation, but for these species the mechanism is likely to be associated only with extirpation vulnerability from habitat degradation and isolation rather than aversion to the habitat edge (Kristan et al. 2003). Bolger (et al. 1997b) found that San Diego coastal sage scrub and chaparral canyon fragments under 60 acres that had been isolated for at least 30 years support very few populations of native rodents, and they suggested that fragments larger than 200 acres in size are needed to sustain native rodent species populations.</p>	
	<p>The penetration of exotic species into natural areas can reduce the effective size of a reserve in proportion to the distance they penetrate within the reserve: Argentine Ants serve as an in-depth example of edge effects and fragmentation. Spatial patterns of Argentine Ant abundance in scrub communities of southern California indicate that they are likely invading native habitats from adjacent developed areas, as most areas sampled greater than 200 to 250 meters from an urban edge contained relatively few or no Argentine Ants (Bolger 2007, Mitrovich et al. 2010). The extent of Argentine Ant invasions in natural environments is determined in part by inputs of urban and agricultural water run off (Holway and Suarez 2006). Native ant species were more abundant away from edges and in areas with predominately native vegetation. Post-fragmentation edge effects likely reduce the ability of fragments to retain native ant species; fragments had fewer native ant species than similar-sized plots within large unfragmented areas, and fragments with Argentine ant-free refugia had more native ant species than those without refugia (Suarez et al. 1998). They displace nearly all surface-foraging native ant species (Holway and Suarez</p>	

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	<p>2006) and strongly affect all native ant communities within about 150 to 200 meters from fragment edges (Suarez et al. 1998; Holway 2005; Fisher et al. 2002; Bolger 2007; Mitrovich et al. 2010). Argentine Ants are widespread in fragmented coastal scrub habitats in southern California, and much of the remaining potential habitat for Blainville’s horned lizards is effectively unsuitable due to the penetration of Argentine ants and the subsequent displacement of the native ant species that Coastal Horned Lizards need as prey (Fisher et al. 2002). Invasion of Argentine ants into coastal sage scrub has also shown a strong negative effect on the abundance of the gray shrew (Laakkonen et al. 2001).</p> <p>An evaluation by the U.S. Environmental Protection Agency (2008) concluded that each of ten of the most common active ingredients in rodenticides “poses significant risks to non-target wildlife when applied as grain-based bait products. The risks to wildlife are from primary exposure (direct consumption of rodenticide bait) for all compounds and secondary exposure (consumption of prey by predators or scavengers with rodenticide stored in body tissues) from the anticoagulants.” Thus, the common practice of setting out bait within or near natural areas can be expected to have adverse effects upon a range of native wildlife species.</p> <p>Finally, in the Santa Monica Mountains of Los Angeles County, populations of such native amphibians as the California newt and California treefrog were found to decline with urbanization of as little as 8% of a given watershed (Riley et al. 2005). Such faunal community changes appear to be related to changes in physical stream habitat, such as fewer pool and more run habitats and</p>	

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	<p>increased water depth and flow. These changes are associated with increased erosion and with invasion by damaging exotic species, such as the red swamp crayfish.</p> <p>Given the spectrum of indirect effects known to adversely affect sensitive populations of native plants and wildlife, it is incumbent upon planning documents, such as the updated Diamond Bar General Plan, to (1) acknowledge, (2) adequately describe, and (3) adequately mitigate these adverse effects. The DEIR fails to achieve these goals.</p>	
B3-14	<p><u>INADEQUATE ANALYSIS OF LOCAL WILDLIFE MOVEMENT ISSUES</u></p> <p>Page 6 of Hamilton Biological’s letter to the City dated February 21, 2019, criticized the Existing Conditions Report for its “ineffective and incomplete discussion of wildlife movement.” Apparently in response, the DEIR provides additional descriptions of different issues related to wildlife movement and habitat connectivity. Page 3.3-14 identifies three “types of corridors and habitats” that exist within the City and its Sphere of Influence and that “provide habitat connectivity” to varying degrees:</p> <p>These include current open space areas and the natural areas of City parks and the SOI and, to a lesser degree mature ornamental woodlands. Connectivity can be broken the physical relationship between landscape elements whereas functional connectivity describes the degree to which landscapes actually facilitate or impede the movement of organisms and processes. Functional connectivity is a product of both landscape structure and the response of organisms and processes to this structure. Thus, functional connectivity or corridor permeability is both species and landscape-specific. Distinguishing between these two types of connectivity is important</p>	<p>In view of Section 15146 of the CEQA Guideline the comment and its associated maps are at a level of detail that exceeds the scope of an EIR for a General Plan update for several reasons. First, is the assumption that the choke points are used by wildlife that avoid areas of human inhabitation when, in fact, species such as coyote, Virginia opossum, striped skunk, Valley pocket gophers, most birds, gopher snakes, and western fence lizard move and/or disperse relatively freely through suburban environments. To assert otherwise would be a speculation in a General Plan update EIR and would be better addressed on a site-specific basis in concert with policies included in the General Plan document. A figure identifying choke points, modeled after those provided in Figures 3a-3d by the commenter, is provided in Chapter 4 of the Final EIR.</p>

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>because structural connectivity does not imply functional connectivity. That is, in contrast to landscape connectivity which characterizes the capacity of individual species to move between areas of habitat via corridors and habitat linkage zones permeability refers to the degree to which regional landscapes, encompassing a variety of natural, semi-natural and developed land cover types, are conducive to wildlife movement and sustain ecological processes. Major roadway arterials, suburban development and areas of intense human activity are examples of non-natural features that can result in a corridor being highly impermeable to many wildlife species.</p> <p>This generalized discussion, culminating in a negative statement about how roads and other human activities can negatively affect the movement of wildlife between patches of natural habitat, does not represent a useful or coherent analysis of local wildlife movement and habitat connectivity issues in and around the City of Diamond Bar.</p> <p>The Hamilton Biological Resources Report provided relevant information designed to help the City address this important large-scale CEQA planning and resource-management issue. Figures 3a–3d in the report depict 13 areas of extensive (>25 acres) native/naturalized habitat in Diamond Bar. The figures show potential habitat connections/choke points for wildlife movement between blocks of natural open space. Figures 3a–3d, reproduced on the following pages, provide a practical and useful basis for characterizing the existing ecological conditions within Diamond Bar and its Sphere of Influence, without accounting for such distinctions as the boundaries of parklands or private lots. If the EIR sincerely intends to</p>	

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	<p>base its assessment on the Hamilton Biological Resources Report, the following maps must be acknowledged and fully incorporated into the CEQA analysis.</p>	
	<p>[Figure 3a. Natural Open Space Areas]</p>	
	<p>[Figure 3b. Natural Open Space Areas]</p>	
	<p>[Figure 3c. Natural Open Space Areas]</p>	
	<p>[Figure 3d. Natural Open Space Areas]</p>	
	<p>The DEIR provides no similar exhibits that help to contextualize the concepts of localized wildlife movement and habitat connectivity in relation to actual areas of natural habitat within the City limits. Given the DEIR’s explicit statement that “The assessment of sensitive habitats and watersheds in this EIR is based on literature review and the Hamilton Biological Resources Report,” the EIR preparer is not justified in omitting this critically important information in favor of a generalized statement about negative effects of roads and other development on wildlife movement and connectivity.</p>	
	<p>The EIR’s policy approach for mitigating adverse effects of development upon local wildlife movement and habitat connectivity is provided in RC-P-11:</p>	
	<p>Require that all development, including roads and trails, proposed adjacent to riparian and other biologically sensitive habitats avoid, to the greatest extent feasible, significant impacts that would undermine the healthy natural functioning of those areas. Require that new development proposed in such locations be designed to:</p>	
	<p>a. Minimize to the greatest extent possible or eliminate impacts on environmentally sensitive areas;</p>	

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	<ul style="list-style-type: none"> b. Protect the visual seclusion of forage areas from road intrusion by providing vegetative buffering; c. Protect wildlife movement linkages to water, food, shelter, and nesting sites; d. Allow wildlife and migration access by use of tunnels or other practical means; e. Provide vegetation that can be used by wildlife for cover along roadsides; 	
	<p>The above-listed policy prescriptions may appear reasonable, but they are not specific to any given area and have no teeth. In fact, while the DEIR was out for review, the City has already added “to the greatest extent feasible” to the first sentence of the proposed policy, further weakening the proposed policy. They are the type of guidelines often satisfied in some superficial way, such as planting vegetation along roadsides, and in many cases these types of guidelines are completely ignored without any repercussions. They are unlikely to meaningfully improve the ecological condition of natural areas scattered throughout the City that are becoming increasingly degraded and fragmented by ongoing development.</p>	
	<p>If the City sincerely intends to, for example, “protect wildlife movement linkages” and to facilitate “wildlife and migration access by use of tunnels or other practical means,” then the updated General Plan should incorporate my Figures 3a–3d, which highlight numerous “Potential Habitat Linkages/Choke Points” throughout the City — specific areas identified as warranting additional scrutiny and consideration when devising future plans and subjecting them to CEQA review. See also the following discussion of Table A, from the Hamilton Biological Resources Report, which identifies appropriate Resource</p>	

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B3-15	<p>Conservation policy approaches for each substantial area of natural open space mapped in Figures 3a–3d.</p> <p><u>RESOURCE PROTECTION RECOMMENDATIONS OMITTED</u> Referring again to Figures 3a–3d, the Hamilton Biological Resources Report describes and characterizes the ecological characteristics of each mapped natural open space area at a general level of detail appropriate for a General Plan. The report also makes recommendations for the establishment of biological protection overlays for sensitive habitat areas with high ecological values (e.g., native woodlands and coastal sage scrub), with recognition that more detailed, project-specific surveys would be required to accurately and adequately describe the ecological resources found in any open space area. The DEIR ignores this approach in favor of generalized policy prescriptions that are, in my experience, less likely to produce good planning results. I provide below Table A from my report, which lays the foundation for my recommended planning approach.</p> <p>[Table A: Resource Protection Recommendations]</p> <p>The practical benefit of this approach is that it focuses planning attention on the issues of greatest relevance within different geographic areas of Diamond Bar and its Sphere of Influence. Planners can refer to Table A, in conjunction with Figures 3a–3d, and better evaluate whether a proposed project is compatible with the General Plan’s resource protection recommendations for that particular area. Certainly, nothing is lost by including this level of detail in the General Plan, so why is this information from the Hamilton Biological Resources Report omitted from the DEIR?</p>	<p>As presented in the comment, the establishment of biological protection overlays goes well beyond the typical scope of a General Plan. While it is acknowledged that such overlays are useful in the design of projects, they are more appropriate to include at the specific planning stage after more detailed information about a project’s biological baseline is discovered and known.</p> <p>With regard to the potential habitat linkages/choke points identified in the comment it should be noted that most are located at sites that are: a) within City-owned parks or open space; b) privately-owned parks or open space; c) designated privately-owned open space; d) seemingly cut-off by substantial barriers (such as freeways); or d) constrained by existing development. Therefore, they are a component of baseline conditions which the General Plan update cannot change. However, when considering plans for any public projects within City-owned parks and open space the City will adhere to General Plan policies as they relate to movement corridors. A figure identifying choke points, modeled after those provided in Figures 3a-3d by the commenter, is provided in Chapter 4 of the Final EIR.</p>

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B3-16	<p><u>CURRENT INTERPRETATION OF MIGRATORY BIRD TREATY ACT (MBTA)</u></p> <p>Page 3.3-34 of the DEIR provides an outdated interpretation of this federal legislation, and the impact analysis on page 3.3-44 states, “Disturbing or destroying active nests is a violation of the MBTA and nests and eggs are protected by Fish and Game Code, Section 3503.”</p> <p>The MBTA of 1918 implemented the 1916 Convention between the U.S. and Great Britain (for Canada) for the protection of migratory birds. Later amendments implemented treaties between the U.S. and Mexico, the U.S. and Japan, and the U.S. and the Soviet Union (now Russia). At the heart of the MBTA is this language:</p> <p>Establishment of a Federal prohibition, unless permitted by regulations, to “pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention . . . for the protection of migratory birds . . . or any part, nest, or egg of any such bird.” (16 U.S.C. 703)</p> <p>For many years, the MBTA was subject to broad interpretation, which in some cases led to prosecution for violations that were incidental to otherwise lawful activities. On December 22, 2017, the “Principal Deputy Solicitor Exercising the Authority of the Solicitor Pursuant</p>	<p>Comment acknowledged. The following paragraph is included in Chapter 4 of the Final EIR to reflect the current interpretation of the MBTA.</p> <p>“As a point of clarification and in accordance with revised interpretive guidelines provided in the Principal Deputy Solicitor Exercising the Authority of the Solicitor Pursuant to Secretary’s Order 3345 on December 22, 2017, the MBTA’s prohibition on pursuing, hunting, taking, capturing, killing, or attempting to do the same applies only to direct and affirmative purposeful actions that reduce migratory birds, their eggs, or their nests, by killing or capturing, to human control.”</p>

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	<p>to Secretary’s Order 3345” issued revised guidance on the MBTA⁵ that reached the following conclusion:</p>	
	<p>The text, history, and purpose of the MBTA demonstrate that it is a law limited in relevant part to affirmative and purposeful actions, such as hunting and poaching, that reduce migratory birds and their nests and eggs, by killing or capturing, to human control. Even assuming that the text could be subject to multiple interpretations, courts and agencies are to avoid interpreting ambiguous laws in ways that raise grave Constitutional doubts if alternative interpretations are available. Interpreting the MBTA to criminalize incidental takings raises serious due process concerns and is contrary to the fundamental principle that ambiguity in criminal statutes must be resolved in favor of defendants. Based upon the text, history, and purpose of the MBTA, and consistent with decisions in the Courts of Appeals for the Fifth, Eighth, and Ninth circuits, there is an alternative interpretation that avoids these concerns. Thus, based on the foregoing, we conclude that the MBTA’s prohibition on pursuing, hunting, taking, capturing, killing, or attempting to do the same applies only to direct and affirmative purposeful actions that reduce migratory birds, their eggs, or their nests, by killing or capturing, to human control.</p>	
	<p>Although federal guidance could change again in the future, the DEIR should acknowledge and describe the current interpretation of the MBTA.</p>	
	<p>⁵ https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B3-17	<p><u>TREE PRESERVATION AND PROTECTION ORDINANCE</u></p> <p>Pages 3.3-37 and 3.3-38 of the DEIR reviews the City’s Tree Preservation and Protection Ordinance. Proposed General Plan Policy RC-P-10, on page 3.3-46, identifies a need to periodically review and update the Ordinance “as necessary to reflect current best practices.” In the attached letter, dated October 31, 2019, Hamilton Biological proposes changes to the City’s existing ordinance, with reference to several areas of concern:</p> <ul style="list-style-type: none"> • Corrections of outdated references (e.g., the National Arborists Association no longer exists, having been replaced by the Tree Care Industry Association) and typographical errors. • Changes to bring the City’s ordinance into alignment with current industry standards. For example, the County of Los Angeles’ current Oak Woodlands Conservation Management Plan Guide (http://planning.lacounty.gov/assets/upl/project/oakwoodlands_conservation-management-plan-guide.pdf) requires seven years of maintenance and monitoring of all oak mitigation plantings, which reflects the experience of the County that oak plantings may survive for a few years after planting, only to fail shortly thereafter. • Ensuring that funds paid to the City for tree planting are used to promptly replace impacted trees, and to prevent against tree mitigation funds being diverted to other uses. • Establishing a City-administered program to ensure that replacement trees are planted in areas suited to their long-term survival, and not in sensitive habitat areas, such as coastal sage scrub, where they could cause adverse ecological effects. 	<p>The suggestions provided in the comment are acknowledged and will be considered when the City revises its Tree Preservation and Protection Ordinance.</p>

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	Consistent with proposed General Plan Policy RC-P-10, Hamilton Biological requests that the City consider the proposed changes, to reflect current best practices.	
B3-18	<p><u>COMMENT ON MITIGATION MEASURE BIO-1</u></p> <p>This measure would require a habitat evaluation in cases where a listed species could potentially be impacted. “If no suitable habitat for listed species is identified within 300 feet of construction or maintenance activities, no further measures would be required in association with the project.”</p> <p>This is not an appropriate mitigation measure to incorporate into a General Plan, because under CEQA, evaluation of potential biological impacts of a proposed action is not limited to species listed as threatened or endangered by State and/or federal governments. To comply with CEQA, any project with potential to adversely affect special-status species should be evaluated, on its own merits, to determine whether project implementation could result in significant impacts to any biological resources. Such impacts could include impacts to California Species of Special Concern, such as the “coastal” Cactus Wren; loss or degradation of plant communities that the State identifies as Sensitive, such as native grasslands; impairment of a wildlife movement corridor or habitat linkage; or various other categories of impact that do not necessarily involve potential “take” of a listed species. CEQA is much more than a “scorecard” for evaluating whether a given action might impact a listed species.</p>	<p>As the City understands the comment, the suggestions made recommend that all sensitive biological resources (special-status species, sensitive natural communities, habitat linkages, etc.) be evaluated in a manner that is consistent with the evaluation of federal and State-listed species. Inherent to the application of the significance criteria provided on page 3.3-40 of the DEIR, this is intended. Criterion 1 includes consideration of sensitive and special-status species; Criterion 2 considers sensitive natural communities; and Criterion 4 considers wildlife movement. Nonetheless, in order to clarify this intention of MM-BIO-1, the following sentence will be added to the introductory paragraph for Mitigation Measures on page 3.3-47 of the DEIR:</p> <p>“It should be noted that assessing potential impacts to which one or more of the MM-BIO-1 may apply, both direct (on-site) and indirect (off-site) should be considered.” This is included in Chapter 4 of the Final EIR.</p>
B3-19	<p><u>MITIGATION RATIOS INADEQUATE</u></p> <p>Mitigation Measures BIO-2, BIO-4, and BIO-5 all identify inadequate mitigation ratios for impacts to sensitive native</p>	<p>Comment acknowledged. Arguably, the use of surrogate mitigation ratios using quantitative approaches rather than qualitative approaches has its shortfalls. That is, the application of ratio-derived mitigation does not address</p>

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	<p>plant communities, including coastal sage scrub, oak woodland, and walnut woodland. For each of these ecologically sensitive communities, some of which are recognized as sensitive resources in their own right, the General Plan should strongly encourage avoidance of direct and indirect impacts.</p> <p>If impacts cannot be avoided, and existing off-site habitat is to be purchased as mitigation for the loss of a given area of sensitive habitat, the minimum ratio should be on the scale of 5:1, and certainly not 1:1. The ratio of 1:1 for purchase of existing habitat equates to a net 50% reduction of community, as no new habitat is being restored on disturbed/degraded land to replace the valuable sensitive habitat being lost.</p> <p>For impacts to sensitive natural communities that cannot be feasibly avoided, and if 5:1 off-site habitat cannot be purchased and set aside in perpetuity, the off-site mitigation requirement should be to restore degraded habitat in the Chino/Puente Hills, under the auspices of the Puente Hills Habitat Preservation Authority (PHHPA)⁷, at a minimum ratio of 3:1. Restoring habitat at a ratio above 1:1 mitigates for:</p> <ul style="list-style-type: none"> • The temporal loss of habitat associated with impacting one area before another is restored. • The effects of fragmentation and edge-associated degradation of preserved habitat areas near the proposed development. • The possibility that the restoration effort will fail, partly or entirely. 	<p>the functions and values of the habitat lost compared to the habitat created, enhanced and/or conserved. Undoubtedly, this matter will be the subject of future negotiations between project applicants and regulatory agencies. At this time, however, the City will maintain its past practices.</p>

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	<p>A higher mitigation ratio also helps to incentive avoidance of the impact. The DEIR’s approach to this topic would leave the City vulnerable to legal challenge due to providing inadequate mitigation to offset significant adverse impacts to sensitive natural resources.</p> <p>⁷ The PHHPA is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect biological diversity.</p>	
B3-20	<p><u>COMMENTS ON MM-BIO-6</u></p> <p>Planning of any future development in Diamond Bar and its Sphere of Influence should take exceptional care to preserve and enhance the viability of the Puente-Chino Hills Wildlife Corridor. The authoritative “Missing Middle” analysis (Conservation Biology Institute 2005) identified the following wildlife movement issues specifically relevant to the Puente-Chino Hills Wildlife Corridor in Diamond Bar and its Sphere of Influence:</p> <ul style="list-style-type: none"> • Tonner Canyon Bridge represents the only viable location for deer, mountain lions, bobcats, and other species to pass under the 57 Freeway. • Any development in middle and especially lower Tonner Canyon could have severe impacts on corridor function, especially if wildlife access to Tonner Canyon Bridge is reduced. Any development that blocks access through the bridge area would make the 57 Freeway a complete barrier to many species and would likely lead to wildlife extirpations in segments farther west. • An earlier plan to build a road running the length of Tonner Canyon would have split the Chino-Tonner “subcore” in two, potentially rendering dysfunctional the critical Tonner Bridge wildlife undercrossing for 	The listed issues included in the comment are consistent with MM-BIO-6.

