

REPORT TO CITY COUNCIL

DATE: FEBRUARY 24, 2016

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER *hjr For G.R.*

BY: NATE HAMBURGER, ASSISTANT CITY MANAGER *hjr*
ALLISON COOK, ASSISTANT PLANNING DIRECTOR *ac*

SUBJECT: COMMENT LETTER ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LOS ANGELES REGIONAL INTEROPERABILITY COMMUNICATIONS SYSTEM (LA-RICS) LAND MOBILE RADIO (LMR) SYSTEM PROJECT

The purpose of this report is to request that the City Council authorize the City Manager to submit a letter providing comments on the Draft Environmental Impact Report (DEIR) for the Los Angeles Regional Interoperability Communications System (LA-RICS) Land Mobile Radio (LMR) Project. The public review period for the DEIR began on January 12, 2016, and ends on February 25, 2016.

The LMR system is a wireless communications system for mobile and portable devices, such as walkie-talkies and two-way radio. It would provide day-to-day voice and narrowband data radio communications coverage for emergency responders. The LMR system would consist of antennas and support equipment at up to 90 sites located mostly in Los Angeles County. However, a total of 94 sites have been considered. Of these, 40 sites were determined to be statutorily exempt from the California Environmental Quality Act (CEQA) under PRC Section 20180.25, and no further CEQA analysis is necessary. The Draft Environmental Impact Report (DEIR) considers the remaining 54 sites that are not statutorily exempt.

One of the LMR sites being considered in the DEIR is in the City of Agoura Hills. The site, referred to as "AGH," is located at Kimberly Peak, near Kimberly Drive in the Morrison Ranch area. Staff has suggested that LA-RICS Joint Powers Authority staff contact the Morrison Ranch Homeowners' Association (HOA), as the site is owned by the HOA. Staff understands that the Joint Powers Authority is planning to meet with the HOA the week of February 15, 2016.

The site is zoned, and designated in the City General Plan as, Open Space-Deed Restricted (OS-DR). There are no other sites in Agoura Hills being considered, either in the DEIR or that were found to be statutorily exempt from CEQA.

The DEIR indicates that the proposed improvements at the site include the installation of up to 27 whip antennas (each up to 15 feet long) and up to five (5) microwave antennas (each two (2) to six (6) feet in diameter) on a new 70-foot tall, 6.5-foot diameter monopole. A lightning rod would be added to the top of the monopole, reaching an additional 15 feet high, for a total 85-foot tall pole height. If tower obstruction lighting is required for safety purposes, it may include red or white LED lamps, either steady or flashing, on the monopole. Either an existing equipment shelter currently at the site may be used, or a new 600-square-foot shelter would be added. The shelter would either be prefabricated or constructed of concrete masonry unit (CMUs) on a concrete slab with exterior security lighting equivalent to one (1) 100-watt bulb. A diesel emergency generator would be constructed on a 200-square-foot slab and enclosed in a block wall. A 1,500 gallon belly internal fuel tank would be integrated into the generator. An 800-linear-foot chain-link fence up to 12 feet in height would be constructed around the facilities. The depth of excavation would be 36 feet for a drilled caisson for the monopole. In total, an area of 5,000 square feet would be disturbed to install the facilities, with permanent disturbance to a 3,000-square-foot area.

The DEIR analyzes impacts to the following environmental issue areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Noise
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

For site AGH, the DEIR identifies potentially significant impacts that can be reduced to a less than significant level with the incorporation of mitigation measures for Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, and Utilities/Service Systems. For the remaining issue areas, there were either no impacts or impacts were determined to be less than significant.

A letter is attached to this staff report summarizing the City's comments on the DEIR with regard to site AGH. The purpose of the letter is to address the adequacy of the DEIR as an environmental document. The comments request additional analysis of the development of the LMR project at the Kimberly Peak site with regard to Aesthetics, Biological Resources, Cultural Resources, Noise, and the discussion of alternative sites. Upon direction of the City Council, staff would finalize the letter and forward it to the LA-RICS Joint Powers Authority.