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	<p>wide-ranging species such as the mountain lion, bobcat, and mule deer.</p> <ul style="list-style-type: none"> • At least the middle and lower portions of Tonner Canyon should be conserved, including a prohibition on any new road or other development that would fragment this critical habitat block. • No project should be approved that would increase traffic under the Tonner Bridge or add any new impediments (structures, lights, noise, etc.) to the vicinity of the bridge. • Restore riparian vegetation along Tonner Creek, where degraded by oil development activities. • Fencing may be warranted along the 57 Freeway if monitoring suggests road mortality is high. <p>Mitigation Measure MM-BIO-6 should be amended to incorporate each of these specific conservation requirements, which are necessary to maintain the viability of this critically important habitat linkage/wildlife corridor that passes through Diamond Bar’s Sphere of Influence.</p>	
B3-21	<p><u>COMMENTS ON THE RESOURCE CONSERVATION ELEMENT</u></p> <p>Figure 5-1 shows the City open space network, defined as including “designated open spaces, parks, and the Diamond Bar Golf Course, which, while developed, serves a number of open space functions.” Figure 5-1 fails to account for other open space areas that currently function as de facto components of the City’s open space network. Wildlife species do not distinguish between public and private open spaces, and many native species are incapable of surviving in a highly diminished, fragmented, and degraded landscape. Planning for the future necessarily involves considering the entire extant network of natural open spaces, public and private.</p>	See response to comment B3-15 above.

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	<p>Figures 3a–3d from the Hamilton Biological Resources Report, reproduced on pages 19–22 of this report, provide a practical and useful basis for characterizing the existing ecological conditions within Diamond Bar and its Sphere of Influence, without accounting for such distinctions as the boundaries of parklands or private lots. The EIR should incorporate these figures, and the accompanying Table A, which identifies appropriate Resource Conservation policy approaches for each substantial area of natural open space mapped in Figures 3a–3d.</p>	
B3-22	<p><u>MIS-MAPPING OF NATURAL COMMUNITIES</u> Figure 5-2 on page 5-11 of the DEIR is identical to Figure 3.3-1 on page 3-3-10 of the DEIR. As discussed at length previously in this letter, these maps grossly misrepresent the distribution of oak and walnut woodlands in Diamond Bar. Both maps must be corrected in the General Plan.</p>	See response to comment B3-9 above.
B3-23	<p><u>SUMMARY AND CONCLUSION</u> I appreciate the opportunity to provide these comments to the City of Diamond Bar regarding this important update to the General Plan. If you have questions, or wish to discuss any matters, please do not hesitate to call me at (562) 477-2181 or send e-mail to robb@hamiltonbiological.com.</p> <p>Sincerely, Robert A. Hamilton President, Hamilton Biological, Inc.</p> <p>316 Monrovia Avenue Long Beach, CA 90803 562-477-2181 robb@hamiltonbiological.com</p>	This comment is the closing of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Attached: Curriculum Vitae Proposed Amendments to Tree Protection Ordinance (10/31/19) Letter to Greg Gubman, City of Diamond Bar (2/21/29)</p> <p>Cc: Victoria Tang and Andrew Valand, CDFW Christine Medak, USFWS Robin Smith, Chair, Diamond Bar-Pomona Valley Sierra Club Task Force</p>	
B3-24	[Literature Cited]	This attachment is provided in support of comments B3-2 through B3-22, addressed above.
B3-25	[Curriculum Vitae]	This attachment is provided in support of comments B3-2 through B3-22, addressed above.
B3-26	[Proposed Amendments to Tree Protection Ordinance (10/31/19)]	This attachment is provided in support of comment B3-17, addressed above.
B3-27	[Letter to Greg Gubman, City of Diamond Bar (2/21/29)]	This attachment is provided in support of comments B3-2 through B3-22, addressed above.
B4-A	RESPONSIBLE LAND USE	
B4-A-1	<p>October 31, 2019</p> <p>Submitted via email to: GLee@DiamondBarCA.Gov</p> <p>Grace Lee, Senior Planner City of Diamond Bar 21810 Copley Drive Diamond Bar California 91765</p> <p>RE: Comments on Draft Environmental Impact Report, Diamond Bar General Plan and Climate Action Plan 2040</p>	This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.

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Comment ID	Comment	Response
	Dear Ms. Lee:	
B4-A-2	<p>Diamond Bar is a place we all call home, and we very much appreciate the opportunity to participate in this public process. Responsible Land Use (RLU) has reviewed the proposed Draft Environmental Impact Report (DEIR), Diamond Bar General Plan (DBGP), and Climate Action Plan 2040 (CAP). Attached to this letter is a table of our suggested edits, comments, and questions on the DEIR as well as our general comments, suggestions and concerns described here.</p> <p>In general, our members of RLU noted common issues and concerns:</p> <ul style="list-style-type: none"> • Proposed or Preferred Project was not described in the draft EIR • Reasonable alternatives were not discussed and described, or were erroneously written off as infeasible and not given further consideration, or • We noted errors and incomplete analysis in coverage of the CEQA criteria. • Alternatives described are infeasible due to assumptions that cannot be fully analyzed for impacts. • Subsequent release of language changes not reflected in existing DEIR or DBGP. • Significant impacts were not mitigated, and were considered un-mitigatable when reasonable and feasible alternatives could be proposed. 	<p>Comment acknowledged. See responses to comments B4-A-3 through B4-A-15 below.</p>
B4-A-3	<p>Proposed or Preferred Project was not described in the draft EIR</p> <p>The Executive Summary should have a general or high-level description of the Proposed Project and Community Core</p>	<p>The detailed Project Description in accordance with CEQA Guidelines Section 15124 is provided in DEIR Chapter 2. However, it is acknowledged that the omission of the four new Focus Areas in the Executive Summary makes it difficult to follow the summary comparison of alternatives on Pages ES-5</p>

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	<p>Overlay. The Alternatives are described, however, it is difficult to make a comparison to the Proposed Project to the other Alternatives on page ES-10. The document is making a determination that the Proposed Alternative is the Environmentally Superior Alternative, but because of the lack of a description it is unclear why. The EIR should be a stand alone document that does not rely on a description to be provided separately in the DBGP. In the final EIR, we request that a Project Description be provided in both the Executive Summary and Section 2.</p>	<p>through ES-7. To address this, the errata includes a brief description of the four new Focus Areas, which are cornerstones of the Proposed Project:</p> <ul style="list-style-type: none"> • Town Center Mixed Use • Community Core Overlay • Neighborhood Mixed Use • Transit-Oriented Mixed Use
B4-A-4	<p>Reasonable alternatives were not discussed and described</p> <p>Include a description of the existing Town Center Commercial Area at Diamond Bar Blvd and Grand with existing EIR mitigation measures and planning as a viable alternative--which is not the same as the No Project Alternative. Description of the existing town center utilizing the new EIR mitigation measure requirements and General Plan policies should also be a reasonable and feasible alternative for this CEQA analysis. In the context of comparing impacts, keeping the city center at Diamond Bar and Grand also has the potential to have less environmental impact as compared to your preferred alternative. For example, Vehicles Miles Traveled would be less, because it is more centrally located for DB residents in terms of travel to local areas business and therefore should be described. Also, compared to the Proposed Alternative the existing city center would not have a Community Core Overlay and would not be an impact to the golf course, which would make the existing City Center area a potentially environmentally superior to the Proposed Alternative. This alternative should be described and discussed as to why it does not meet the City's purpose and need as described in the EIR.</p>	<p>Under the CEQA Guidelines, an EIR need only evaluate a reasonable range of alternatives. (CEQA Guidelines section 15126.6(a), (c).) An EIR will not be found deficient simply because it excludes other potential alternatives from its analysis. (Cherry Valley Pass Acres & Neighbors v. City of Beaumont (2010) 190 Cal.App.4th 316, 354-355.)</p> <p>The Draft General Plan's Community Vision and seven Guiding Principles envision the "Town Center" concept to be a walkable, mixed-use downtown with urban amenities, as opposed to the suburban shopping centers that characterize the intersection of Grand Avenue and Diamond Bar Boulevard (i.e., the "town center" referenced in Comment B4-A-3).</p> <p>Section 2.2 of the Project Description identifies the implementation of the Guiding Principles among the Proposed Project's objectives. Guiding Principle No. 3 reads as follows:</p> <p>Create an inviting Town Center. Foster the development of a vibrant, pedestrian-oriented Town Center in Diamond Bar that serves as a place for Diamond Bar's residents to shop, dine, and gather.</p> <p>At its June 15, 2017 meeting, the General Plan Advisory Committee (GPAC) discussed the intersection of Grand Avenue and Diamond Bar Boulevard as a potential Town Center location. Although there was general agreement that</p>

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		<p>the concept of a Town Center at this intersection was attractive in the abstract, it was rejected as a feasible option, largely due to heavy volumes of regional traffic that would create barriers to walkability, and thus be unlikely to fulfill Guiding Principle No. 3. Because the concept of locating the Town Center at the intersection of Grand Avenue and Diamond Bar Boulevard had already been deliberated and ultimately rejected in a public forum, it makes little sense to reconsider the topic in the EIR.</p> <p>Additionally, it is conclusory to assert that a future Town Center at the intersection of Grand Avenue and Diamond Bar Boulevard would generate fewer vehicle miles traveled (VMT) than the Proposed Project’s Town Center location simply because the latter is less “centrally located.” Please note that the DEIR Alternatives Analysis found that Alternatives 1, 2 and the No Project Alternative also generated lower VMT than the Proposed Project (DEIR page 4-25), and were still determined to be environmentally inferior due to other factors analyzed in Chapter 4. Moreover, potentially lower VMT at the intersection of Grand Avenue and Diamond Bar Boulevard does not address the site’s failure to satisfy the Project objectives for a Town Center.</p>
B4-A-5	<p>Significant impacts were not mitigated, and were considered un-mitigatable when reasonable and feasible alternatives could be proposed</p> <p>We understand that impacts to Air Quality may be significant and un-mitigatable, however why does the City not suggest building standards and other reasonable mitigation that would at least contribute to reductions in air quality impacts? We disagree that there are no feasible mitigation measures. The City of Diamond Bar should propose mitigation measures that would reduce emissions even if it would not reduce those impacts to below significant thresholds. Planning requirements like LEED Building Certification or planning requirements that would include vehicle charging infrastructure would address these air quality impacts, as well as GHG emissions, and energy efficiency, and are feasible and cost effective mitigation.</p>	<p>Comment acknowledged. Promoting the increased use of vehicles that do not emit CO is a feasible mitigation measure that can be incorporated as a General Plan Policy. Proposed General Plan Policy CR-P-56 will thus read as follows and is incorporate in the FEIR Errata:</p> <p><i>Establish requirements to provide dedicated parking and charging stations for Electric Vehicles.</i></p> <p>As stated on Draft EIR page 3.2-5, CO is primarily emitted from combustion processes, with the majority of CO emissions generated from mobile sources (i.e., transportation). While a requirement for the construction of LEED-Certified buildings may have some level of CO reduction benefits, such benefits are not likely to be measurable. Green Building Codes and State laws removing regulatory and economic barriers to rooftop and parking lot solar</p>

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	The City of Long Beach has building codes regarding LEED building policies to reduce energy consumption and GHG emissions as well as EV Charging Infrastructure. Although, impacts may be less than significant or un-mitigatable, the city should provide policies or mitigation measures that reasonably reduce its carbon footprint.	power systems are likely to continue diminishing the marginal returns of LEED Certification.
B4-A-6	<p>“A significant amount of land in Diamond Bar would need to be converted to public parkland to reduce the impact to a level that is less than significant. Therefore, the impact remains significant and unavoidable.”</p> <p>We also disagree with this statement that the impact is unavoidable or unmitigatable. How does the Core Community Overlay address recreation opportunities sufficiently such that the City can be in alignment with the Quimby Act and meet its ratio of 5 acres per 1000 residents? According to LU-P-54, the City of Diamond Bar should consider other public uses for public agency lands, such as the county owned Golf Course. In the event that the County of Los Angeles wanted to make this land more broadly available to the general public for recreation, there should be a Community Park Overlay which identifies a use of the golf course to address the shortage of recreation lands to less than significant. Other options, should also be considered such as greater mitigation ratios (6 acres: 1000 residents) for new developments, or policies that create mitigation banks that specifically address and identify city opportunities for future recreation land development.</p>	<p>It is factual that Diamond Bar does not meet the current and proposed General Plan’s goal of 5 acres of park and recreation facilities for every 1,000 residents, and there is consensus that the City should continue to aspire toward this goal. This is not an area of controversy.</p> <p>Should Los Angeles County ever dispose of the golf course, Draft General Plan Policy LU-P-45 requires that approximately 100 acres be set aside for parkland. A repurposed golf course could thus serve 20,000 residents, and—based on the 2016 City population estimate of 57,081--raise the Citywide parkland ratio from 2.6 acres per 1,000 residents to 4.4 acres per 1,000 residents.</p>
B4-A-7	<p>Errors and Incomplete Analysis of the CEQA Criteria</p> <p>We noted that on page 1-4, Diamond Bar only listed a portion of the CEQA Criteria for the environmental analysis. This is not appropriate, the CEQA analysis does not just include what was received during the scoping period or an initial analysis. The CEQA analysis includes the</p>	The Notice of Preparation (NOP) for the DEIR was released on May 31, 2018 and was followed by a 30-day public review period that ran from June 7, 2018 through July 6, 2018, and a public scoping meeting at Diamond Bar City Hall on June 21, 2018. The NOP identified the 13 environmental factors having the potential to be affected by the Proposed Project, and which would be

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	<p>criteria listed in 2019 CEQA Appendix G Checklist of the California Environmental Quality Act Statutes and Guidelines such as Mineral Resources, Agriculture, Population and Housing, Public Services, Wildfire and Energy. There should be a discussion on these topics, are they considered significant or not and why and what mitigation measures are being proposed to mitigate significant impacts. Additionally, noise impacts under 3.10 of the Executive Summary Table is incomplete and topics under 3.11 Noise is an error and should be described as Public Services and Recreational impacts. Agriculture and Mineral Resources are also randomly discussed at the end of the table. Please revise this table organized based on the CEQA Checklist and address all the Appendix G items.</p>	<p>analyzed in the DEIR. A copy of the NOP is included as Appendix A to the DEIR.</p> <p>CEQA Guidelines Section 15128 states: “An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” The NOP sets forth the basis for not including a detailed analysis of agricultural, forestry and mineral resources in the DEIR in the following statement:</p> <p><i>Based on characteristics of the planning area, the following two topic areas will be included in the Effects Found Not to Be Significant section of the EIR: agriculture and forestry, and mineral resources. No agricultural activities or activities related to mineral resources occur within the Planning Area boundaries, and none of the properties are designated for agricultural use or as relevant for farmland or mineral resources by the State of California. Full documentation of the factual basis for this determination will be included in the EIR. Unless specific comments are received during the NOP public comment period that indicate a potential for the project to result in significant impacts, these less than significant effects will be addressed briefly in the EIR and “scoped out.” These topic areas are included at the end of Table ES-4 to reflect that they are indeed analyzed in the Draft EIR and concluded to have no impact.</i></p> <p>Impacts associated with Population are discussed in Chapter 5 due to their growth-inducing impacts. Impacts associated with housing are discussed in Chapter 3.9: Land Use and Housing. Impacts associated with Public Services are discussed in Chapter 3.11: Public Facilities and Recreation. Impacts associated with Wildfire are discussed in Chapter 3.7: Hazards, Hazardous Materials, and Wildfire. Impacts associated with Energy are discussed in Chapter 3.5: Energy, Climate Change, and Greenhouse Gases. These topic areas are organized into such chapters to consolidate relevant environmental settings, regulatory settings, and data. Each sub-chapter of Chapter 3 includes</p>

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		<p>the criteria listed in the 2019 CEQA Appendix G Checklist of the CEQA Statutes and Guidelines.</p> <p>Impacts listed under 3.10: Noise within Table ES-4 are indeed complete. The 2019 CEQA Appendix G Checklist as revised includes only three criteria (three criteria were revised and three were removed entirely in the most recent revisions to CEQA Appendix G, resulting in a total of three criteria for Noise). The heading for 3.11 within Table ES-4 is revised to 3.11: Public Facilities and Recreation in Chapter 4 of the Final EIR; however, the impacts for Chapter 3.11: Public Facilities and Recreation are accurate as written in the Draft EIR.</p>
B4-A-8	<p>DEIR Choice of alternatives are infeasible due to assumptions that cannot be fully analyzed for impacts</p> <p>The Golf Course Overlay is a contingency plan which, because of all the unknowns associated with its implementation cannot be fully analyzed at this time. Therefore, any attempt to incorporate specific areas of the Golf Course into the current general plan analysis meets the definition of infeasible in CEQA Guideline § 15364.</p> <p>Should the Golf Course land ever become available to the city, a specific plan to implement the overlay will be required, along with a separate EIR. Therefore, we question why General Plan Alternative 2 was incorporated as an Alternative in the DEIR. Alternative 2, as shown on Figure 4.2-3, and described on DEIR page 4-5, discusses a possible town center located in the southern portion of Diamond Bar’s Golf Course. It is interesting that DEIR author(s) chose this location as one of three alternatives because this land is currently owned by Los Angeles County.</p> <p>The ability for this particular location to become a truly viable DEIR alternative is dependent upon two undisclosed</p>	<p>Comment acknowledged. See response to B4-A-4.</p>

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	<p>assumptions. The two assumptions are: 1) The county will eventually close or reduce the size of the Golf Course. 2) The county will not require mitigation or compensation for the loss of a county property that provides a recreational service to the local community.</p>	<p>There are a number of reasons those assumptions may never come to pass, several of which are outlined below:</p> <ol style="list-style-type: none"> 1. It is impossible to predict at this time when and if the County will ever, or might ever, decide to discontinue Golf Course operations. 2. Two, the County has a general plan with its own parkland requirements to maintain. Specifically, on page 178, Los Angeles County’s general plan, Chapter 10, states: “As specified in P/R Policy 3.1, the County standard for the provision of parkland is 4 acres of local parkland per 1,000 residents of the population in the unincorporated areas, and 6 acres of regional parkland per 1,000 residents of the total population of Los Angeles County.” http://planning.lacounty.gov/assets/upl/project/gp_final-general-plan-ch10.pdf In order to maintain its own parkland requirements, the County might therefore reasonably decide to keep the land for itself and develop its own park in place of the Golf Course. One hundred and seventy some odd acres would make a nice regional County park. 3. Were the County to ever close the golf course, has there been any precedence set where the County of Los Angeles deeded lands without adequate compensation or mitigation for the loss in

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	<p>services? Indeed, for quite a number of years, any hope the city of Diamond Bar might have had of taking over the golf course property has been contingent upon the City providing another, fully developed, functioning golf course facility to the County in exchange. Should the county ever terminate golf course operation, it is therefore reasonable to fully expect the county to demand compensation in some as yet undetermined form in exchange for deeding the golf course property over to the city.</p> <p>4. It is also possible the County, might decide to use the property for County purposes other than recreation. As long as the County, being a governmental entity, uses the property for appropriate governmental purposes, those uses would not fall under the jurisdiction of Diamond Bar’s general plan. Diamond Bar would have no say in the County’s land use decision.</p>	
	<p>Question: given that the conversion of the Golf Course property was a condition of Alternative 2, why were the specific conditions, costs, environmental impacts, and required mitigations of obtaining the golf course property omitted from the DEIR?</p>	
	<p>Question: Please explain, in light of the above evidence, how the City justifies the inclusion of Alternative 2 as a viable Alternative.</p>	
	<p>All of the uncertainties, as offered by the evidence above, make fully analyzing the odds, details, costs and environmental impacts of Diamond Bar acquiring the Golf Course property “infeasible.” The uncertainty surrounding</p>	

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	<p>the acquisition of the property upon which Alternative 2 is based, therefore makes Alternative 2 “infeasible” to even consider as a viable alternative at this time.</p>	
	<p>CEQA Guideline §15364, “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.</p>	
B4-A-9	<p>It is important to note that, that the DEIR, on page 3.11-44, also came to a similar conclusion when it analyzed the potential for increasing parkland acreage the using the Golf Course property:</p>	<p>Comment acknowledged. See responses to comments B4-A-4 and B4-A-6.</p>
	<p>“The proposed General Plan includes several policies and land use changes aimed at increasing available and accessible parkland and open space. However, total parkland at buildout falls severely short of achieving the parkland ratio of 5.0 acres per 1,000 residents, and no mitigation is feasible that can make up this gap. Calculation of the parkland ratio does not include the 134.9 acres of parkland from the Country Park, which is a private amenity, or the proposed 100 acres of parkland associated with the Community Core Overlay, <u>given that Los Angeles County has not ceased operation of the golf course. Conversion of these two areas would increase the parkland ratio but is not feasible at the time of analysis.</u> A significant amount of land in Diamond Bar would need to be converted to public parkland to reduce the impact to a level that is less than significant. Therefore, the impact remains significant and unavoidable.”</p>	

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Question: please explain the internal DEIR’s internal discrepancy between the conversion of the Golf Course property as a condition to Alternative 2 and the statement on page 3.11-44, quoted above, that because the Golf Course has not ceased operation, conversion of the Golf Course property for additional parkland is not feasible at this time?</p>	
B4-A-10	<p>Lack of viable alternatives presented makes the DIER “fundamentally and basically inadequate”</p> <p>This DEIR presents only three alternatives. One, a no action alternative. Two, an appropriate alternative placing Diamond Bar’s future “downtown” at the existing Sprouts location. And three, “Alternative 2,” whose land acquisition issues were discussed above make it infeasible. Striking Alternative 2, from the DEIR document would leave only two alternatives.</p> <p>This is a problem. CEQA Guideline §15126.6 requires that: An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.</p> <p>Clearly, one alternative, besides a no action alternative, is not a “reasonable” set of alternatives. Attempting to analyze the project with only two alternatives, one of which being infeasible or status quo, makes it impossible for this DEIR to select an alternative which is environmentally superior.</p>	<p>Comment acknowledged. See response to comment B4-A-4.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Question: Given that CEQA Guideline § 15126.6 specifies that an EIR shall describe a range of reasonable alternatives to the project. How many alternatives does the city believe an EIR needs in order to be in compliance with this Guideline?</p>	<p>The fact that the city has failed under CEQA guidelines to present a “reasonable” number of alternatives therefore makes this DEIR subject to CEQA §15088.5 (a)(4). Recirculation of the DEIR is required when:</p> <p>The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game.)</p> <p>It is therefore incumbent upon the City to withdraw the current DEIR, replace it with a new version which includes a “reasonable” number of “feasible” alternatives, and then recirculate it according to CEQA §15088.5.</p> <p>Each of the alternatives should avoid or lessen one or more of the significant effects identified as resulting from the proposed general plan. A reasonable range of alternatives would typically include different levels of density and compactness, different locations and types of uses for future development, and different general plan policies. The alternatives should not all have the same level of impacts. This discussion of alternatives will enable environmental considerations to influence the ultimate design of the general plan.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B4-A-11	<p>General Plan Language Revisions during the public review period</p> <p>The General Plan Action Committee spent the last three years finding consensus on general plan policy and goal language with citizens, the city, and themselves. They gave their final, approved policy language to the city at their final meeting last March. The city then wrote the draft general plan using that language with minimal changes, and presented it, along with the DEIR, to the public for a 45-day comment period on Sept 16.</p> <p>Then, on September 25, in the middle of the comment period, Diamond Bar's City Council and Planning Commission held a joint "study" session. During that session, city council members complained the draft general plan language was not "flexible enough." They ordered the city manager to give them a revised language proposal which removed the word "require" from general plan policies, and "soften" any policy language which was "non-flexible." At the next "study" session on October 8, the city manager offered 40 or so pages of revised policy changes to the city council.</p> <p>The actual language revisions were not made public until 72 hours before the subsequent "study" session on October 8. The revisions, which were part of the second "study" session's agenda and staff report, were spread throughout all elements of the general plan document. All in all, over 170 policies were revised or deleted.</p> <p>One or two policy changes might be considered "insignificant." However, large numbers of "insignificant" changes, in this case, over 170, spread throughout the</p>	<p>Comment acknowledged. General Plan policies are not "optional." The proposed "softened" language is intended to allow a certain level of flexibility in the making of General Plan consistency determinations in light of all factors, as opposed to being compelled to conclude that a proposed project or action is inconsistent with the General Plan simply because one applicable policy is so inflexible that no other finding could be made, regardless of the overall merits of such project or action. Revisions to the policy language carry the same intent and applicability and do not have a material effect on the conclusions made in the Draft EIR.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>entire general plan document, easily add up to and meet CEQA guideline §15088.5's definition of "significant" change.</p> <p>It is unquestionably the right of the city council to amend general plan language. If the city planned on having "study" sessions which might include language revisions by the City Council, those study sessions should have occurred before placing the draft General Plane and EIR our for public review.</p> <p>Revising that much policy language in the middle of the 45-day comment period places the public, Responsible Agencies, Trustee agencies, and state, federal, and local agencies which may have jurisdiction over the project, in an impossible position for several reasons:</p> <p>1, besides being part of the draft general plan language, many of the policies revised are also found in the DEIR as important mitigation policies. DEIR comments, submitted before the adopted language revisions, were therefore made on the basis of mitigation policy language which no longer exists. Those commenters deserve the right and a reasonable amount of time, specifically another 45-day comment period, at the very minimum, in which to consider the import of the language revisions with respect to their comments, and change their comments as necessary.</p> <p>2, even for those few who might actually be aware of the general plan language revisions, and are considering making comments, evaluating mitigation measures potentially based upon 170 plus revised policies, which are</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>spread across the 691page DEIR document, is no trivial task. Especially when one must check every single general plan policy listed in the DEIR as a mitigation against the “study” session’s staff report to see which ones have, in fact, been revised. All of the extra effort required to sort out those language revisions places those individuals and agencies under an unreasonable burden during the few remaining days of the comment period. Those individuals and agencies deserve more time to wade through all of the confusion, specifically, another 45-day comment period to reconsider their comments.</p> <p>3, the city has made no effort to inform the public, and agencies who were not physically present at the second “study” session, that such a large number of general plan policy revisions were, in fact, made. No where, on the general plan’s website can one find the news that general plan policy and goal revisions have, in fact, been adopted. To the interested, but uninformed, web site visitor, the fact of those adopted language revisions would remain a mystery.</p> <p>Any reasonable individual would have expected the city to at least notify, according to California Public Resources Code § 21092.2, the affected agencies and the general public of the general plan language revisions. Those individuals deserve the right to make their own determination about whether or not the policy revisions are indeed, “insignificant.” This is especially so, considering the importance of the document in question: a brand new general plan, the first in over twenty years, with a projected life span to the year 2040.</p> <p>4, Adopting those language revisions during what was purported to be a “study” session in the middle of the</p>	

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>comment period was disingenuous. It is true that the city widely publicized the date and time of the “study” sessions. That said, many residents, especially those who had spent so much time involved in the general plan language creation process, took the title of the meetings, “study sessions,” to mean just that: study. They believed the sessions were intended to “study” the general plan and DEIR documents, and have the city staff explain the contents of those documents. No one who saw any of the “study” session announcement information ever dreamed that the city council would make such drastic language revisions during those “study sessions.”</p>	<p>The fact that such sweeping general plan policy revisions were adopted, in such an unexpected manner, with respect to the public’s and affected agencies’ expectations, in the middle of the public comment period, at a misidentified meeting, those facts, all this evidence, adds up to and meets the conditions of CEQA Guideline §15088.5 (Recirculation of an EIR Prior to Certification). That article should be, must be invoked according to CEQA Guideline §15086. The newly adopted language changes must be incorporated into the draft general plan and DEIR language, with all of the revisions clearly shown. The general plan, along with the entire DEIR must be then recirculated for another 45-day comment period.</p>
	<p>Finally, it should be noted, in this regard, that §15088.5 (e) specifically states: “a decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.” The fact that such evidence simply does not exist, should be enough, all by itself, to require the DEIR, with mitigation policy language revisions clearly</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	marked, to be recirculated according to the above statuses for another 45-day comment period.	
B4-A-12	<p>General Plan language revisions impact DEIR and CAP mitigations</p> <p>Impact 3.5-1 Implementation of the Proposed Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. (less than significant)</p> <p>We question the DEIR’s conclusion that the proposed project’s impact on climate change and greenhouse gases will have a less than a significant impact and does not require mitigation. The finding is based on the projected reductions that were calculated using the General Plan policies and CAP policies that were abruptly revised 3 weeks after publication of the DEIR. The DEIR maintains:</p> <p>The CAP, once adopted, will serve as a Qualified GHG Reduction Strategy,” enabling streamlined environmental review of future development projects, in accordance with CEQA. The future emissions inventory for the City of Diamond Bar incorporates reductions from State actions, General Plan land use and circulation systems, and additional General Plan Policies. This analysis shows the projected GHG emissions in 2030 and in 2040 will be well below the standards established in the 2017 CARB Scoping Plan. Thus, additional GHG reduction actions are not required for the City to have and maintain a Qualified GHG Reduction Strategy. (3.5-47)</p> <p>The tables presented in the CAP (3-12 to 3-19) provide quantified reductions in MTCO_{2e} to justify that the Project</p>	<p>Revisions to the General Plan policy language do not change the intent of these policies or significantly reduce their applicability in the Climate Action Plan modified emissions forecast. The Climate Action Plan uses the methodology outlined in the California Air Pollution Control Officers Association’s (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures report to quantify emissions reductions from the General Plan policies. For each category of policies, calculation of emissions reductions assumed the minimum percentage reduction in the range provided by CAPCOA. In multiple cases, the General Plan policies were not assumed to be mandatory or universally implemented. Therefore, the calculated reductions in MTCO_{2e} are still valid and revisions to the policies do not have any material effect on conclusions made in the CAP and Chapter 3.5.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>will meet regulatory targets. The CAP Table 3-8 which forecast GHG reductions attributes “the largest reduction from parking policies, followed by pedestrian improvement and increased connectivity, transportation improvements, electric vehicle infrastructure, traffic calming, and bikeway system improvements” (CAP 3-18).</p>	
	<p>However, it is not possible to fully analyze and fully verify the validity of these calculations in the narrow window of time since the policies were revised by the City Council at the October 8, 2019 Study Session. Properly evaluating the validity of the revised CAP is critical since “once adopted, [it] will serve as the Qualified GHG Reduction Strategy, enabling streamlined environmental review of future development projects in accordance with CEQA” (3.5-39). How is this still true after the changes in the relevant language? Will additional mitigation policies be provided to support streamlining the CEQA process?</p>	
	<p>A significant number of the recently revised general plan policies were cited (to improve walkability, reduce VMT, promote electric vehicle infrastructure, improve bikeways and calm traffic) to support this calculation. Here are some examples:</p>	
	<ul style="list-style-type: none"> • LU-P-17: Promote <u>Require</u> that site designs <u>that</u> create active street frontages and introduce pedestrian-scaled street networks and street designs. • LU-P-42: Avoid expanses of surface parking and require <u>encourage</u> the consolidation and location of parking to the rear or side of buildings where appropriate. • LU-P-48: Promote <u>Require</u> convenient, attractive, and safe pedestrian, bicycle, and transit 	

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>connections both within the Community Core area and between the Community Core and surrounding neighborhoods and other destinations within Diamond Bar.</p>	
	<ul style="list-style-type: none"> • CC-P-57: Improve <u>Promote</u> the pedestrian comfort and safety of crosswalks along South Brea Canyon Road and South Lemon Avenue. 	
	<ul style="list-style-type: none"> • CR-P-55: <u>Consider the establishment of</u> Incorporate common bicycle parking requirements for appropriate uses—including multifamily residential and office—in the Municipal Code. 	
	<ul style="list-style-type: none"> • CR-P-56: Establish requirements to provide <u>Encourage</u> dedicated parking and charging stations for electric vehicles. 	
	<ul style="list-style-type: none"> • RC-P-20: Require <u>Encourage</u> the implementation of the latest water conservation technologies into new developments. 	
	<ul style="list-style-type: none"> • RC-P-21: Require <u>Ensure builders developers to</u> provide information to prospective buyers or tenants within the City of Diamond Bar regarding droughttolerant planting concepts. 	
	<ul style="list-style-type: none"> • CHS-P-5: <u>As opportunities and resource become available,</u> implement street design features that facilitate walking and biking in both new and established areas. Require a minimum standard of these features for all new developments <u>where appropriate and feasible.</u> 	
	<ul style="list-style-type: none"> • CHS-P-14: <u>Encourage the development of</u> Develop <u>and incorporate</u> "destinations"—such as the clusters of commercial uses that draw residents from the entire community into the 	

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>Neighborhood Mixed Use, the Transit Oriented Mixed Use, and the Town Center focus areas.</p> <ul style="list-style-type: none"> • CHS-P-15 Establish opportunities for <u>Encourage the establishment of</u> gathering areas in new neighborhoods. • CHS-P-33 Plan <u>Encourage</u> land uses to reduce vehicle miles traveled (VMT), prioritizing infill development and incorporating vertical and horizontal mixed-use development, public transit, and active transportation facilities where appropriate, recognizing that the transportation sector is the largest source of GHG emissions in Diamond Bar and in California more broadly. • CHS-P-35 Use the City's CAP as the platform <u>when considering</u> for outlining and implementing measures to improve energy conservation and increase renewable energy use in existing and new development. 	
	<p>As we have noted in a previous document submission to the public record, according to the General Plan Guidelines developed by the Office of Planning and Research (OPR), “It is better to adopt no policy than to adopt a policy with no backbone.” (Office of Planning and Research. “General Plan Guidelines.” 382.)</p>	
	<p>In addition, for a policy to be counted towards “mitigating of a plan’s impacts,” it must be expressed as mandatory. (Office of Planning and Research. “General Plan Guidelines.” 382.)</p>	
	<p>The above changes lead us to specifically ask, what is the likelihood of these policies being implemented? How do</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	they support the CAP’s calculations that expected targets would be met? What additional mitigation policies could be provided if the targets are not met and the impacts become significant? After all, encouragement, consideration, and promotion are not enforceable forms of policy. They suggest a lack of commitment by the city to pursue these goals.	
B4-A-13	We also question the forecasted construction emissions that are “based on an expectation of a maximum of 10 percent of the total build-out area that could be potentially developed in any year” (3.5-28). What policies provide the foundation for this expectation? The DEIR also acknowledges that it is a “conservative estimate” and “projects would extend for more than one year, and therefore, would increase total project emissions” (3.5-29). In addition, the report acknowledges that “development anticipated by the Proposed Project could result in a significant impact, if the per capita emissions from the 2030 and 2030 (buildout) years exceed the reduction targets identified in the CAP” (3.5-33). With the revisions to the policy language, how is it certain that the city will achieve the projected targets? What mitigation measures will be provided since there is the possibility that impacts could become significant? Why not provide these at this point rather than assume it will not be necessary?	Construction emissions could be less significant than the “conservative” estimate for air quality emissions; i.e. here “to be conservative” assumes the worst-case construction scenario for emissions.
B4-A-14	Moreover, the DEIR assumes “implementation of the Proposed Project’s policies aimed at resource conservation and VMT reduction would reduce overall GHG emissions compared to existing conditions and would ensure that the City’s 2030 and 2040 levels of GHG emissions would not exceed the respective emission targets” (3.5-35). However, the same project has “the potential to convert oak woodland to developed areas” (3.538). The report identifies potential areas of development that would	The General Plan and Climate Action Plan do not propose any new development in areas that include oak woodland. New development is concentrated in four focus areas, three of which are already developed (development of the Community Core Overlay would occur on the Golf Course and would require an additional master plan and EIR). See Figure 3.9-3: Proposed Land Use Change Areas in the Draft EIR and Figure 3.3-1: Natural Communities included in Chapter 4 of the Final EIR. Should unmapped oak woodland occur in areas of new development, the acreage would be minimal but is unknown. As discussed in the Climate Action Plan, the 2040 GHG

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>disrupt woodland and that “for every acre of forest removed, an average of 0.85 MTCO₂ sequestration is lost” (3.5-35). Therefore, the DEIR should also calculate the amount of MTCO₂ sequestration the loss of mature trees could cost the city. We would also suggest including the trees in the Golf Course. Doing so would properly evaluate the benefit of these biological resources to the reduction of GHG and climate change.</p> <p>The DEIR’s claim that the impact would be less than significant relies on calculations in the CAP that were based on different policy language. As such, how would other responsible agencies be able to vet this claim is still true or provide well-informed comments since they may not be aware of the policy language changes made at the October 8th Joint Meeting? It would be reasonable to expect that the DEIR and General Plan/CAP (with its revisions clearly marked with strike-outs) should be recirculated for an additional comment period.</p> <p>Please explain how the organizations and agencies outlined in CEQA Guideline § 15086, who, because no specific announcement was made about the October 8th language revisions on Diamond Bar’s General Plan website, might reasonably be able to make informed comments as a result of the general plan language revisions.</p>	<p>emissions target is 4.0 MTCO₂e per capita per year, or 266,740 MTCO₂e per year. This target is used in the Draft EIR as a threshold to determine significance. Forecasted emissions under the General Plan land use and circulation system in 2040 would be 251,074 MTCO₂e per year assuming implementation of State actions and relevant General Plan policies cited in the CAP and Draft EIR. Given an average 0.85 MTCO₂e sequestration is lost per acre of forest removed, 18,430 acres of forest would need to be removed to exceed the threshold used in this analysis. The Planning Area encompasses 13,039 acres, of which 3,949 acres are designated as Parks and Open Space and 2,030 acres are designated as Vacant. 3,513 acres of the Planning Area are in the Sphere of Influence (SOI), which is designated as a Significant Ecological Area and limits new development. Therefore, while the amount of oak woodland that could potentially be converted under the General Plan is unknown, it is not extensive enough to result in a new significant impact and the claim is justified.</p>
B4-A-15	<p>Concerns expressed about the haste with which language revisions were made</p> <p>While we respect concerns about the need for appropriate general plan policy language flexibility, we believe the language balance has swung too far the other way. We urge that the Planning Commission and the City Council take the time to carefully consider and fully understand the value of strategically making the determination of where</p>	<p>Comment acknowledged.</p>

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	flexible language is appropriate, and specific language is needed. The General Plan document under consideration will guide the city for the next 20 years. We believe it is appropriate, nay imperative, that we take the time to rethink the hastily revised language, and other issues mentioned above, and then recirculate the draft General Plan and DEIR for another 45 days.	
B4-A-16	Thank you, for the opportunity to participate and comment on the DBGP, EIR and CAP. If you have any questions or comments on any of the comments provided, we are available to discuss or provide any clarifications. Sincerely, R Lee Paulson President	This comment is the closing of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.
B4-A-17	[Diamond Bar General Plan Update Website Homepage]	This attachment is provided in support of comments B4-A-11 and B4-A-15, addressed above.
B4-A-18	[Diamond Bar General Plan Update Website Documents Page]	This attachment is provided in support of comments B4-A-11 and B4-A-15, addressed above.
B4-B	RESPONSIBLE LAND USE	
B4-B-1	<u>Page ES-1</u> : The Executive Summary should have a general or high-level description of the Proposed Project and Community Core Overlay. The Alternatives are described, however it is difficult to make a comparison to the Proposed Project to the other Alternatives on page ES-10.	See response to comment B4-A-3.
B4-B-2	<u>Page ES-1</u> : There needs to be a description of the Proposed Project as a part of the Executive Summary.	See response to comment B4-A-3.
B4-B-3	<u>Page ES-1</u> : Question: Why was the general or high-level description of the Proposed Project and Community Core Overlay omitted from the DEIR?	See response to comment B4-A-3.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B4-B-4	<u>Page ES-1</u> : The document is making a determination that the Proposed Alternative is the Environmentally Superior Alternative, but because of the lack of a description it is unclear why.	A detailed Alternatives Analysis pursuant to CEQA Guidelines Section 15126.6 is provided in Chapter 4 of the Draft EIR. The purpose of the Executive Summary is to provide a “brief summary of the proposed actions and its consequences” (CEQA Guidelines Section 15123) as a roadmap to the EIR document as a whole.
B4-B-5	<u>Page ES-1</u> : Question: How does the city plan to create a clear description of why the Proposed Alternative is the Environmentally Superior Alternative?	See response to Comment B4-B-4.
B4-B-6	<u>Page ES-5</u> : Description of the existing town center utilizing the new EIR requirements should also be a reasonable and feasible alternative for this CEQA analysis. It may not be a preferred option for the City, but it is a reasonable and feasible alternative. Question: Why was the existing town center with existing EIR mitigation measures and planning not considered as a viable alternative?	See response to comment B4-A-4.
B4-B-7	<u>Page ES-5</u> : Also, in the context of comparing impacts, keeping the city center at Diamond Bar and Grand also has the potential to have less environmental impact as compared to your preferred alternative. For example, Vehicles Miles Traveled would be less, because it is more centrally located for DB residents in terms of travel to local areas business and therefore should be described. Question: Why was creating a city center at Diamond Bar Blvd and Grand not considered as a viable alternative for the DEIR?	See response to comment B4-A-4.
B4-B-8	<u>Page ES-5</u> : Also, compared to the Proposed Alternative there would not be an impact to the golf course, which would make the existing City Center area environmentally superior to the Proposed Alternative.	This comment introduces yet another suggested alternative: The Town Center at the intersection of Grand Avenue and Diamond Bar Boulevard combined with the deletion of the Community Core Overlay. Also see response to Comment B4-B-12.