RECOMMENDATION

Staff respectfully requests the City Council authorize the City Manager to submit a letter to the Los Angeles Regional Interoperable Communications System Joint Powers

Authority, providing comments on the Draft Environmental Impact Report prepared for the Land Mobile Radio Project.

**Attachment:
Draft Comment Letter**

DRAFT

February 24, 2016

Nancy Yang
Project Engineer
Los Angeles Regional Interoperable Communications System
2535 Corporate Place, Suite 100
Monterey Park, CA 91754

SUBJECT: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (SCH #2014081025) FOR THE LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM LAND MOBILE RADIO PROJECT

Dear Ms. Yang:

Thank you for the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) (SCH #2014081025) for the Los Angeles Regional Interoperable Communications System (LA-RICS) Land Mobile Radio (LMR) Project. We understand that the LMR system is a wireless communications system for mobile and portable devices, such as walkie-talkies and two-way radios, and would provide day-to-day voice and narrowband data radio communications coverage for emergency responders. The LMR system would consist of antennas and support equipment at up to 90 sites located mostly in Los Angeles County. However, a total of 94 sites have been considered. Of these, 40 sites were determined to be statutorily exempt from the California Environmental Quality Act (CEQA) under PRC Section 20180.25, and no further CEQA analysis is necessary. The DEIR considers the remaining 54 sites that were not statutorily exempt.

One of the LMR sites being considered in the DEIR is in the City of Agoura Hills. The site, referred to as "AGH," is located at Kimberly Peak, off an unnamed road, near Kimberly Drive in the Morrison Ranch area of the City. The site is zoned, and designated in the City General Plan as, Open Space-Deed Restricted (OS-DR). There are no other sites in Agoura Hills being considered – either in the DEIR or that were found to be statutorily exempt from CEQA.

The DEIR indicates that the proposed improvements at the site include the installation of up to 27 whip antennas (each up to 15 feet long) and up to five (5) microwave antennas (each two (2) to six (6) feet in diameter) on a new 70-foot tall, 6.5-foot diameter monopole, with an additional lightning rod of 15 feet high, for a total 85 foot-tall facility. If tower obstruction

lighting is required, it may include red or white LED lamps, either steady or flashing, on the monopole. Either an existing equipment shelter at the site may be used, or a new 600 square-foot shelter, either prefabricated or of concrete masonry unit – CMU, installed on a concrete slab. Exterior security lighting equivalent to one (1) 100-watt bulb would be installed. A diesel emergency generator on a 200-square-foot slab would be constructed and enclosed within a block wall, with a 1,500 gallon belly internal fuel tank integrated into the generator. About 800 feet of chain-link fence up to 12 feet in height is proposed around the facility. The depth of excavation is 36 feet for a drilled caisson for the monopole. In total, an area of 5,000 square feet would be disturbed to install the facilities, with permanent disturbance to a 3,000-square foot area.

We understand that best management practices (BMPs) have been incorporated into the project design to minimize impacts to environmental resources. Examples of BMPs listed in the DEIR include minimizing disturbed areas during construction; watering down the construction site; protecting slopes through erosion control blankets; and using erosion control measures to reduce siltation and runoff, among many others.

Our comments on the DEIR are described below, and are organized by section heading:

Section 2.3 Project Alternatives

The DEIR lists seven groups of two or more proposed project sites that would be alternatives to each other. However, the AGH site is not listed here as an alternative or as a site to which there are alternatives being explored. Please discuss why no alternatives to the site are being considered.