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B4-B-9	<u>Page ES-7</u> : Another topic that was discussed in General Planning Meetings was the lack of recreational space for residents.	It is factual that Diamond Bar does not meet the current and proposed General Plan’s goal of 5 acres of park and recreation facilities for every 1,000 residents, and there is consensus that the City should continue to aspire toward this goal. This is not an area of controversy.
B4-B-10	<u>Page ES-8</u> : We disagree that there are no feasible mitigation measures. The City of Diamond Bar should propose mitigation measures that would reduce emissions even if it would not reduce those impacts to below significant thresholds. Planning requirements like LEED Building Certification or planning requirements that would include vehicle charging infrastructure would address these air quality impacts and are feasible and cost-effective mitigation. Question: We understand that impacts to Air Quality may be significant and un-mitigatable, however why does the City not suggest building standards and other reasonable mitigation that would at least contribute to reductions in air quality impacts?	See response to comment B4-A-5.
B4-B-11	<u>Page ES-10</u> : We agree with the DEIR on this. Any discussion about using Golf Course land for parks is, at this time, purely speculative. All that can be safely stated in the DEIR is that should the Golf Course land become available to the city of Diamond Bar, allocating a substantial portion of that site for parkland purposes should be seriously considered and part of the specific plan and EIR for the site.	Comment acknowledged.
B4-B-12	<u>Page ES-11</u> : Alternative 1 does not have a Community Core Overlay, and has less environmental impacts than the proposed project. Therefore, it is the Environmentally Superior Alternative.	The Alternatives analysis concludes that Alternative 1 is environmentally inferior to the Proposed Project expressly because it does not incorporate the Community Core Overlay. The basis for this conclusion is set forth in the DEIR under Section 4.4 (Environmentally Superior Alternative):

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Question: why has Alternative 1 been considered Environmentally inferior, given it has less environmental impacts than other alternatives?	Reduced development and population growth under Alternative 1 may slightly reduce impacts of the Proposed Project; however, implementation of Alternative 1 would not be sufficient to reduce significant and unavoidable impacts on air quality, historic resources, and VMT to a level that is less than significant. Additionally, differences in population, housing, and jobs growth can be partially attributed to differences in buildout methodology between the Alternatives and the Proposed Project. Most significantly, Alternative 1 would not include the Community Core overlay, which would require a master plan to ensure comprehensive implementation of reuse of the Golf Course should the County of Los Angeles choose to discontinue its operation. Implementation of the Community Core overlay would address the pervasive issue in the City of Diamond Bar, and Los Angeles County as a whole, of equitable access to parkland as it would require that at least 100 contiguous acres of the Golf Course be developed as public parkland. The southern portion of the Golf Course site would be developed as a mix of uses, including high-density housing, and would be relatively accessible by the Metrolink station. Given that the Proposed Project was originally based on Alternative 1, is generally found to be more compatible with the surrounding environment, and provides additional benefits through the Community Core designation, the Proposed Project is considered environmentally superior.
B4-B-13	<u>Page ES-11</u> : This also does not take into consideration a third alternative which could be implementation of the new environmental requirements for the existing city center at the intersection of Diamond Bar Blvd and Grand, which would have less impacts for VMT	See response to comment B4-B-7.
B4-B-14	<u>Page ES-11</u> : This statement is unclear. Question: why is the Preferred or Proposed Alternative’s Community Core Overlay is not fully analyzed for this alternative?	The General Plan 2040 & Climate Action Plan Environmental Impact Report is a program EIR. Page ES-1 of the DEIR (page ES-1) describes the purpose of a program EIR as follows: As a programmatic document, this EIR does not assess site-specific impacts. Any future development anticipated by the Proposed Project would be subject to individual, site-specific environmental review, as required by State law. This EIR represents the best effort to evaluate the Proposed Project given its planning

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>The conversion or loss of the County Golf Course would have to be mitigated for under existing county requirements. Therefore, the full connected actions and environmental impacts cannot be fully described in this analysis if there is no discussion of the impacts associated with the replacement for the existing golf course.</p> <p>The preferred alternative’s Community Core Overlay would have to undergo a separate CEQA analysis. It is premature to assume that the Preferred Alternative is Environmentally Superior to other Alternatives if the Community Core Overlay is not fully analyzed, both for the impacts to potential onsite resources or the associated mitigation for a golf course relocation.</p> <p>Question: why is the Preferred Alternative considered Environmentally Superior to other Alternatives if the Community Core Overlay is not fully analyzed, both for the impacts to potential onsite resources or the associated mitigation for a golf course relocation?</p> <p>Question: why is the language at the left even in the DEIR?</p> <p>Additionally, the General Plan describes Environmental Justice issues particularly exposure to pollution such as Ozone, Diesel, Traffic etc. The census tract that includes the Golf Course is very high for these elements in the CalEnviroScreen 3.0. Therefore, future residential development would cause greater exposure to these future residents and should be discussed in this document.</p>	<p>horizon through the year 2040. It can be anticipated that conditions will change; however, the assumptions used are the best available at the time of preparation and reflect existing knowledge of patterns of development.</p> <p>The above statement is consistent Section 15168 (Program EIR) of the CEQA Guidelines, to wit, subsection 15168(c): “Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.”</p> <p>As set forth in the Project Description (DEIR Chapter 2), the Community Core Overlay is a component of the Proposed Project, and has thus been analyzed to the extent required for a program EIR. The opportunity to perform a “site-specific environmental review” would be triggered if and when the County discontinues golf course operations (one of the prerequisites for implementing the Community Core Overlay Goals and Policies), at which time air quality, noise and other potential impacts will be evaluated and influence the planned location of residential and other sensitive uses within the planning area.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Question: Why was greater exposure to pollution such as Ozone, Diesel, Traffic etc, not discussed with respect to potential residential development in this area?	
B4-B-15	<u>Page ES-12</u> : There needs to be an existing City Center Alternative (Diamond Bar and Grand) that is different from the No Project Alternative. This is a reasonable alternative that has not been discussed but has the potential for being environmentally superior.	See response to comment B4-B-2.
	Question: what the existing City Center at Diamond Bar and Grand not considered as another alternative?	
B4-B-16	<u>Page ES-12</u> : Question: Are there no impacts associated with the eligible State Scenic Highway along Highway 57 in Tonner Canyon?	<p>Tonner Canyon is located within the SOI, and is presently under the jurisdiction of Los Angeles County. Although the SOI is a component of the Planning Area, the Draft General Plan recognizes the County’s Significant Ecological Area designation for Tonner Canyon, and does not propose any new land use designations in anticipation of the area eventually annexing into the City. The DEIR addresses the aesthetic setting of the Significant Ecological Area on page 3.1-7, which provides the basis for the No Impact determination:</p> <p>The County is also in the midst of updating its Significant Ecological Areas Ordinance (as of May of 2019). Significant Ecological Areas (SEAs) include land that is identified to hold important biological resources representing the wide-ranging biodiversity of the County, based on the criteria for SEA designation established by the General Plan and as mapped in the SEA Policy Map (Figure 3.1-3). As shown on this map, all of Diamond Bar’s Sphere of Influence is considered an SEA. The SEA Ordinance establishes regulations to conserve the unique biological and physical diversity of the natural communities within Significant Ecological Areas (SEA) by requiring development to be designed to avoid and minimize impacts on SEA Resources. The regulation of development in SEAs also seeks to preserve scenic resources.</p>
B4-B-17	<u>Page ES-12</u> : I did not find any reference to this source?	Dyett & Bhatia Urban and Regional Planners is the primary author of the DEIR. Table ES-3 is a summary of the impacts identified in Chapters 3 and 4 of the DEIR.
	Question: Where are the references to this source?	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B4-B-18	<u>Page ES-55/56</u> : The noise impacts under 3.10 of the Table is incomplete in that it does not include all the 2019 CEQA Appendix G Checklist Items.	CEQA Guidelines Appendix G is an optional template for the preparation of initial studies, not for the preparation of EIRs. The DEIR was prepared pursuant to CEQA Guidelines Sections 15120 et seq (Contents of Environmental Impact Reports). DEIR Chapter 3 provides a detailed assessment of potential impacts that could result from implementation of the Proposed Project.
B4-B-19	<u>Page ES-55/56</u> : Additionally, the items under 3.11 Noise is an error and should be described as Public Services and Recreational impacts. (see Appendix G of 2019 CEQA Checklist)	Comment acknowledged.
B4-B-20	<u>Page ES-57</u> : The criteria listed in the table only show three criteria, but the CEQA Checklist Appendix G includes six criteria. Therefore, this table is incomplete. Question: Why aren't the complete list of criteria in CEQA Checklist Appendix G included in the table referenced here?	See response to comment B4-B-18.
B4-B-21	<u>Page ES-57</u> : This is also incomplete. There are more criteria in Appendix G. Globally please review the entire checklist to complete the EIR analysis. Question: Why wasn't the entire list of criteria in Appendix G listed here?	See response to comment B4-B-18.
B4-B-22	<u>Page ES-59</u> : What is this? This table clearly attempts to identify the CEQA Appendix G Checklist. However, this section just throws Agriculture, Mineral Resources at the end randomly. Please revise this table to organize based on the CEQA Checklist and address all the Appendix G items, whether or	See response to comment B4-A-7.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	not there are significant impacts, and what mitigation measures are being proposed to mitigate those impacts. Why was this table formatted in a way that does not follow a similar format from the CEQA Checklist?	
B4-B-23	<p><u>Page 1-4</u>: This is not appropriate, the CEQA analysis does not just include what was received during the scoping period. The CEQA analysis includes the criteria listed in Appendix G and also includes Mineral Resources, Agriculture, Population and Housing, Public Services, etc. There should be a discussion on these topics, even though they are either no impacts or they are considered not significant.</p> <p>Question: why does the existing analysis only include those items mentioned in the Scoping Comments?</p> <p>Question: Why was a full CEQA analysis of all criteria not done here?</p>	See Responses to Comments B4-B-18 and B4-B-22.
B4-B-24	<u>Page 2-1</u> : Add pagination to enable comments.	Comment acknowledged that page numbering is not provided on the title page (Page 2-1) or on pages containing figures, which is consistent with the page numbering format throughout the DEIR. All other pages are numbered.
B4-B-25	<u>Page 2-1</u> : This section does not include a description of the Project. There is also no description of the project in the Executive Summary. The EIR should describe the Proposed Project without having to flip to the General Plan as a reference and description.	Chapter 2 comprises a Project Description pursuant to Section 15124 of the CEQA Guidelines.
B4-B-26	<u>Page 2-1</u> : Question: Why was a complete description of the Project placed in the Executive Summary?	CEQA Guidelines Sections 15120 et seq (Contents of Environmental Impact Reports) sets forth discrete criteria for the contents of the Executive Summary (CEQA Guidelines Section 15123) and the Project Description (CEQA Guidelines Section 15124). The Executive Summary and Project Description are thus presented within separate, eponymous chapters.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B4-B-27	<p><u>Page 1-6</u>: We ask for an opportunity to review and comment on the MMRP. It is important to understand the city's expectations of developers and the city's responsibility in compliance oversight to ensure that the Mitigation Measures are complied with.</p> <p>Question: To what extent will the public have the ability to review and comment on the MMRP?</p>	<p>The MMRP will be included in the Planning Commission and City Council agenda packets prepared in advance of the EIR certification and Proposed Project approval hearing dates.</p>
B4-B-28	<p><u>Page 2-1: Recommended Change</u>) <i>This EIR analyzes the proposed Diamond Bar General Plan 2040 (General Plan) and the proposed Diamond Bar Climate Action Plan (CAP), together referred to as the "Proposed Project." Under California Government Code Section 65300 et. seq., cities are required to prepare a general plan that establishes policies and standards for future development, circulation, housing affordability, and resource protection for the entire planning area. By law, a general plan must be an integrated, internally consistent statement of city policies. California Government Code Section 65302 requires that the general plan...</i></p> <p>Question: Why are the laws and regulations being used here in the Project Description?</p> <p>This is all being described in Chapter 1. Should move this statement into Chapter 1 and include a Project Description.</p>	<p>This is an editorial commentary unrelated to the environmental analysis, and is acknowledged. See response to comment B4-B-26 regarding the location of the Project Description.</p>
B4-B-29	<p><u>Chapter 3.10</u>: There needs to be a map identifying the obvious noise sensitive receptors: schools, hospitals, places of worship. This would be feasible to do in this document, but an analysis for a project should also be done at the time of a proposal to the planning commission if there are any sensitive receptors within a reasonable radius.</p>	<p>Typically, a map identifying noise sensitive receptors is provided at the project-level to illustrate the distance between the receptors and the project's noise generating construction and operation activities. As this General Plan Update EIR is at the program-level for future development, the potential noise sensitive receptors would potentially be any of the receptors. Therefore, for this program-level EIR it is sufficient to list the types of receptors that are noise sensitive (residences, schools, churches, hospitals)</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Question: where is the map that identifies the obvious noise sensitive receptors?	but not locate every receptor on a map, as not all maybe in proximity to be impacted at the project-level.
B4-B-30	<u>Page 3.10-9</u> : Question: At what time of day are these noise levels assumed?	Table 3.10-1 lists the Community Noise Equivalent Level (CNEL) readings for the identified roadway segments. DEIR page 3.10-5 defines CNEL to be the average noise level over a 24-hour period: The Community Noise Equivalent Level (CNEL) is the average A-weighted noise level during a 24-hour day that includes an addition of 5 dB to measured noise levels between the hours of 7:00 a.m. to 10:00 p.m. and an addition of 10 dB to noise levels between the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively. For an explanation of A-weighting, please refer to DEIR page 3.10-2.
B4-B-31	<u>Page 3.10-30</u> : The noise contours should include the freeways. The freeways are the loudest and constant source of noise in the City. Question: Why are the freeways not included in this section’s analysis?	Existing and future traffic noise contours were estimated based on traffic volumes for roadway segments provided by the project traffic consultant, which did not provide volumes for the freeways. Traffic volumes are used to estimate the distances of reference noise contour lines in CNEL from each roadway; however, the estimate is based only on the noise generated by traffic volumes, with no site specific consideration of localized barrier attenuation such as intervening topography and barriers. Therefore, these noise contours are not used for site specific impact analysis of existing and future traffic noise levels at receptors, but they provide a visual characterization of the extent (distance) of traffic noise levels at distance from roadways.
B4-B-32	<u>Page 3.10-32</u> : Please ensure that the map also includes the freeways as well. This Proposed General Plan will need to take into consideration freeway improvements and reasonable mitigation such as sound walls as mitigation. Question: Will the final EIR ensure the map also includes the freeways?	See responses to comments B4-B-31 and B4-B-33.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B4-B-33	<p><u>Page 3.10-32</u>: Question: Will the final EIR take into consideration freeway improvements and reasonable mitigation such as sound walls?</p>	<p>With the adoption of General Plan policies PS-P-45 through PS-P-52, potential noise impacts will be less than significant. Please refer to Policies PS-P-49 and PS-P-50 regarding the preparation of noise analyses and the construction of noise barriers to mitigate project-specific noise impacts.</p>
B4-B-34	<p><u>Page 3.10-32: Recommended Change</u> <i>Mitigation Measure: In areas identified as Noise Sensitive Receptors, such as schools, hospitals and places of worship measures to mitigate noise generated that exceed XX will include measures such as sound barriers or other methods to reduce noise generation below significant levels.</i></p> <p>From another EIR:</p> <p><i>The following are typical practices for construction equipment selection (or preferences) and expected function that can help reduce noise. Pneumatic impact tools and equipment used at the construction site would have intake and exhaust mufflers recommended by the manufacturers thereof, to meet relevant noise limitations. Provide impact noise producing equipment (i.e., jackhammers and pavement breaker[s]) with noise attenuating shields, shrouds or portable barriers or enclosures, to reduce operating noise. Line or cover hoppers, storage bins, and chutes with sound-deadening material (e.g., apply wood or rubber liners to metal bin impact surfaces).</i></p> <p><i>Provide upgraded mufflers, acoustical lining, or acoustical paneling for other noisy equipment, including internal combustion engines. Use alternative procedures of construction and select a combination of techniques that generate the least overall noise and vibration. Use construction equipment manufactured or modified to reduce noise and vibration emissions, such as: Electric instead of diesel-powered equipment. - Hydraulic tools</i></p>	<p>The suggested mitigation language can be found in numerous EIRs and Mitigation Monitoring and Reporting Programs (MMRPs), and are more suited to project-level documents. Draft General Plan Policy PF-P-49 sets forth site-specific noise analyses for the purpose of developing tailored noise mitigation measures for noise-sensitive uses and any other “development proposals where project noise exposure would be other than normally or conditionally acceptable as specified in Table 7-10 (of the General Plan).”</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p><i>instead of pneumatic tools. - Electric saws instead of air- or gasoline-driven saws.</i></p> <p>No mitigation is offered for Noise Sensitive Receptors such as schools and places of worship. Below on page 3.10-33 you state no mitigation measures are required.</p> <p>We have offered additional mitigation measure language that can reasonably reduce noise impacts around residents and noise sensitive receptors.</p>	
B4-B-35	<p><u>Page 3.10-13</u>: Question: At what levels are construction vibration noises impacting structures, and what mitigation is recommended?</p>	<p>Construction equipment and activities varying vibration levels, as shown in EIR Table 3.10-12, in which vibration levels dissipate rapidly with distances of approximately 50 -100 feet to a level less than Caltrans and FTA vibration criteria for damage to structures (depending upon the building materials of the structure). EIR Table 3-10-15 provides FTA criteria for vibration threshold levels for various structurally constructed building materials, and the distances at which these varying vibration levels would not be exceeded. Project-level analysis would determine potential vibration impacts to structures depending upon the type of construction equipment operating, the distance from structures, and the structural strength of the structures based on their building materials.</p>
B4-B-36	<p><u>Page 3.10-13</u>: Look at Caltrans 2013 Vibration Guidance Manual as a reference.</p>	<p>Comment acknowledged. The EIR utilized and references FTA vibration criteria (FTA 2018), which Caltrans utilizes in their vibration guidance. Therefore, FTA and Caltrans vibration criteria is similar.</p>
B4-B-37	<p><u>Page ES-16</u>: We noted that CR-P-56 was modified since the draft EIR was released for public comment. Globally we recommend all edits that were implemented after the draft EIR release be documented similarly so that the public is aware of any edits that occurred.</p>	<p>All proposed revisions to the General Plan policy language are incorporated in Chapter 4 of the Final EIR.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Question: will all edits which were implemented after the draft EIR release be documented as they were in the Study Session Staff Report?	
B4-B-38	<u>Page ES-16</u> : We strongly suggest that the language for CR-P-56 be retained as originally written.	See response to comment B4-A-5.
	Question: Will the language for CR-P-56 be reconsidered in light of evidence presented below?	
B4-B-39	<u>Page ES-16</u> : The implementation or installation of electrical infrastructure is reasonable if built into the cost of construction for new business and parking lots. However, businesses are reluctant to install charging station infrastructure after parking lot completion because of the cost of tearing up the parking lot and getting separate permits for installation. Other cities, such as the City of Long Beach, have implemented policies or ordinances that required planning for this type of electrical vehicle infrastructure as part of the permitting process. Similarly, the City of Diamond Bar should include the requirement of LEED Certification or equivalent to encourage energy efficiency and reduction of GHG for new construction. Question: Will the city include the requirement of LEED Certification or equivalent to encourage energy efficiency and reduction of GHG for new construction?	See response to comment B4-B-10.
B4-B-40	<u>Page ES-16</u> : The Community Overlay if implemented to include high density housing would occur in an area already deemed an area of high-level pollutant impacts along the 60 and 57 freeway, please refer	See response to comment B4-B-14

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>to the CalEnviroScreen 3.0 for this Census Tracts in this area. Certain elements like diesel emissions are already at very high levels, with the City of Industry Census tract 6,037,403,312 already at a Pollution Burden Level of 93%.</p> <p>Question: Will the final EIR take the above evidence into consideration, should the Community Overlay still be seriously considered in that document?</p>	
B4-B-41	<p><u>Page 3.2-10: Recommended Change</u> (page 3.2-10) <i>California Air Resources Board (GARB)</i></p> <p>Was this supposed to be CARB? Also fix citation at bottom of table.</p>	CARB is the correct acronym. Unable to locate the noted typographical error in the DEIR.
B4-B-42	<p><u>Page 3.2-15:</u> Within this paragraph you mention the types of sensitive receptors such as schools, long-term care facilities. These entities do exist, and since you mention them, it is feasible to identify them. Particularly public schools. You also have identified development areas in your planning for land use changes or future development, therefore it would be feasible and practical to identify those sensitive resources in the vicinity of areas proposed for land use changes (eg. schools near high density residential).</p> <p>Question: Will the final EIR document identify and map sensitive receptors such as schools, long-term care facilities?</p>	See response to comment B4-B-29.
B4-B-43	<p><u>Page 3.2-19:</u> Question: What are you showing here? This table is incomplete and does not show any data.</p>	Table 3.2-4 shows the California Ambient Air Quality Standards and National Ambient Air Quality Standards for ozone, nitrogen dioxide, carbon monoxide, sulfur dioxide, particulate matter, lead, visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. Table 3.2-4 provides the maximum allowable concentration and method for determination for commonly used time periods such as 1-hour concentration, 8-hour concentration, and annual

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
B4-B-44	<p data-bbox="352 402 993 565"><u>Page 3.2-32/37</u>: These are good goals to try and achieve in the City’s General Plan. The following LU and CRs do provide the appropriate language: LU-G-4; LU-G-9; CR-P-33; CR-P-56; RC-P-28; RC-P-33;RC-P-34; RC-P-35 and others.</p> <p data-bbox="352 613 993 768">However, not all of these General Plan Policies relate to reduction of air quality impacts, such as RC-P-19. It is not clear that this is a General Plan Policy that improves air quality. Or is it possibly a measure to reduce increased pressure on Utilities?</p>	<p data-bbox="1031 293 1900 386">arithmetic mean. Where dashes are provided, no standard exists. The table is not intended to show data; rather, it is intended to consolidate air quality standards that are referenced in the analysis of Chapter 3.2.</p> <p data-bbox="1031 396 1900 488">Comment acknowledged. Policy RC-P-19 is included to reduce increased pressure on utilities. As recommended by the comment, policy RC-P-19 is struck out from this chapter in Chapter 4 of the Final EIR.</p>
B4-B-45	<p data-bbox="352 786 993 911"><u>Page 3.2-35: Recommended Change</u> (RC-P-30): Ensure Require that new development projects are designed and implemented to be consistent with the South Coast Air Quality Management Plan.</p> <p data-bbox="352 959 993 1154">The language to ensure puts the onus on the Planning Commission to check with AQMP. Requiring that the development project has to comply with SCAQMD puts the requirement on the developer and not the Diamond Bar Planning Commission.</p> <p data-bbox="352 1203 993 1295">Question: Does the city agree that it is incumbent upon developers to design and implement project consistent with the South Coast Air Quality Management Plan?</p> <p data-bbox="352 1344 993 1401">Question: Therefore, is it reasonable to require them to do that?</p>	<p data-bbox="1031 786 1900 837">Comment acknowledged. Recommended policy language to remain as initially drafted.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
B4-B-46	<p>Question: Will the final EIR change the general plan language back to its original form? If not, how will this affect the Planning Commission?</p> <p><u>Page 3.2-35: Recommended Change</u> RC-P-33. <u>New development projects are required to Consult with SCAQMD when siting new facilities with dust, odors, or Toxic Air Contaminant (TAC) emissions to avoid siting those facilities near sensitive receptors and avoid siting sensitive receptors near sources of air pollution. Require proposed land uses that produce TACs to incorporate setbacks and design features that reduce TACs at the source to minimize potential impacts from TACs. For new or modified land uses that have the potential to emit dust, odors, or TACs that would impact sensitive receptors require the business owners to notify the SCAQMD, and residents and businesses adjacent to the proposed use prior to business license or building permit issuance. (New from SCAQMD Guidance)</u></p> <p>This language should put the requirement on the developer to consult and provide that documentation with the Planning Commission regarding their consultation with the SCAQMD. It is not clear who, the City of DB or the developer must consult with the SCAQMD.</p> <p>Question: Is it not reasonable to require developers to consult with SCAQMD when siting new facilities with dust, odors, or Toxic Air Contaminant (TAC) emissions to avoid siting those facilities near sensitive receptors?</p> <p>Question: Will the EIR final draft then require this? How?</p>	<p>Comment acknowledged. The recommended language for Policy RC-P-33 (now RC-P-29) is revised in the Public Hearing Draft General Plan and Chapter 4 of the Final EIR as follows:</p> <p>RC-P-3329. <u>Ensure that project applicants consult with SCAQMD when siting new facilities with dust, odors, or Toxic Air Contaminant (TAC) emissions to avoid siting those facilities near sensitive receptors and avoid siting sensitive receptors near sources of air pollution. Require proposed land uses that produce TACs to incorporate setbacks and design features that reduce TACs at the source to minimize potential impacts from TACs. For new or modified land uses that have the potential to emit dust, odors, or TACs that would impact sensitive receptors require the business owners to notify the SCAQMD, and residents and businesses adjacent to the proposed use prior to business license or building permit issuance. (New from SCAQMD Guidance)</u></p> <p><u>Examples of facilities that may emit TACs as identified by the SCAQMD include dry cleaners, gas stations, auto body shops, furniture repair shops, warehouses, printing shops, landfills, recycling and transfer stations, and freeways and roadways. Refer to SCAQMD guidance for the most current list of facilities that may emit TACs</u></p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B4-B-47	<p><u>Page 3.2-35</u>: Also, the sensitive receptors should be identified, where feasible in this document so that it can be determined whether the newly provided land use changes would potentially impact sensitive receptors such as schools. This language is pushing that requirement on a case by case basis without the opportunity to comment here. Also, this is left to the developer to determine where there are sensitive receptors. However, it is feasible to identify existing sensitive receptors in 2020. Also, knowing where the known sensitive receptors exist will assist the Planning Commission determine whether notification to the SCAQMD is required.</p>	See response to Comment B4-B-29.
B4-B-48	<p><u>Page 3.2-33</u>: We like this statement. This says that every project needs to go through some sort of consistency review to ensure that it meets compliance with AQMP. (AQMD?)</p>	Comment acknowledged. See Draft EIR page 3.2-21 regarding SCAQMD’s Air Quality Management Plans (AQMPs), particularly the 2016 AQMP.
B4-B-49	<p><u>Page 3.2-37: Recommended Change</u> <i>Mitigation Measures With the implementation of the Proposed General Plan Policies, impacts are less than significant and therefore additional mitigation measures are not None required.</i></p>	The paragraph preceding the listing of Goals and Policies, commencing on page 3.2-34, is substantially similar to the proposed language in this comment.
B4-B-50	<p><u>Page 3.2-37</u>: The General Plan Policies are proposed measures to address impacts and reduce impacts to Air and GHG emissions.</p> <p>However, many policies are now worded as optional rather than mandatory to implement. Question: How will the revised policies, which have been softened, still qualify as mitigations for impacts to AIR and CHG emissions under CEQA?</p>	General Plan policies are not “optional.” The proposed “softened” language is intended to allow a certain level of flexibility in the making of General Plan consistency determinations in light of all factors, as opposed to being compelled to conclude that a proposed project or action is inconsistent with the General Plan simply because one applicable policy is so inflexible that no other finding could be made, regardless of the overall merits of such project or action.
B4-B-51	<p><u>Page 3.2-37: Recommended Change</u> <i>Require all off-road diesel equipment greater than 50 horsepower (hp) used for this Project to meet <u>current USEPA standards, which are</u></i></p>	Comment acknowledged. The revised language proposed in the comment is added to MM-AQ-1 and included in Chapter 4 of the Final EIR and MMRP.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p><i>currently</i> Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including a California Air Resources Board certified Level 3 Diesel Particulate Filter (DPF) or equivalent. This DPF will reduce diesel particulate matter and NOX emissions during construction activities.</p> <p>This mitigation measure should reflect the changing standards for USEPA from 2020-2040.</p> <p>Question: How does the city plan to make this mitigation measure reflect the changing standards for USEPA from 2020-2040?</p>	
B4-B-52	<p><u>Page 3.2-37</u>: It is not clear how this measure addresses air quality impacts. Is this meant for reduction of impacts of water use?</p> <p>Question: How does this measure address air quality impacts?</p> <p>Is this instead meant for reduction of impacts of water use?</p>	<p>Comment acknowledged. Policy CHS-P-57 is included to reduce increased pressure on utilities and water use. As recommended by the comment, policy CHS-P-57 is struck out from this chapter in Chapter 4 of the Final EIR.</p>
B4-B-53	<p><u>Page 3.3-1</u>: Formatting issues with the table.</p>	<p>Comment acknowledged.</p>
B4-B-54	<p><u>Fig. 3.3-2</u>: Brea Canyon that is referenced on page 3.3-8 as it leaves the channel in the City of Diamond Bar and enters the SOI is not identified in figure 3.3-2. Nor is the channelized portion of the creek.</p> <p>Question: How will the EIR final draft fix this oversight?</p>	<p>Figure 3.3-2 is revised to show Brea Canyon Channel and included in Chapter 4 of the Final EIR.</p>
B4-B-55	<p><u>Page 3.3-12</u>: Recommended Change) United States Fish and Wildlife Service (USFWS) designated critical habitat for</p>	<p>Comment acknowledged. The revised language proposed in the comment is added and included in Chapter 4 of the Final EIR.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p><i>listed plant or wildlife species does not occur within the Planning Area. The nearest critical habitat for the Coastal California gnatcatcher is located within the <u>southwest corner of the SOI and extends through the Puente-Chino Hills Wildlife Corridor in the City of Puente Hills-located to the southwest of the SOI.</u></i></p> <p><i>Additional critical habitat for the Coastal California gnatcatcher is located within the City of Walnut <u>and within Chino Hills State Park</u> but is not adjacent to the Planning Area boundaries.</i></p> <p>Modified the existing language to be more descriptive of where known CAGN Critical Habitat exists. A map would be more helpful.</p>	
B4-B-56	<p><u>Page 3.3-45: Recommended Change) Promote <u>Require</u> the use of native and drought-tolerant vegetation in landscaping, site stabilization and restoration where practical <u>to prevent the spread of invasive plant species into natural open spaces.</u></u></p> <p>The EIR acknowledges that the spread of invasive species can take over or outcompete native vegetation. Therefore, the requirement should be clear that native seed mixes or plantings should be used in both landscaping, site stabilization for SWPPP, and revegetation purposes.</p> <p>Question: How will the EIR final draft clarify this requirement with the proposed language changes or the equivalent?</p> <p>Also, the statement should be clearer to the developer what is expected of them and why.</p>	<p>Comment acknowledged. Proposed General Plan Goal RC-G-6 is revised as follows and is included in Chapter 4 of the Final EIR:</p> <p>Utilize native and drought-tolerant vegetation in landscaping, site stabilization and restoration where practical to prevent the spread of invasive plant species into natural open spaces</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>Question: Will the EIR final draft clarify what is expected of the developer in this requirement? How?</p> <p>Although the language of where practical is included for flexibility, native vegetation should be considered first.</p>	
B4-B-57	<p><u>Page 3.3-45: Recommended Change) Require, as part of the environmental review process, prior to approval of discretionary development projects involving parcels within, adjacent to, or surrounding a significant biological resource area, a biotic resources evaluation of the site by a qualified biologist; <u>Focused plant surveys shall be conducted at the appropriate time of year, and local reference populations checked to ensure detectability of the target species. requiring that time-specific issues such as the seasonal cycle of plants</u> Wildlife shall also be evaluated by a qualified biologist through appropriate survey or trapping techniques necessary to determine presence. <u>and migration of wildlife are evaluated.</u> Such evaluation shall analyze the existing and potential natural resources of a given site <u>following at least one site visit as well as the potential for significant adverse impacts on biological resources. The report and shall identify measures to avoid, minimize, or mitigate any impacts to species that have been observed or have the potential of being present on the site. that would degrade its healthy function.</u> In approving any permit based on the evaluation, the City shall require implementation of mitigation measures supported by the evaluation, or work with the applicant to</u></p>	<p>Comment acknowledged. Proposed General Plan Policy RC-P-9 is revised as proposed by the commenter and is included in Chapter 4 of the Final EIR.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p><i>modify the project if mitigation is determined not to be adequate to reduce the impacts to a non-significant level.</i></p>	
	<p>We suggest language that is clear on the steps needed to be able to adequately identify sensitive resources and proposal of measures specifically that would avoid, minimize or mitigate impacts to species present or potentially present. These requirements are common on most development projects in areas impacting potentially sensitive habitats.</p>	
	<p>Question: How will the EIR final draft clarify the language here with the proposed revisions or the equivalent?</p>	
	<p>Question: If the final EIR does not plan to clarify the language here with the proposed revisions or the equivalent, what are the city’s reasons for not doing so? That is, by deciding not to clarify the language, is the city suggesting that adequately identifying sensitive resources and proposal of measures specifically that would avoid, minimize or mitigate impacts to species present or potentially present not important?</p>	
B4-B-58	<p>Page 3.3-47: Recommended Change) MM-BIO-1A: <i>To the extent feasible the preconstruction surveys shall be completed when species are in bloom, typically between May and June and reference populations checked. Two species, the white rabbit-tobacco and San Bernardino aster, are perennial herbs that grow up to three feet in height and can be identified by their dried stalks and leaves following their blooming period.</i></p>	<p>Comment acknowledged. The commenter’s recommended revision to Mitigation Measure MM-BIO-1A is added to Chapter 4 of the Final EIR and is included in the MMRP.</p>
	<p>Suggest adding language on checking reference populations. This will ensure accuracy of detecting the</p>	

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>target species. This requirement is not burdensome and often can be determined by a phone call to a local botanist or checking websites and providing that documentation.</p> <p>Question: will the final EIR draft include the revised language suggestions to ensure accuracy of detecting the target species?</p>	
B4-B-59	<p>Page 3.3-47: Recommended Change) MM-BIO-1B: <i>At a minimum, the plan shall include a description of the existing conditions of the project and receiver site(s), transplanting and/or seed collection/off-site seeding or installation methods, an <u>adaptive</u> two-year monitoring program, any other necessary monitoring procedures, plant spacing, and maintenance requirements. <u>In the event, that the City of DB determines that agreed success criteria are not met, additional remediation may be required beyond the two-year maintenance/monitoring period to ensure mitigation requirements are met.</u></i></p>	<p>Comment acknowledged. The commenter’s recommended revision to Mitigation Measure MM-BIO-1B is added to Chapter 4 of the Final EIR and is included in the MMRP.</p>
	<p>We believe that there needs to be assurance that the developer has met obligations. In the two years of monitoring, there should be adaptive management of the site to ensure success. If the mitigation measure conditions are not met in the established two-year timeframe, it should be the developer’s obligation to meet those mitigation measure requirements. If it is not clear to the developer on what the requirements are, the City of Diamond Bar risks being the responsible party for the additional restoration expense, or the establishment of exotic weed species that could exacerbate the potential for wildfire.</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Question: will the EIR final draft ensure that if the mitigation measure conditions are not met in the established two-year time frame, that it will be the developer's obligation to meet those mitigation measure requirements?</p> <p>Question: if the answer to the above question is yes, how, specifically, will the EIR final draft ensure this?</p>	
B4-B-60	<p><u>Page 3.3-53</u>: Can this MM BIO-4 align with the City of Diamond Bar Municipal Code, Chapter 22.38 - Tree Preservation and Protection? (Page 3.3-38) There are described restoration ratios that are inconsistent with BIO-4. We believe the ratios described are more reasonable biologically.</p> <p>Question: will this also reference the Oak Woodland Protection Act 2016?</p> <p>If the answer to the above question is no, why not?</p> <p>There are several examples of city documents that reference oak tree mitigation ratios based on diameter at breast height and the ratio of replacement.</p> <p>We request an ordinance or policy for a no net policy of trees for the city. A sufficient ratio for tree replacement based on size or canopy cover should be established. Please consult references such as Urban Forestry Program Manual. Or suggest elements in a MM on elements that need to be addressed in an ordinance to enable this MM to mitigate impacts to less than significant.</p>	<p>DBMC Chapter 22.38 will be updated to conform to MM BIO-4. The ordinance revising DBMC Chapter 22.38 will be subject to public hearings before the Planning Commission and City Council, and the Oak Woodland Protection Act of 2016 and other relevant input will be considered in the drafting of the ordinance.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
B4-B-61	<p>Although RC-P-10 - development of a mature native tree ordinance. We should request to review and comment on the measures in that ordinance.</p> <p><u>Page 3.3-48: Recommended Change) MM-BIO-1D: The City shall implement an Environmental Awareness Training Program on its web site intended to increase awareness to developers, residents and city workers of the sensitive plants, wildlife and associated habitats that occur in the preserved open space areas. The intention purpose of the program shall be to inform developers, city workers and residents. The program shall address safety, environmental resource sensitivities and impacts associated with the introduction of invasive plant species as a result of new development. At a minimum, the Environmental Awareness Program shall include the following components:</u></p> <p>encourage <u>Provide, on the City website, information about proactive conservation efforts among for the residents and city to help conserve the habitats in the preserved open space. The program shall address impacts associated with the introduction of invasive plant species as a result of new development. At a minimum, the Environmental Awareness Program shall include the following components:</u></p> <p>This language reads as voluntary.</p> <p>Question: What requirements will there be for City Workers or Developers to review the online program?</p> <p>We recommend that an Environmental and Safety Awareness Training be developed that is tailored and specific to each project based on resource or safety</p>	<p>Comment acknowledged. “Developers” has been added as being subject to the Environmental Awareness Program in MM-BIO-1D in Chapter 4 of the Final EIR.</p> <p>Proposed improvements, such as trails, will be subject to General Plan Goals and Policies, the mitigation measures set forth in the FEIR and project-specific CEQA review. It is not reasonable or feasible to compel residents to participate in a training program as proposed. The first bullet point under Mitigation Measure 3.3-48 imposes reasonable requirements to increase environmental awareness.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>concerns. It would be the responsibility of the contractor or developer to ensure that the workers have taken the awareness training and provide documentation if requested by the City of Diamond Bar.</p> <p>Question, given the need for all individuals at all levels of responsibility to be trained, will the city make the proposed language revisions?</p> <p>Question: if the answer to the above question is no, what are the reasons for that decision?</p>	
B4-B-62	<p><i>Page 3.3-48: Recommended Change) MM-BIO-D: For informational purposes, The City shall provide future project applicants a brochure which includes a list of sensitive plant and tree species to avoid impacting as well as suggested plant palettes to be used in residential landscaping near natural areas to prevent the introduction of invasive plant species to the surrounding natural communities.</i></p> <p>Not only is it important to suggest the types of plants to avoid, it is also important to identify sensitive plant and tree species that are protected by statute or ordinance, and that would require additional consultation with the city if found onsite.</p> <p>Question: Does the city agree that it is also important to identify sensitive plant and tree species that are protected by statute or ordinance, and that would require additional consultation with the city if found onsite?</p>	<p>Comment acknowledged. The commenter’s recommended revision to Mitigation Measure MM-BIO-1D is added to Chapter 4 of the Final EIR and is included in the MMRP.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Question: if the answer to the above question is yes, will the city agree to the suggested language revisions or the equivalent?</p> <p>Question: if the answer to the above question is no, why not?</p>	
B4-B-63	<p>Page 3.3-48: Recommended Change) MM-BIO-E: <i>Preconstruction Surveys for Special-Status Wildlife: Within one (1) week prior to initiating disturbance activities, clearance surveys for special-status animal species shall be performed by a qualified biologist(s) within the boundaries of the future project disturbances. If any special-status animals are found on the site, a qualified biologist(s) <u>flag the area for avoidance and discuss possible seasonal avoidance measures with the developer. If avoidance is not feasible, the Project Biologist, with a CDFG Scientific Collection Permit shall relocate these species to suitable habitats within surrounding open space areas that would remain undisturbed, unless the biologist determines that such relocation cannot reasonably be accomplished at which point CDFG will be consulted regarding whether relocation efforts should be terminated. Relocation methods (e.g., trap and release) and receiver sites shall be verified and approved by the CDFG prior to relocating any animals.</u></i></p> <p>There are circumstances, such as burrowing owl, where an active nesting burrow can be seasonally avoided until a more reasonable time period can be determined for the species to be relocated and the burrow collapsed.</p> <p>Question: will the final EIR include clarifying language such as that suggested or its equivalent in the final EIR draft?</p>	<p>Comment acknowledged. The commenter’s recommended revision to Mitigation Measure MM-BIO-1E is added to Chapter 4 of the Final EIR and is included in the MMRP.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
B4-B-64	<p>If the answer to the above question is no, then why not?</p> <p><u>Page 3.3-50: Recommended Change) MM-BIO-1H:</u> <i>Protection of Eagle Nests: No development or project activities shall be permitted within one-half mile, if not in line of site of a proposed activity, one mile if line of site of a proposed activity of a historically active or <u>determined</u> active golden eagle nest unless the planned activities are sited in such a way that the activity has minimal potential to cause abandonment of the nesting site, as determined by a qualified biologist. 10 In addition, the eagle nest (if active) shall be monitored by a biologist who is highly familiar with the signs of eagle distress during the project development activities. The monitoring shall continue until the monitoring biologist is confident the nest will not be disturbed. The monitoring biologist shall have the authority to stop project activities as needed.</i></p> <p>Question: were the most recent laws and regulations used for this section? If so, please specify which ones were used.</p> <p>We believe the recommendation is to not have activity within a mile of a nest that is determined active between December-July. A half mile buffer is used for active nests that are not in line of sight or have been determined by a biologist (in consultation with CDFW) will not impact the active nest.</p> <p>Eagles are considered fully protected and there are no take authorizations for this species.</p>	<p>Comment acknowledged. The commenter’s recommended revision to Mitigation Measure MM-BIO-1H is added to Chapter 4 of the Final EIR and is included in the MMRP.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
B4-B-65	<p><u>Page 3.3-52</u>: This statement is confusing and is contradictory to the assumption of Impact 3.3-2 on page 3.3-51 that it is Less than Significant with Mitigation.</p>	<p>Comment acknowledged. The following sentence is added to Chapter 4 of the Final EIR to clarify the statement: “Therefore, impacts to oak woodlands and other native woodlands could be significant and unavoidable <u>without mitigation</u>.” (Emphasis added.)</p>
B4-B-66	<p><u>Page 3.4-25</u>: Recommended Change) <i>In the event that human remains or suspected human remains are identified, the city shall comply with California law (Heath and Safety Code § 7050.5; PRC §§ 5097.94, 5097.98, and 5097.99). The area shall be flagged off and all construction activities within 100 feet (30 meters) of the find shall immediately cease. The Qualified Archaeologist shall be immediately notified, and the Qualified Archaeologist shall examine the find. If the Qualified Archaeologist determines that there may be human remains, they shall immediately contact the Medical Examiner at the Los Angeles County Coroner’s office. If the Medical Examiner believes the remains are Native American, he/she shall notify the NAHC within 24 hours. If the remains are not believed to be Native American, the appropriate local law enforcement agency shall be notified. The NAHC shall immediately notify the person it believes to be the most likely descendant (MLD) of the remains, and the MLD has 48 hours of being granted access to the site to visit the discovery and make recommendations to the landowner or representative for the respectful treatment or disposition of the human remains and any associated grave goods. If the MLD does not make recommendations within 48 hours of being granted access to the site, the remains shall be reinterred in the location they were discovered and the area of the property shall be secured from further disturbance. If there are disputes between the landowners and the MLD, the NAHC shall mediate the dispute and attempt to find a solution. If the mediation fails to provide measures acceptable to the landowner, the landowner or their</i></p>	<p>The explanation for why 3.4-3 is less than significant, and thus no mitigation measures are required, is provided in the paragraphs substantiating this finding.</p> <p>To wit:</p> <p style="padding-left: 40px;">The treatment of human remains is regulated by California Health and Safety Code Section 7050.5 and the treatment of Native American human remains is further prescribed by Public Resources Code Section 5097.98.</p> <p>These regulations are applicable to all projects within the Planning Area. While the General Plan does not include any policies related to the treatment of human remains, future development anticipated under the General Plan would be required to comply with these regulations. Therefore, impacts associated with the disturbance of human remains would be less than significant.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p><i>representative shall reinter the remains and associated grave goods and funerary objects in an area of the property secure from further disturbance. The location of any reburial of Native American human remains shall not be disclosed to the public and shall not be governed by public disclosure requirements of the California Public Records Act, California Government Code § 6250 et seq., unless otherwise required by law. The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code §6254(r).</i></p> <p>For Impact 3.4-3 there were no mitigation measures offered.</p> <p>Question: why was there no mitigation measure offered for an inadvertent discovery of human remains?</p> <p>This is generally not anticipated, and although it may be not considered significant, there should be a measure in place that a developer and the city should generally follow. We provided an example of a MM that addressed inadvertent discoveries</p>	
B4-B-67	<p><u>Page 3.5-33</u>: Construction emissions may be more significant since the report admits it is a “conservative assumption” based on “an expectation of a maximum of 10 percent of the total buildout area” would develop in a year (3.5-28, 3.5-29)</p> <p>It considers this impact as less than significant with no mitigation. However, it is based on assumptions:</p>	See responses to comments B4-A-13 and B4-A-14.