Given the various environmental impacts of the project at the AGH site, noted below, we recommend that alternatives to the facility at AGH be assessed in the DEIR. These could include reducing the height of the monopole (perhaps with a stronger support at the base); locating the antennas on an existing tower at the same site instead of constructing a new tower; and considering other sites nearby – within and outside of Agoura Hills, that would have less impacts. With regard to using an existing tower, DEIR Section 2.6.1 Collocation indicates that, “At some locations where towers are present, space is not sufficient on the existing tower to mount the LMR antennas.” Please provide information to demonstrate this condition specifically at AGH. This section further states, “Limiting the LMR locations to only those where collocation is possible would not provide the desired coverage; therefore, an alternative consisting entirely of collocation sites would not meet the Project objectives and was not considered further.” Please provide information demonstrating that locating the proposed facilities on an existing tower at the same site would not provide the desired coverage in this instance, particularly since the existing tower is located at the same site as AGH, and would be expected to provide the same, if not very similar, coverage. Additionally, while a project alternative considering all proposed LA-RICS facilities as collocations may not be feasible or

desired, it seems appropriate to consider at least collocating the proposed facilities at the specific AGH site as a feasible alternative.

Section 3.1 – Aesthetics

We suggest that the AGH site be considered visually sensitive given its location on top of a prominent hill that can be seen from many points in the City, including residential neighborhoods. In particular, the site is situated on a primary ridgeline, the Morrison Highlands, as identified on Figure NR-1 Open Space Resources in the Agoura Hills General Plan 2035 (2010). General Plan Goal NR-2 Visual Resources is for the “preservation of significant visual resources as important quality of life amenities for residents, and as assets for commerce, recreation and tourism.” General Plan Policy NR-2.3 Protect Ridgelines states, “Maintain the community’s primary and secondary ridgelines.” Additionally, the site is designated in the General Plan, and zoned, as Open Space-Deed Restricted (OS-DR). The purpose of the OS-DR zone, in part, is to preserve natural features and open space (Agoura Hills Municipal Code – AHMC Section 9490 et. seq.).

While we acknowledge that the AGH site is currently the location of several telecommunications-type facilities, the proposed LMR facility would add substantially more structures and a taller tower than what currently exists on the site, resulting in potentially significant aesthetic impacts from an increase in intensity of development, even though the AGH facilities may not block views. The AGH monopole could reach 85 feet tall, compared to the estimated maximum 60-foot high existing tower at the same location (per the DEIR). The AGH site, with the exception of some existing telecommunications equipment, is situated on a hilltop of the Santa Monica Mountains, in a natural area of the City where there is no hillside development. Single-family residential development is located below the hill, in the flatter portions of the City. The DEIR should analyze the potential impacts to aesthetics from the proposed LMR facilities located in this visually sensitive area. In particular, please consider the following:

1. Show the AGH site as being of high or medium viewer sensitivity on Figure 3.1.1.
2. Revise Table 3.1-1 to include the AGH site under the categories of, “Significant Ridgeline” and “Visual Sensitivity.”
3. Address the AGH site in the discussion of Section 3.1.2.3 Local Regulatory Setting, specifically its location on a primary ridgeline in the General Plan.
4. Analyze the AGH site in Section 3.1.4.1 Project Analysis as a high or medium sensitivity site. Revise the discussion of AGH under Impact “AES-1” (Scenic Vista) beginning on

page 3-28, Impact "AES-3" (Visual Character) beginning on page 3-34 and under Impact "AES-4" (Light or Glare) starting on page 3-41, accordingly.

5. Further, under the discussion of Impact "AES-3" on page 3.41, the reference to AGH being an "urban" area should be corrected. The site is set within a preserved open space area in a natural state, at the top of a primary ridgeline in the Santa Monica Mountains. The area below the hillside may be considered "urban," but not the hillside itself, even though there are telecommunications facilities presently. The text under the paragraph heading, "*Urban Areas*" states that these are, "... areas where numerous sources of day and nighttime lighting are present, such as vehicle headlights, traffic signals, street lights, and building security lights. Because of the presence of these light sources, tower (monopole) lighting, if required, would not introduce a substantial new source of light or glare that would adversely affect day or nighttime views in the area..." Given the minimal lighting at the site presently, and its remote location on the hilltop in the OS-DR zone in the Santa Monica Mountains, where there are no other urban light sources, this analysis should be revised.