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>3.5: “construction emissions were forecasted based on an expectation of a maximum of 10 percent of the total build-out area that could be potentially developed in any year.” but also acknowledges that “it is likely that some projects would extend for more than one year, and therefore, would increase total project emissions” and so the “analysis uses a conservative estimate of total project emissions” (3.5-28- 3.5-29)</p>	
	<p>It also claims that “policies aimed at resource conservation and VMT reduction would reduce overall GHG emissions compared to existing conditions” (3.5-35).</p>	
	<p>Question: given that it is intended that “policies aimed at resource conservation and VMT reduction would reduce overall GHG emissions compared to existing conditions,” then why are the related general plan policies for VMT are not mandatory?</p>	
	<p>It also states the “Amount of oak woodland that would be converted” or replaced are unknown, the ‘quantification of emissions from conversion...was not included in the emissions calculations.” The claim that the impact is less than significant are based on unreliable assumptions. (3.5-35)</p>	
	<p>Question: given that the “Amount of oak woodland that would be converted” or replaced are unknown, the ‘quantification of emissions from conversion ...was not included in the emissions calculations,” and since the amount of oak woodland that would be converted or replaced are unknown, then how can the claim be justified that the impact is less than significant?</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Question: why were the reasons and justifications for the less than significant claims not included in the DEIR document?</p> <p>The report does have a specific measure: “for every acre of forest removed, an average of 0.85 MTCO2 sequestration is lost”.</p> <p>Question: how many acres of forest could be developed in this plan? The amount of sequestration that could be lost can be calculated and included to fully evaluate its impact on GHG/climate change.</p>	
B4-B-68	<p><u>Page 3.5-33</u>: Question: given that the “Amount of oak woodland that would be converted” or replaced are unknown, the ‘quantification of emissions from conversion ...was not included in the emissions calculations,” and since the amount of oak woodland that would be converted or replaced are unknown, then how can the claim be justified that the impact is less than significant?</p>	See response to comment B4-A-14.
B4-B-69	<p><u>Page 3.5-33</u>: Question: why were the reasons and justifications for the less than significant claims not included in the DEIR document?</p> <p>The report does have a specific measure: “for every acre of forest removed, an average of 0.85 MTCO2 sequestration is lost”.</p>	See response to comment B4-A-14.
B4-B-70	<p><u>Page 3.5-33</u>: Question: how many acres of forest could be developed in this plan? The amount of sequestration that could be lost can be calculated and included to fully evaluate its impact on GHG/climate change.</p>	See response to comment B4-A-14.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B4-B-71	<p><u>Page 3.5-39</u>: Several policies included in the CAP are no longer mandatory due to revisions to the General Plan language in the middle of the comment period.</p> <p>Question: How are the assumed reductions in MTCO₂ still valid?</p>	<p>See responses to comments B2-4 and B4-B-40. Revisions to the General Plan policy language do not change the intent of these policies or diminish their applicability in the Climate Action Plan modified emissions forecast. The Climate Action Plan uses the methodology outlined in the California Air Pollution Control Officers Association’s (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures report to quantify emissions reductions from the General Plan policies. For each category of policies, calculation of emissions reductions assumed the minimum percentage reduction in the range provided by CAPCOA. In multiple cases, the General Plan policies were not assumed to be mandatory or universally implemented. Therefore, the calculated reductions in MTCO_{2e} are still valid and revisions to the policies do not have any material effect on conclusions made in the CAP and Chapter 3.5.</p>
B4-B-72	<p><u>Page 3-5-39</u>: Question: What measures will be added to the CAP to enable the expected streamlined environmental review under CEQA?</p>	<p>The CAP concludes that for projects and actions that are consistent with the General Plan, no further GHG analysis would be required, and thus the time required to prepare required CEQA documents would potentially be shortened.</p>
B4-B-73	<p><u>Page 3.5-28</u>: Global comment: This document should follow the 2019 CEQA Guidelines. Greenhouse Gas now only has two criteria under Appendix G. The other two are now covered under Section VI Energy.</p> <p>Question: Why does the EIR not account for the recent change to the CEQA 2019 Statutes and Guidelines? How will this be addressed?</p>	<p>See Response Comment B4-B-18. Chapter 3.5: Energy, Climate Change, and Greenhouse Gases consolidates the Greenhouse Gas and Energy criteria in the CEQA 2019 Statutes and Guidelines as analysis of the topics is based on similar environmental settings, regulations, and data. Criteria 3.5-3 and 3.5-4 directly correspond to Section VI Energy Criteria A and B, respectively. Criteria 3.5-1 and 3.5-2 directly correspond to Section VIII Greenhouse Gas Emissions Criteria A and B, respectively. The language of the criteria is identical to that most recently updated in December 2018.</p>
B4-B-74	<p><u>Page 3.5-38</u>: City of Diamond Bar, should adopt similar policies as the City of Long Beach regarding LEED building policies to reduce energy consumption and GHG emissions. Although, it may be less than significant impacts the city should provide policies or mitigation measures to further reduce its carbon footprint and energy efficiency, or unnecessary consumption of energy resources. See link below:</p>	<p>See response to Comment B4-A-5.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>http://www.longbeach.gov/globalassets/sustainability/media-library/documents/urban-living/buildings-and-neighborhoods/greenbuildingpolicy</p> <p>Question: Will the city plan to adopt policies as discussed above which are similar to those adopted by the city of Long Beach?</p>	
B4-B-75	<p><u>Page 3.5-38</u>: We like the policies that the City of Long Beach described with some goals that they would try and achieve.</p> <p>http://www.longbeach.gov/globalassets/sustainability/media-library/documents/nature-initiatives/action-plan/scap-final</p>	Comment acknowledged.
B4-B-76	<p>A land use plan element should require that new commercial, mixed use or transit oriented developments include the design and installation of electrical infrastructure to promote the installation for current or future EV charging infrastructure.</p> <p>Current general plan language changes have made those policies optional. How will the city be able to achieve the expected reduction in GHG and meet its emissions targets for automobiles?</p> <p>Question: Does the city plan to revise those policies and make them mandatory?</p>	See responses to Comments B4-B-10 and B4-B-50.
B4-B-77	<p><u>Page 3.10-24</u>: There is no discussion under Criteria 1 in regard to Sensitive Receptors to noise, such as schools. Sensitive receptors should be included and identified under this criteria. And MM should be suggested that would limit activities during these hours, or use of noise attenuation</p>	See responses to Comments B4-B-33, B4-B-34 and B4-B-35.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	measures such as noise blankets or walls to temporarily reduce decibel levels in proximity to these sensitive receptors.	
B4-B-78	<p><u>Page 3.11-29</u>: Question: what elements exist in the Parks and Recreation Master Plan that address the potential mitigation to increase the availability of parks?</p> <p>Question: Are there open spaces within the city that have been identified?</p>	<p>The Parks and Recreation Master Plan is a public document and is available for anyone to review. The City has and continues to seek opportunities to acquire land to add to its parkland inventory. The most recent acquisition was the purchase of 2.83 acres at 22555 Sunset Crossing Road from the YMCA.</p> <p>This comment does not address the adequacy of the adequacy of the Draft EIR; therefore, no further response is required.</p>
B4-B-79	<p><u>Page 3.11-29</u>: According to LU-P-54, then City of Diamond Bar should consider other public uses for public agency lands. Such as the County owned Golf Course.</p> <p>Question: How does the Core Community Overlay address recreation opportunities sufficiently such that the City can be in alignment with the Quimby Act and meet its ratio of 5 acres per 1000 residents?</p>	<p>Should Los Angeles County ever dispose of the golf course, Draft General Plan Policy LU-P-45 requires that approximately 100 acres be set aside for parkland. A repurposed golf course could thus serve 20,000 residents, and—based on the 2016 City population estimate of 57,081—raise the Citywide parkland ratio from 2.6 acres per 1,000 residents to 4.4 acres per 1,000 residents.</p>
B4-B-80	<p><u>Page 3.11-44</u>: This EIR identified several potential new trails: Tonner Canyon, Crooked Creek etc.</p> <p>We support the development of trails and access to views of the open space in the SOI. We would just like consideration and mitigation measures to address any potential impacts if and when those trails are developed.</p> <p>Question: Why was there no discussion or consideration of environmental impacts under this Criteria for the potential new trails?</p>	<p>As stated under Impact 3.11-3, new park developments would be subject to CEQA. It is further acknowledged that planned expansions or modifications to trails will also be subject to CEQA. See also response to Comment B4-B-57 and B4-B-61.</p>
B4-B-81	<p>Figure 4.2-2 Alternative 1) In the Transit Oriented Mixed Use Area it shows both mobile home parks included. The</p>	<p>Alternative 1 is expressly defined to include the delineated 105-acre boundary for the TOD Mixed Use district as depicted in Figure 4.2-2.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	newly revised area ends at the east end of the western mobile home park.	
	Please revise the map to reflect the currently correct size.	
B4-B-82	Figure 4.2-3 Alternative 2) In the Transit Oriented Mixed Use Area it shows both mobile home parks included. The newly revised area ends at the east end of the western mobile home park.	Alternative 2 is expressly defined to include the delineated 105-acre boundary for the TOD Mixed Use district as depicted in Figure 4.2-3.
	Please revise the map to reflect the currently correct size.	
B4-B-83	Alternatives should also include existing Town Center at Diamond Bar Blvd and Grand Ave with the new General Plan and Climate Action Plan. It is a reasonable alternative that was not described.	See responses to Comments B4-B-6 and B4-B-7.
	Question: Given that Alternative 2 is not a viable alternative, why were other alternatives, such as the location mentioned above considered as alternatives in the DEIR?	
B4-B-84	The difference between the Proposed Project and Alternative 1 is a Core Community Overlay, which if developed, would result in an undetermined environmental impact to offset the loss of the existing County Golf Course--as would Alt 2. This impact, which cannot be adequately quantified at this time, would in fact have a potentially and significant environmental impact. Therefore, it is not clear how the Proposed Alternative is similar in impact to Alt 1. If the Core Community Overlay has to be determined at a later time, and may be determined infeasible due to environmental considerations, then you have currently only proposed two alternatives in addition to the No Project Alternative.	The creation of a Town Center is a cornerstone of the Draft General Plan's Community Vision and comprises one of the Draft General Plan's seven Guiding Principles. A Town Center is therefore a project objective that must be accounted for in the Alternatives Analysis. As a predominantly built-out community, there are very few opportunities to locate a Town Center. As stated in response to Comment B4-B-6, the prospect of locating the Town Center at the intersection of Grand Avenue and Diamond Bar Boulevard was rejected as infeasible. CEQA Guidelines Section 15126.6 requires an EIR to consider "a reasonable range of alternatives" to a project. Alternatives 1 and 2 satisfy that requirement given to accommodate a project objective as specific as creating a Town Center. The approach cities often take in defining general plan EIR alternatives is to consider lower and higher density/intensity build-out scenarios: this approach invariably leads to the perfunctory conclusion that a lower-density alternative would fail to meet RHNA requirements imposed on all

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Question: Given the reliance of Alternative 2 on the Community Core Overlay being invoked, and given the fact that the Golf Course is indeed in operation, and given the fact that it is “infeasible,” as defined by CEQA Guideline §15364, at this time to determine the complete extent of environmental impacts and mitigations necessary to have obtained the Golf Course property, why was Alternative 2 even suggested as a viable alternative in the DEIR?	California cities; and a higher-density alternative would result in more severe environmental impacts across a range of environmental categories. In light of the factors considered above, the Diamond Bar General Plan 2040/CAP 2040 DEIR provides an appropriate and reasonable range of alternatives to consider.
B5	CALIFORNIA WILDLIFE FOUNDATION/CALIFORNIA OAKS PROGRAM	
B5-1	<p>October 31, 2019</p> <p>Grace S. Lee, Senior Planner City of Diamond Bar, Planning Division 21810 Copley Drive Diamond Bar, CA 91765</p> <p>Transmitted via email: glee@diamondbarca.gov</p> <p>Re: Draft Environmental Impact Report, City of Diamond Bar General Plan 2040, and Climate Action Plan, SCH# 2018051066</p> <p>Dear Ms. Lee:</p>	<p>This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B5-2	<p>The California Oaks program of California Wildlife Foundation (CWF/CO) works to conserve oak ecosystems because of their critical role in sequestering carbon, maintaining healthy watersheds, providing habitat, and sustaining cultural values.</p>	<p>Comment acknowledged. See responses to comments B5-3 through B5-8 below.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>CWF/CO has reviewed the City of Diamond Bar General Plan 2040, Climate Action Plan, and the environmental analysis presented in the Draft Environmental Impact Report (DEIR). Comments pertain to mapping of biological resources, fire hazards, greenhouse gas and air quality impacts associated with the implementation of the General Plan, and the city’s tree ordinance. Additionally, CWF/CO offers that the language throughout the plan about the importance of the natural resources is simply aspirational absent strong measures combined with enforcement and monitoring.</p>	
B5-3	<p>Mapping data for biological resources: In the letter to the City of Diamond Bar dated July 3, 2018 CWF/CO stated: “We have also been informed that the habitat mapping used in the General Plan materials do not accurately represent the city’s oak resources.” Other letters also addressed this issue, and the letter from Hills For Everyone suggested that the city utilize more current mapping data. Diamond Bar citizens continue to express concern that the mapping remains inadequate. CWF/CO understands that Hamilton Biological, Inc. prepared a biological resources report in February 2019 to correct the deficiencies. The delivery of the Hamilton report may have been after the comment period closed. That said, CWF/CO notes the caution in the DEIR on pages 3.3-5 and 3.36, which indicates a need for finer-scale analysis of the mapped vegetation (emphasis added with boldface text):</p> <p>As with the native oak and walnut woodlands, there can be considerable overlap and mixing of shrubland and scrub alliances, which can lead to misinterpretations of the alliance type when viewed from a distance or in aerial photography, particularly in the summer when many scrub species are deciduous. For this reason, the mapping of</p>	See response to comment B3-9.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>these alliances and their mixtures in Figure 3.3-1 should be considered to be subject to sitespecific investigations.</p> <p>As noted on page 2 of Appendix A of the biological resources report: “Mr. Hamilton conducted reconnaissance field surveys on January 4 and 8, and February 4 and 8, 2019, to field-check the mapping and to observe the existing conditions throughout most of Diamond Bar.”</p>	
B5-4	<p>Fire Hazards: The section, Wildfire Management Strategies, on page 7-16 of the draft General Plan discusses approaches for mitigating fire risk:</p> <p>As the State prepares for more such incidents as the wildland-urban interface (WUI) continues to expand and changes in climate patterns become more apparent, wildfire risk management at the local level will become increasingly important. Strategies tend to cluster around two main approaches: maintaining defensible space around structures, and ensuring that structures are resistant to fire.</p> <p>CWF/CO recommends the City of Diamond Bar restrict development in areas designated by CAL FIRE to pose very high or extreme fire threat as detailed in Figure 7-5 on page 718 and very high fire hazard severity zones as detailed in Figure 7-6 on page 7-19. Such restrictions would enhance safety and also conserve financial and natural resources. At the very least, CFW/CO urges the City of Diamond Bar to promulgate citywide fire risk disclosure requirements for housing developments. Amador County building code requires the county to make information available to project applicants and real estate agents on the risks of wildland fire, available levels of fire and emergency response, and wildland fire prevention methods; and to provide that same information when</p>	Comment acknowledged.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	property changes hands in areas designated as high and very high fire severity. That information is posted on the county's website.	
B5-5	<p>CWF/CO commends the City of Diamond Bar for the language in PS-P-21 presented on page 3.11-39 of the DEIR, which is protective of natural vegetation. As stated above, a prohibition of development in these regions would result in further protections. Greater specificity is needed in the language below to detail how natural ecosystems will be protected:</p> <p>Collaborate with the County of Los Angeles Fire Department to ensure that properties in and adjacent to High or Very High Fire Hazard Severity Zones as indicated in Figure 7-6 are adequately protected from wildland fire hazards in a manner that minimizes the destruction of natural vegetation and ecosystems through inspection and enforcement. Update Figure 7-6 as new information becomes available from CAL FIRE.</p>	Comment acknowledged. Revisions to draft policy language is not within the scope of the Final EIR.
B5-6	<p>Greenhouse gas impacts: Page 1-6 of the Climate Action Plan recognizes the greenhouse gas (GHG) impacts of the conversion of oak woodlands and other natural environments that sequester carbon (boldface text used for emphasis):</p> <p>California's oak woodlands act as carbon sinks, storing an estimated 675 million metric tons of carbon dioxide (MTCO₂e). Riparian habitats and wetlands also act as climate sinks and are beneficial to ecological adaptation to climate change. Destruction of these habitats, both through land use decisions and the consequences of intensifying climate change, has the potential to release a significant amount of greenhouse gases. The Diamond Bar General Plan update includes multiple policies aimed at preserving open space and riparian habitat to encourage the health of the City's biological resources, particularly</p>	See response to comment B4-A-14. The General Plan does not propose the conversion of any oak woodlands, with the exception of the Golf Course, which would be subject to environmental review under a later Master Plan.

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>oak and walnut woodlands, and applies land use designations that minimize impacts of development on these resources.</p>	<p>California law requires the assessment of GHG impacts of proposed oak removals, yet Appendix D does not include such calculations. California Environmental Quality Act § 15364.5 states that “Greenhouse gas” or “greenhouse gases” includes but is not limited to: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. California’s Senate Bill 1383 (2016) designated methane, black carbon and hydrofluorocarbon short-lived climate pollutants.</p>
	<p>Upon the disposal of impacted vegetation, the decomposition of biomass results in CO₂ and CH₄ emissions, and the combustion of biomass does in all cases result in CO₂, CH₄, N₂O, and black carbon (Decomposition: “Anaerobic digestion, chemical process in which organic matter is broken down by). CEQA does not differentiate between anthropogenic and biogenic GHG emissions (“... the combustion of biomass does in all cases result in net additions of CH₄ and N₂O to the atmosphere, and therefore emissions of these two greenhouse gases as a result of biomass combustion should be accounted for in emission inventories under Scope 1” (at p. 11). World Resources Institute/World Business</p>	<p>Council for Sustainable Development (2005).). The following 2009 Natural Resources Agency response to the California Wastewater Climate Change Group proves the point:</p>
	<p>Response 95-1: “Regarding the comment that the Guidelines should distinguish between anthropogenic and</p>	

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>biogenic carbon dioxide emissions, the Natural Resources Agency notes that SB 97 did not distinguish between the sources of greenhouse gas emissions. Thus, it would not be appropriate for the Natural Resources Agency to treat the different categories of emissions differently absent a legislative intent that the Guidelines do so. Neither AB 32 nor the Air Resources Board’s Scoping Plan distinguishes between biogenic and anthropogenic sources of greenhouse gas emissions. On the contrary, the Scoping Plan identifies methane from, among other sources, organic wastes decomposing in landfills as a source of emissions that should be controlled. (Scoping Plan, pages 62-63).”</p>	
	<p>The total biomass weight of the impacted overstory/understory vegetation must be known and the means of biomass disposal identified to accurately and fully account for natural land conversion GHG emissions (EPA/USDA FS, 2015. Forest Biomass Components: https://cfpub.epa.gov/roe/indicator.cfm?i=86). The following questions must be addressed in order for the environmental documentation to be complete:</p>	
	<ul style="list-style-type: none"> • What is the estimated total biomass weight of the impacted overstory and understory vegetation by 2020, 2030 and 2050? • Due to the presumed transport of disposed biomass off-site, what are the estimated CO₂, CH₄, N₂O, and black carbon emissions? 	
	<p>Lastly, on page 8-23 of General Plan, measure CHS-G-11 (boldface text added for emphasis) is to: “Undertake initiatives to enhance sustainability by reducing the community’s greenhouse gas (GHG) emissions, protecting natural open spaces which provide CO₂ sequestration, and fostering green development patterns, buildings, sites,</p>	

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	and landscapes.” The City of Diamond Bar needs to add clear language to the General Plan to articulate how natural open space protections will be achieved, enforced, and monitored.	
B5-7	<p>Tree Ordinance: The July 2018 letter by CWF/CO urged “the City of Diamond Bar to strengthen the tree ordinance by applying it to parcels of one-half acre and smaller, and to extend individual tree protections to trees smaller than eight inches diameter at breastheight (DBH).” The DEIR discusses the tree ordinance in the summary of Areas of Controversy on page ES-7:</p> <p>Many of the comments addressed impacts to important biological resources, particularly oak woodlands. Inadequacy of the City of Diamond Bar’s existing tree ordinance and the Existing Conditions Report led to community concern over the protection of open space and special-status species. Anticipated development under the Proposed Project could reduce existing open space and viable habitat.</p> <p>Unfortunately, the proposed Resource Conservation policy (RC-P-10) for the impact does not include an improved tree ordinance:</p> <p>Require new development to preserve mature native trees including oak and walnut, and trees of significant cultural or historical value such as sycamore and arroyo willow, etc., as set forth under the Diamond Bar Tree Preservation and Protection Ordinance. Review the ordinance periodically and update it as necessary to reflect current best practices.</p>	See response to comment A3-12.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Lastly, the DEIR Mitigation Measure Bio-4 presented in table ES-4 on page ES-29 of the DEIR states that: “In the event a future project would result in the loss of an oak woodland, the project shall be subject to the mitigation requirements set forth in the Los Angeles County Oak Woodland Conservation Management Plan Guide.”</p> <p>Restoration ratios detailed in the table differ (and are weaker in some cases) from those in the City of Diamond Bar’s tree ordinance section 22.38.130. For example, the county restoration ratio may be 1:1 in certain circumstances whereas the City of Diamond Bar’s tree replacement/relocation standards state: “Replacement trees shall be planted at a minimum 2:1 ratio for residential properties less than 20,000 square feet. Residential parcels greater than 20,000 square feet and commercial and industrial properties shall be planted at a minimum 3:1 ratio...” The City of Diamond Bar needs to clarify how the tree ordinance and mitigation requirements set forth in the Los Angeles County Oak Woodland Conservation Management Plan Guide are to be reconciled.</p>	
B5-8	<p>Air Quality: Section 5.6 of the General Plan discusses the South Coast Air Basin’s poor air quality. American Lung Association assigned the grade of F to Los Angeles County’s air for ozone and particle pollution (24-hour and annual) (see http://www.lung.org/ourinitiatives/healthy-air/sota/city-rankings/states/california/los-angeles.html).</p> <p>Resource Conservation-Policy-29 presented on page 5-41 of the General Plan is to: “Conserve natural open spaces, biological resources, and vegetation, recognizing the role of these resources in the reduction and mitigation of air pollution impacts, and the promotion of CO2 sequestration.” However, as stated in the introductory comments, without specific language and clear protections,</p>	<p>This comment recommends revision to a General Plan policy. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	there is no reason to believe Diamond Bar’s natural resource values will be upheld through the implementation of the General Plan.	
B5-9	Thank you for your consideration of these comments. CWF/CO is available, should additional information be needed. Sincerely, Janet Cobb Executive Officer Angela Moskow Manager, California Oaks Coalition	This comment is the closing of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.
B6	DIAMOND BAR – POMONA VALLEY SIERRA CLUB TASK FORCE ANGELES CHAPTER	
B6-1	Diamond Bar – Pomona Valley Sierra Club Task Force Angeles Chapter October 31, 2019 TO: Ms. Grace Lee, Senior Planner, City of Diamond Bar [delivered electronically] CC: City of Diamond Bar, Community Development Director, Mr. Greg Gubman RE: City of Diamond Bar, General Plan, DEIR Comments Dear Ms. Lee,	This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.
B6-2	The purpose and goals of the Diamond Bar – Pomona Valley Sierra Club Task Force, Angeles Chapter, are dedicated to local conservation: to educate environmental literacy to all, especially the youth; to explore, enjoy and protect local wildlife habitats, to advocate biodiversity,	Comment acknowledged.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>natural open spaces and sustainable communities. Our group activities and contributions are locally focused.</p> <p>We are grateful for the opportunity to comment on the General Plan 2040/DEIR. We think forward-thinking, community-based partnerships are foundational to guard against error and to reach for extraordinary levels of quality and economic productivity in conservation planning.</p>	
B6-3	<p>Here are our concerns, which also include a personal point of input:</p> <p>1. Wildlife Habitat and Circulation: The Resource Conservation element and DEIR fails to regard or thoroughly explain wildlife circulation throughout the mid and northern part of the city. Example: my own property which is mapped as oak woodland on DEIR figure 5.2 is partially correct (because the coastal scrub is missing) has been a consistent “wildlife corridor” these 30 years past (or more?). There is an established “game trail” where we routinely observe deer families arrive from traversing the native green belt tracing throughout the Diamond Ridge neighborhood near Pantera Park. The Hamilton report accurately depicts this region as area #3, in the natural communities map. Therefore, Hamilton’s approach to mapping natural communities according to their existence rather than human boundaries is correct. Please explain what scientific basis the city claims wildlife circulation only happens at the Puente Chino Hills Wildlife Corridor? Recall, 2013 Diamond Bar city hall sighted a mountain lion, which may have arrived from Upper Tonner Canyon/Tres Hermanos or Powder Canyon. Here are pictures of my own property, north face ridgeline, oak/walnut, sage scrub habitat.</p>	<p>The movement and exchange expected to occur is implied on the map provided in Figure 3.3-3 of the DEIR. As shown, the map clearly shows the movement corridor as progressing north through Tonner Canyon. Insofar as then City has no control of land uses in its SOI, but the importance of protecting movement corridors through the area is identified in the DEIR, the General Plan update DEIR established the importance to conserve and protect these corridors when designing future developments. See also response to comment B3-14.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	[Photos]	
B6-4	2. The DEIR city environmental location description is inadequate. There appears to be no geomorphic, geological or floristic references to where the city of Diamond Bar is. For example, Dibblee maps indicate the city of Diamond Bar is located in: Brea Canyon, in the Puente Hills, which are at the tip of the Peninsular Ranges, in the Southern California Mountains & Valleys Ecoregion. These terms hold meaningful descriptions by which to assess, soils, native plant communities, climate patterns. How else can specific ecological features and conditions be discovered or understood? Will the city of Diamond Bar update the environmental location of the city in all general plan documents?	The City believes the description of the Physical Setting of the Study Area provided on page 3.3-3 to be adequate for the concerned reader.
B6-5	3. Geologic Constraints: The DEIR omits describing geologic constraints of the city. Example: The City’s landscape comprises a system of canyons, streams, floodplains, ridges, and hillsides. Prominent knolls and ridges reach elevations of 1,300 to 1,400 feet above sea level. Most hillsides contain slopes in excess of 25%. These hillside areas are underlain by bedrock of the Puente Formation. The rocks of this formation are folded and dip between 10 and 20 degrees horizontal. Locally, beds of Puente Formation dip as steep as 45 to 60 degrees. The folded nature of these rocks combined with the steepness of the terrain makes Diamond Bar one of the most landslide-prone areas in Southern California. I cannot located descriptions which help us to understand safety risk, such as landslide potential.	The geologic setting of the Planning Area is described in the Environmental Setting of Chapter 3.6 (pages 3.6-2 through 3.6-5) and depicted in Figures 3.6-1 through 3.6-4. The geologic constraints are further addressed in the impact analysis on pages 3.6-26 through 3.6-36. The City believes this description to be sufficient for the purposes of this analysis.
B6-6	4. Is it meaningful to include the California Deep Landslide Inventory? If not, why not? Again, isn’t this relevant to safety concerns and mitigation solutions?	Landslide-susceptible areas within the Planning Area are discussed on page 3.6-4 and depicted in Figure 3.6-1. The City believes this description to be sufficient for the purposes of this analysis.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B6-7	<p>5. Proposal for new city tree codes including recommendations for oak woodland protection, walnut woodland protections and productive measures to improve the city urban canopy. Existing codes are sorely outdated. Based on current science of natural communities and alliances, per the California Vegetation Manual, Hamilton Biologic analyzed in February 2019, a new proposed tree code. Attached. A year previous, a red line draft of the previous tree codes was performed by State Urban Forester, John Melvin’s recommended local urban forester, David Haas to assist me in analyzing and correcting/improving the city’s existing tree codes. Attached. I respectfully request the city review this material to achieve updated tree codes to serve the quality of life in the City of Diamond Bar; and to preserve best practice.</p>	See response to comment A3-12.
B6-8	<p>Respectfully, C. Robin Smith, Chair</p> <p>CC: Sierra Club Angeles Chapter, Senior Chapter Director, George Watland DBPV Sierra Club Task Force, Vice Chair, David Warren Sierra Club, Angeles Chapter, Conservation Chair, Angelica Gonzales Sierra Club, San Gabriel Valley Task Force, Chair, Joan Licari</p> <p>References: Dibblee Maps, Peninsular Ranges, Ecoregion map</p>	This comment is the closing of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.
B6-9	[Biological Resources Report, City of Diamond Bar]	Attachment provided in support of comments B6-3 and B6-4, addressed above.
B6-10	[City of Diamond Bar, Biological Resources Natural Communities]	Attachment provided in support of comments B6-3 and B6-4, addressed above.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B6-11	[Chapter 22.38 – Tree Preservation and Protection Redline Draft April 2016, input from Cynthia Smith]	Attachment provided in support of comment B6-7, addressed above.
B6-12	[Proposed Amendments to the Diamond Bar Tree Protection Ordinance, Hamilton Biological (2/20/19)]	Attachment provided in support of comment B6-7, addressed above.
B6-13	[Geologic Map of the San Dimas and Ontario Quadrangles]	Attachment provided in support of comments B6-5 and B6-6, addressed above.
B6-14	[Geologic Map of the Whittier and La Habra Quadrangles]	Attachment provided in support of comments B6-5 and B6-6, addressed above.
B6-15	[Geologic Map of the Yorba Linda and Prado Dam Quadrangles]	Attachment provided in support of comments B6-5 and B6-6, addressed above.
B6-16	[Ecological Sections of California]	Attachment provided in support of comments B6-3 and B6-4, addressed above.
B7	DIEGO TAMAYO	
B7-1	<p>Oct. 31, 2019</p> <p>Comments for the City of Diamond Bar General Plan 2040, DEIR</p> <p>To: Grace Lee, City Senior Planner</p> <p>Dear Ms. Lee:</p>	<p>This comment is the salutation of the letter. It does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B7-2	<p>It is good to see the City of Diamond Bar finally acknowledge in the general plan and EIR, the rare and sensitive species and natural communities, we are privileged to have here.</p> <p>The Diamond Bar – Pomona Valley Sierra Club is a local conservation group. Our work involves exploring, enjoying and protecting wildlife habitats and ecosystems in our city and the surrounding areas. Our “community science” activities have come up with some exciting findings.</p>	<p>Comment acknowledged. See responses to comments B7-3 through B7-14 below.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Since the Diamond Bar – Pomona Valley Sierra Club has been working on an on-going “Diamond Bar Natural History” project these past three years, I submit some of our findings – which has been and is being mapped on iNaturalist, eBird and the CNDDDB. We are also communicating with the Los Angeles Natural History Museum staff in assisting to map our findings of the rare and critically imperiled Los Angeles County Shouldband snail, which has been found distributed throughout Diamond Bar.</p> <p>My overall comments about the draft environmental report are concerned with the missing bits of important biotic information, as well as the incomplete or incorrect information in mitigation plans or reported species.</p>	
B7-3	<p>Here is a list of my questions and concerns:</p> <p>Cultural Findings, page 45-52, Resource Conservation Chpt. 5</p> <p>1. The DEIR does not mention the (approximate) 40 boxes of stone artifacts recovered at the Pulte Home development project (gated community, located off Crest View and Diamond Bar Blvd.) in 2006. Our group spoke with Dr. Beardsley and curator, Anne Collier at University of La Verne, where the findings are stored, in 2017.</p> <p>Q: Why are these findings missing from pg. 49’s chart? Will the City of Diamond Bar correct this omission?</p>	<p>This particular resource is not missing and is listed as P-19-002805 in Table 3.4-2 of the Draft EIR and Table 5-4 of the Resource Conservation Chapter of the General Plan. The California Department of Parks and Recreation site form for this resource obtained from the South Central Coastal Information Center (SCCIC) in 2016 indicates that this particular resource was initially encountered immediately prior to the start of construction of the Pulte Homes development in the spring of 2000. Any additional information regarding the contents and condition of this resource have not been submitted to the SCCIC as of 2016.</p>
B7-4	<p>What will the city do to restore these findings to the city’s historical society and rightly honor the Kizh Nation?</p>	<p>This action is not included in the scope of the General Plan of the Draft EIR. This comment does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>
B7-5	<p>2. The south end of the city at the “Cathay View” development, a registered “sacred Kizh oak woodland”</p>	<p>The resource is not included in the chart because the information to populate the chart was acquired from the South Central Coastal Information and</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	land was officially registered June 13, 2017: N-CAN 33. Q: Why is this listing missing from the Cultural Resources, Resource Conservation, chapter 5, page 49 chart?	California Native American Heritage Commission (NAHC) in 2016, prior to the registration of that particular resource in 2017. An updated Sacred Lands Search from the NAHC in July 2019 did identify this resource within the NAHC database. The identification of this resource does not impact the conclusions of the analysis or the mitigation measures in the Draft EIR or General Plan. Table 3.4-2 in the Draft EIR has been revised in Chapter 4 of this document to include this resource. Table 5-4 in Chapter 5: Resource Conservation has been revised in the Public Hearing Draft General Plan to include this resource.
B7-6	Vegetation Communities: Figure 5.2 3. Oak woodland natural communities are under reported in the DEIR habitat map. At least the designation ought to be: southern oak/walnut woodland. California walnut trees are not dominant throughout the city. Please view my pictures of Steep Canyon, Sycamore Canyon and show me where the walnut trees are the dominant species. (posted in the following natural history draft report I submit here.)	See response to comment B3-9.
B7-7	4. Opuntia littoralis, cactus scrub is not named in the DEIR, though it is a dedicated alliance in the Manuel of California Vegetation, second edition, Sawyer, Keeler-Wolf, Evans. https://calscape.org/Opuntia-littoralis-(Coast-Prickly-Pear)?srchcr=sc5708872f8cdd6 Diamond Bar has dominant patches of this natural community distributed throughout on DEIR? Will the city correct the omission?	Cactus scrub is listed as one of the native shrublands and scrub alliances found in the study boundaries of page 3.3-5 of the DEIR. It is also listed as a very highly sensitive natural community in Table 3.3-2 on page 3.3-12 of the DEIR. And, it is referenced as habitat for coastal cactus wren in Table 3.3-4 on page 3.3-27.
B7-8	5. Sycamore Canyon Park is designated by the USGS as a “sycamore riparian” habitat due to Diamond Bar Creek passing through it from Steep Canyon. Q: Why is Sycamore Canyon Park colored yellow/walnut woodland, with non-native grasses? See the picture attached and explain how the city came up with such an incorrect report.	See response to comment B3-9, particularly the statement about the need for site-specific confirmation of natural communities mapping.
B7-9	Wildlife Circulation/Corridor Activity	The information provided in the comment is acknowledged and does not conflict with the findings of the Draft EIR. See response to comment B3-15.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	6. Deer, coyote, bobcat and cougar have been regularly sighted, circulating throughout Diamond Bar. The northern areas (see Hamilton Report map, area #3 especially.) Mountain lion was encountered at city hall in 2013, routine resident sightings in The DB Country Estates, and a recent report from a hiker near Tres Hermanos/Phillips Ranch area, 2019. Residents in area #3, Hamilton report map, have observed regular visits of deer families, circulating throughout this green area, comprised of grassland, oak/walnut woodland and coastal scrub. The deer travel in and round Pantera Park, Steep Canyon, Sycamore Canyon and Summitridge trail, and frequently observed browsing on the side of Diamond Bar Blvd., near Crest View and Gold Rush avenues. (see photos in my gallery).	
B7-10	Q: What support will the city lend to the wildlife circulation WITHIN the city neighborhoods? Q: Why is there no mention of wildlife circulation in the mid-northern portions? Has the city considered the Hamilton report’s wildlife corridor map?	See response to comment B3-15. See also the discussion of the recognized importance of movement and the discussion of related General Plan policies and Mitigation Measures on pages 3.3-59 through 3.3-62.
B7-11	7. Sensitive species like California Gnatcatcher, burrowing owl, golden eagle, red rattlesnake, cactus wren are observed throughout the trail and wildland areas in the city. I have personally observed the gnatcatcher in Steep Canyon area (see pic.) Hikers and residents regularly contact our Sierra Club with their pictures and reports. One hiker submitted a photo of a burrowing owl located near a Diamond Bar trail. (see pic.)	Of the species listed in the comment three are noted as observed/recorded in the study area (see Table 3.3-4 in the DEIR. The fourth species listed, as well as a number of others are indicated to have moderate to high potentials to occur for the purpose of future project-related surveys.
B7-12	Q: Why is the information incomplete in the Resource Conservation and DEIR document? What effort will the city do to officially report the presence of these species to state conservation trustee agencies like the CDFW and USFWS?	Through the CEQA environmental review process all MNDs and EIRs are subject to public review. In particular, public agencies, including CDFW and USFWS are directly mailed copies of these documents by the State Clearinghouse. As such, full disclosure of the presence of special-status species on a project site is inherent to the review process.
B7-13	Q: Why does Figure 5.2 use the term “vegetation communities”? The official term used by the California	This correction is made in Chapter 4 of the Final EIR and in the Public Hearing Draft General Plan.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	Vegetation text book, is “natural communities”, indicating natural ecosystems – not supported by man-made interventions like automated irrigation, fertilizer, pesticides, tilling or discing. Q: Will the city correct the misleading term, “vegetation” communities?	
B7-14	<p>Specific Details and a Program EIR</p> <p>In summary, the general plan and DEIR explains it is a general assessment and not specific, promising that each future development project will examine biological resources in detail. Yet, it also mentions during the detailed survey of a project, it is allowed to depend on the general plan/EIR. Does this mean there is a loop hole in performing CDFW protocol surveys for projects in the “wild edge” or other sensitive ecological areas? How will mitigation monitoring be handled? Will the Public be apprised of who are the monitors and how monitoring procedures are implemented?</p> <p>Q: How can accurate surveys and conservation be accomplished if the DEIR is vague and general, then promises specific assessments be accomplished in future developments if at the core, there are no specific declarations like “Diamond Bar Creek traversing Sycamore Canyon Park”?</p>	In using terminology that implies the General Plan EIR will be used to guide future project-specific surveys, no loopholes are created. It simply means that when project-specific environmental reviews are conducted, the reviews should address the potential for impacts to sensitive biological resources and provide for mitigation as indicated in the DEIR. That is, the General Plan update EIR is not intended to serve as the baseline conditions in and of itself; rather, it is to be supplemented with further study and detailed analyses. See also response to comment A3-7.
B7-15	<p>Thank you for reading and answering my questions. The attached “Diamond Bar Natural History” project gallery is one of my on-going tasks. Please notice, pictures of resident’s input are included, as our Sierra Club helps to explore and help local wildlife and encourage residents to follow city wildlife interaction guidelines.</p> <p>My references follow.</p>	Comment acknowledged. This comment is the closing of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Thank you. Diego Tamayo, Diamond Bar student, resident, Youth Field Intern/Sierra Club Email: diegonaturalist@gmail.com</p> <p>References: Hamilton Biological Report, City of Diamond Bar; Natural Communities Map 2019 California Vegetation Manual www.veg.cnps.org L.A. County Oak Woodland Conservation Plan Guide http://planning.lacounty.gov/assets/upl/project/oakwoodlands_conservationmanagement-plan-guide.pdf</p>	
B7-16	[Diamond Bar Natural History Project, Diamond Bar-Pomona Valley Sierra Club Task Force]	Attachment provided in support of comments B7-6 through B7-13, addressed above.
B7-17	[Biological Resources Report, City of Diamond Bar]	Attachment provided in support of comments B7-6 through B7-13, addressed above.
B7-18	[City of Diamond Bar, Biological Resources Report, Natural Communities]	Attachment provided in support of comments B7-6 through B7-13, addressed above.
B8	DIAMOND BAR PRESERVATION ALLIANCE	
B8-1	<p>Oct. 31, 2019</p> <p>To: City of Diamond Bar, Senior Planner Ms. Grace Lee RE: Comments, General Plan 2040 and DEIR</p> <p>Dear Ms. Lee,</p> <p>I am grateful to comment on the City of Diamond Bar, general plan and DEIR.</p>	This comment is the salutation of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.
B8-2	Here are my main observation and concerns.	Comment acknowledged. The Mitigation Monitoring and Reporting Program for the General Plan and Draft EIR will include specific instructions for carrying out the mitigation measures included in the Draft EIR. Mitigation Measure MM-BIO-

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>1. A failed mitigation project, Millennium Diamond Road Partners, has gripped our community with doubt that the Lead Agency has demonstrated CEQA adherence or understanding to a due diligent process and best practice. Today, we see numerous permit violations and apparently no relief to the failed mitigation at Bonelli Park.</p> <p>Question: How will the DEIR monitoring and mitigation plans assure the public of efficiency to avoid such future failure? The language in the document is not specific. Will there be a training manual, educating the public how dependable city procedures are to protect the community from environmental damage, and loss?</p>	<p>1D states that the City shall implement an Environmental Awareness Program on its web site intended to increase awareness to developers, residents and city workers of the sensitive plants, wildlife and associated habitats that occur in the preserved open space areas. See response to comment B9-7.</p>
B8-3	<p>2. Mitigation options in the DEIR suggest there is a successful mitigation possible by replacing the removal of old growth, mature oak trees (which sequester 55 thousand pounds of carbon, per tree each year, with young oak trees. How is this possible if science teaches oaks must mature to at least 50 years old to perform carbon capture of that level. Meaning, it would take fifty years to restore the lost ecosystem services provided by oaks – and especially if the oaks were mitigated “off-site” and perhaps far away. The local community is at a loss of the benefits, so mitigation can truly not be achieved. What does the city say about this realization? (see oak woodland conservation guide)</p>	<p>Comment acknowledged. As stated on page 3.3-51 of the Draft EIR “While the City’s tree preservation ordinance and the proposed General Plan policies represent an affirmative action, it does not necessarily guarantee that functioning oak woodlands will be conserved. Therefore, impacts to oak woodlands and other native woodlands could be significant and unavoidable.”</p>
B8-4	<p>3. Enclosed is a picture of the southern oak riparian woodland/walnut woodland that was destroyed by scorch earth grading (December 2017) violating permits and causing a city issued Cease/Desist. Why does the DEIR “vegetation community” map depict walnut woodlands only, in this area? Notice my picture is a strand of riparian oak woodland which survived rogue bulldozing. Please tell me, where are the walnut trees. Where are they? Why is</p>	<p>See response to comment B3-9.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	this habitat omitted and misrepresented in the Resource Conservation figure 5.2?	
B8-5	4. The oak woodland preservation language in the DEIR “sounds” good, but it appears there is little solid commitment to conservation. City wording feels tentative and sounds vague. Will the city consider abiding by the 2011 and 2014 Los Angeles County Oak Woodland Conservation Management Plan Guide? If so, will the city depend on CalFIRE Urban Forestry leads to guide preservation of oak woodlands in the city?	As stated on page 3.3-53 of the DEIR, “In the event a future project would result in the loss of an oak woodland, the project shall be subject to the mitigation requirements set forth in the Los Angeles County Oak Woodland Conservation Management Plan Guide.” It is important to note the use of the word “shall” instead of a less assertive command.
	http://planning.lacounty.gov/assets/upl/project/oakwoodlands_conservation-management-plan-guide.pdf	
B8-6	I was also disappointed the city council chose to affect and change the general plan and DEIR document, in special meetings Sept. 25 and Oct. 8th, while at the same time it was out for Public Review (Sept. 14-Oct.31) There were approximately 60 language changes processed. Were the members of the public including stakeholders notified, other than meeting agendas posted on the general plan website? Many of us had no idea what was happening unless we attended the Sept 25 and Oct. 8th special meetings. How the lack of informing the public comports with CEQA guidelines?	Comment acknowledged. See response to comment B4-B-40. Revisions to the draft General Plan policies were provided in the meeting agendas posted to the General Plan website. The Draft EIR was re-uploaded to the General Plan website to provide a searchable document in downloadable pieces, but was not altered during the public review period for the Draft EIR.
B8-7	[Photo] Millennium Diamond Road project, Diamond Bar, 2017. Oak woodland riparian, foreground.	Attachment provided in support of comment B8-4, discussed above.
B8-8	In conclusion, the efforts of the Diamond Bar Preservation Foundation and Alliance aim to protect our community from suffering devastating environmental damage ever again. We are also interested in habitat restoration and promoting native plant landscapes, so to restore the	Comment acknowledged.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	California beauty our neighborhood is famous for and that we cherish. I am eager to learn how the city intends to implement better practices in preserving the natural character of Diamond Bar.	
B8-9	Thank you for review my letter and material and answering my questions. Sincerely, Dr. Chia Teng President, Attachments: Hamilton Biological Report & Map, attached L.A. Oak Woodland Conservation Plan Guide link http://planning.lacounty.gov/assets/upl/project/oakwoodlands_conservation-management-plan-guide.pdf	This comment is the closing of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.
B8-10	[City of Diamond Bar, Biological Resources, Natural Communities]	Attachments provided in support of comments B8-3 through B8-5, addressed above.
B8-11	[Biological Resources Report, City of Diamond Bar]	Attachments provided in support of comments B8-3 through B8-5, addressed above.
B9	GARY BUSTEED	
B9-1	October 31, 2019 Grace Lee City of Diamond Bar 21810 Copley Drive Diamond Bar, CA 91765	This comment is the salutation of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>Re: Comments on Draft Environmental Impact Report and Diamond Bar General Plan</p> <p>Ms. Lee,</p>	
B9-2	<p>Thank you very much for the opportunity to provide comments on Diamond Bar’s Draft Environmental Impact Report (DEIR) and General Plan (DBGP). The process has been very open, and I have greatly appreciated the transparency in which the plan and report development has been conducted. The General Plan Advisory Committee provided some reasonable solutions where the City should focus its development. I appreciate that the General Plan and EIR have primarily focused on the redevelopment of infill or existing commercial areas, rather than rezoning out existing open spaces for development. Also you have given some thought and consideration on how the City of Diamond Bar is part of a larger environment (Sphere of Influence) that needs to be thoughtfully considered for wildlife movement and for the greater ecosystem of the Puente and Chino Hills in general.</p> <p>The comments I provide below are similar to three of the priorities identified during the City’s outreach and input in the GPAC Meetings: Environment, Recreation and Traffic.</p>	Comment acknowledged.
B9-3	<p><u>Environment</u></p> <p>Although I understand that most development will be targeted in areas of in-fill or reconstruction of existing commercial areas, we should consider that in areas where there is potential for sensitive or protected resources, that we are specific to what would be required to ensure that the City is in compliance and ensures their protection or conservation. I am professional environmental specialist, so these edits are requirements that I am familiar with and</p>	Comment acknowledged.

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
B9-4	<p>are reasonable to implement, and minimize potential for inadvertent discoveries resulting in schedule delays in subsequent permitting and mitigation or agency actions from environmental non-compliance impacts. I would like to suggest a few minor changes to the language—my comments are in red and strikeout.</p> <p>RC-P-9 on page 3.3-45</p> <p>Require, as part of the environmental review process, prior to approval of discretionary development projects involving parcels within, adjacent to, or surrounding a significant biological resource area, a biotic resources evaluation of the site by a qualified biologist., Focused plant surveys shall be conducted at the appropriate time of year, and local reference populations checked to ensure detectability of the target species. requiring that time-specific issues such as the seasonal cycle of plants Wildlife shall also be evaluated by a qualified biologist through appropriate survey or trapping techniques necessary to determine presence. and migration of wildlife are evaluated. Such evaluation shall analyze the existing and potential natural resources of a given site following at least one site visit as well as the potential for significant adverse impacts on biological resources. The report and shall identify measures to avoid, minimize, or mitigate any impacts to species that have been observed or have the potential of being present on the site. that would degrade its healthy function. In approving any permit based on the evaluation, the City shall require implementation of mitigation measures supported by the evaluation, or work with the applicant to modify the project if mitigation is determined not to be adequate to reduce the impacts to a non-significant level.</p>	<p>In the course of providing a project’s environmental review compliant with CEQA the lead agency (in this case the City) conducts a preliminary review to determine if the project will have a significant effect on the environment. Unless it is clear that an EIR is required, the City will prepare an Initial Study to identify potentially significant effects of the project. If it is determined that there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment a Negative Declaration is prepared to document this finding. If it is determined that a project may cause a significant effect on the environment either a Mitigated Negative Declaration (MND) that provides for the mitigation of potentially significant effects, or, an EIR will be required. It would be in the case of a MND or an EIR that the applicant would be required to engage in the types of studies described in the comment. General Plan Policy RC-P-9, MM-BIO-1A, MM-BIO-1G, and MM-BIO-1J each speak to the matter of survey timing as written. See response to comment A3-8.</p>

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
B9-5	<p>MM-BIO-1A on page 3.3-47</p> <p>To the extent feasible the preconstruction surveys shall be completed when species are in bloom, typically between May and June <u>and reference populations checked</u>. Two species, the white rabbit-tobacco and San Bernardino aster, are perennial herbs that grow up to three feet in height and can be identified by their dried stalks and leaves following their blooming period.</p> <p>The suggestion of adding language for checking reference populations will ensure accuracy of detecting target sensitive plant species. This requirement is not overly burdensome, but more of due diligence and ensuring that the species being surveyed for will even be detectable. Many sensitive species have identified reference populations that can be easily checked prior to conducting any field work—this should save time and effort on subsequent fieldwork as well.</p>	<p>Comment acknowledged. The proposed language relating to reference site verification is added to MM-BIO-1A in Chapter 4 of the Final EIR.</p>
B9-6	<p>MM-BIO-1B on page 3.3-47</p> <p>At a minimum, the plan shall include a description of the existing conditions of the project and receiver site(s), transplanting and/or seed collection/off-site seeding or installation methods, <u>an adaptive</u> two-year monitoring program, any other necessary monitoring procedures, plant spacing, and maintenance requirements. <u>In the event, that the City of DB determines that agreed success criteria are not met, additional remediation may be required beyond the two-year maintenance/monitoring period to ensure mitigation requirements are met.</u> If the mitigation measure conditions are not met in the established two-year timeframe, it should be the</p>	<p>Comment acknowledged. The proposed language relating to success criteria and adaptive management is added to MM-BIO-1B in Chapter 4 of the Final EIR.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>developer’s obligation to meet those mitigation measure requirements. It has been my experience that there needs to be assurance that the developer has met obligations. In the two years of monitoring, there should be adaptive management of the site to ensure success. This is common language that many land use agencies have added to their requirements to put the onus on the developer to ensure the intent of the mitigation measure is met. My concern for the City is if it is not clear to the developer on what the requirements are, the City of Diamond Bar risks being the responsible party for the additional restoration expense, or risk the establishment of exotic weed species that could exacerbate the potential for wildfire.</p>	
B9-7	<p>MM-BIO-1D Environmental Awareness Program on page 3.3-48</p> <p>The City shall implement an Environmental Awareness <u>Training Program</u> on its web site intended to increase awareness to <u>developers</u>, residents and city workers of the sensitive plants, wildlife and associated habitats that occur in the preserved open space areas. <u>The intention purpose of the program shall be to inform developers, city workers and residents. The program shall address safety, environmental resource sensitivities and impacts associated with the introduction of invasive plant species as a result of new development. At a minimum, the Environmental Awareness Program shall include the following components:</u></p> <p><u>encourage Provide, on the City website, information about proactive conservation efforts among for the residents and city to help conserve the habitats in the preserved open space. The program shall address impacts associated with the introduction of invasive plant species as a result of new</u></p>	<p>Comment acknowledged. “Developers” has been added as being subject to the Environmental Awareness Program in MM-BIO-1D in Chapter 4 of the Final EIR.</p> <p>Proposed improvements, such as trails, will be subject to General Plan Goals and Policies, the mitigation measures set forth in the FEIR and project-specific CEQA review. It is not reasonable or feasible to compel residents to participate in a training program as proposed. The first bullet point under Mitigation Measure 3.3-48 imposes reasonable requirements to increase environmental awareness.</p>

Table 3-1: Response to Comments Matrix

Comment ID	Comment	Response
	<p>development. At a minimum, the Environmental Awareness Program shall include the following components:</p> <p>I appreciate the approach that the City is taking to increase environmental awareness. My edits were an attempt to include the developer in this outreach. The Environmental and Safety Awareness Training should be developed that is tailored and specific to each project based on resource or safety concerns. It should be the responsibility of the contractor or developer to ensure that the workers have taken the awareness training and provide documentation if requested by the City of Diamond Bar that the project proponent understands their role in safety and compliance. Again, this is a reasonable requirement common on many construction projects.</p>	
B9-8	<p>MM-BIO-1E on page 3.3-49</p> <p>Preconstruction Surveys for Special-Status Wildlife: Within one (1) week prior to initiating disturbance activities, clearance surveys for special-status animal species shall be performed by a qualified biologist(s) within the boundaries of the future project disturbances. If any special-status animals are found on the site, a qualified biologist(s) <u>flag the area for avoidance and discuss possible seasonal avoidance measures with the developer. If avoidance is not feasible, the Project Biologist</u>, with a CDFG Scientific Collection Permit shall relocate these species to suitable habitats within surrounding open space areas that would remain undisturbed, unless the biologist determines that such relocation cannot reasonably be accomplished at which point CDFG will be consulted regarding whether relocation efforts should be terminated. Relocation methods (e.g., trap and release) and receiver sites shall be</p>	<p>The proposed language is added to MM-BIO-1E in Chapter 4 of the Final EIR.</p>

Table 3-1: Response to Comments Matrix

<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>verified and approved by the CDFG prior to relocating any animals.</p> <p>It is important that as a first option in protection of resources, avoidance is the preferred option. Therefore, this measure should include the steps to avoid or minimize impacts to identified resources. If after all possible avoidance measures are used, then a qualified biologist should consider relocation of the resource (ie. plant or animal). This suggested language is common practice and is reasonable in consultation with a permitted or approved biologist.</p>	
B9-9	<p><u>Recreation</u></p> <p>As a father of two young girls, recreational opportunities and parks are very important to my family. I am a member of the Board for our local AYSO Soccer Region as well as a coach and referee, so I am familiar with the shortage of parks for practice and recreation. I also live on the south side of Diamond Bar, so I also know that the lack of adequate park facilities on the southern end of town. I was concerned when I read that the City determined that the impacts to recreation were Significant and Unavoidable. You had identified a Core Community Overlay as part of the DBGP Preferred Alternative. Understanding that the Los Angeles County Golf Course is not currently a viable alternative, it was still identified in this EIR as an alternative option. So, why did the City not consider the golf course in addressing the significant recreation impacts associated with the low ratio of 2 acres per 1000 residents? I would encourage an additional discussion regarding the necessary acreage needed to mitigate these impacts. As part of the Core Community Overlay how much of that property could</p>	See response to comment B4-A-6.

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	be reserved to meet the requirement of the Quimby Act (5 acres per 1000 residents)?	
B9-10	Also, as a question regarding CEQA analysis. It is my understanding that the Golf Course, in order to be used for other purposes, would need to be mitigated for that loss with another comparable location as a golf course. If there are additional environmental impacts associated with the Golf Course’s conversion in the Core Community Overlay option, those impacts would need to be disclosed in this DEIR. Or alternatively another subsequent EIR would need to be developed if in the future the Community Overlay option is viable. Is my assumption correct, that the Golf Course property is only theoretical and any future development of that property would be contingent on another CEQA analysis?	See response to comment B4-A-6.
B9-11	<u>Traffic and other Project Alternatives</u> As a resident of Diamond Bar, I am well aware of the issues around the through traffic on Diamond Bar Blvd, Grand Ave. and Golden Springs/Colima Road. I understand that the impacts associated with traffic, although significant for Level of Service and Vehicle Miles Traveled, would be difficult to mitigate and therefore are determined to be unmitigatable. So, I understood that the GPAC elected to not select, in their recommendations, to continue the Diamond Bar Blvd and Grand Ave intersection as the Diamond Bar City Center due to the traffic congestion. Although I agree with this approach, it does not seem reasonable that the existing City Center is not analyzed as a feasible alternative in the EIR. The DEIR only analyzed the existing City Center as infeasible as the No Project Alternative under the existing GP. However, I think the existing City Center warrants an Alternatives Analysis under the proposed mitigation measures and City land use	See response to comment B4-A-4.

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<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
	<p>policies. I suggest that the City analyze this alternative because the City’s preferred alternative and Alternative 2 are contingent on the Golf Course being developed. These alternatives, if contingent on the Golf Course, are incomplete in that the impacts associated with an alternative county golf course were neither described nor analyzed in this EIR—and would therefore require a subsequent EIR analysis. Therefore, it is not clear that either of these two alternatives are feasible at this time.</p>	
B9-12	<p>Again, thank you for your consideration and the opportunity to provide comments on the DEIR and DBGP. I look forward to additional correspondence from the City as the Final EIR becomes available.</p> <p>Sincerely, Gary Busteed 20850 Gold Run Drive Diamond Bar, CA 91765</p>	<p>This comment is the closing of the letter and does not address the adequacy of the Draft EIR; therefore, no further response is required.</p>