The project should be considered to cause a potentially significant operational impact on aesthetics from lighting and/or glare from the proposed lighting equivalent to one (1) 100-watt bulb, and possibly FAA required lighting. With regard to the former, the City has policies to shield and direct downward all exterior lighting to prevent light spillover and/or glare (*City Architectural Design Standards & Guidelines*, Section III.G Exterior Lighting). The DEIR should reference and incorporate these requirements as a mitigation measure. We request that LA-RICS consider as minimal lighting as feasible at this site, given the surrounding natural area and visibility from numerous points in the City.

Section 3.3 - Biological Resources

This section identifies vegetation communities in and around the AGH site. The DEIR identifies the site being within a California walnut woodland. The site is also set within an area of coastal sage scrub habitat, which should be addressed in the analysis of impacts to biological resources. Specifically, please consider the following:

1. Table 3.3-1 should include AGH as a site within the "Coastal sage scrub" vegetation community. (Note that this community is listed as being within the area of AGH in Table 3.3-3).
2. Table 3.3-4 should be corrected to list AGH under "California Walnut Woodland," consistent with the discussion in this section.
3. Within DEIR Section 4.0 Site Summary Forms, the Mitigation Measure under Impact BIO-2 (substantial adverse impact on riparian habitat or other sensitive natural community) reads, "Minimize disturbance to natural vegetation; do not remove

California walnut trees. Prior to construction mark the construction disturbance limits and monitor for adherence to these boundaries. Stay on existing roads. Use caution to minimize the use of heavy equipment near (within the dripline) walnut trees to protect the plant's root system." However, this Mitigation Measure does not appear to be referenced in the Biological Resources section or elsewhere in the DEIR. Please incorporate this mitigation into a formal Mitigation Measure and reference it where appropriate for site AGH.

Section 3.4-1 Cultural Resources

We appreciate that Mitigation Measures CUL 6 and CUL 7 related to protecting paleontological resources have been incorporated into the DEIR for site AGH. Table 3.4-4 lists Mitigation Measure CUL 1 (archaeological monitoring), CUL 3 (unexpected discovery of archaeological remains), and CUL (unexpected discovery of human remains) as applicable to site AGH. Yet, Table ES-2 Environmental Impacts and Mitigation Measures in the Executive Summary does not list these mitigation measures for AGH, and the Summary Form for AH in DEIR Section 4.0 Site Summary Forms does not list these mitigation measures as applicable for AGH. Please correct this discrepancy. While the DEIR notes that no identified archaeological sites have been identified within 0.5 mile of the site, Agoura Hills in general is considered a sensitive archaeological area, and discovery of previously unknown cultural resources is possible. As such, the City typically incorporates mitigation measures in construction projects to have an archaeologist and Native American representative monitor subsurface work, and, in the event human remains are uncovered, follow procedures as outlined in the CEQA Guidelines and required under state and federal law. Please ensure that such protective measures are incorporated into the DEIR for site AGH.

Section 3.9 – Land Use/Planning

Table 3.9-4 states that the height limit in the OS-DR zone, where the facilities are proposed, is 60 feet. The OS-DR standards in the Agoura Hills Municipal Code do not list 60 feet as the maximum allowed height. Please also note that the proposed facility is not listed as an allowed use in the OS-DR zone. Consequently, please correct Section 4.0 Site Summary Forms notes under "Setting" and "Impact Analysis" that the required permit would be a Conditional Use Permit.

Section 3.10 - Noise

In addition to the City's Zoning Ordinance, the General Plan 2035 (2010), Chapter 5: Community Safety, Noise section, addresses noise in Agoura Hills. Please list the appropriate General Plan standards in DEIR Table 3.10-2 and analyze potential noise impacts from ongoing operation of

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AGH in light of these standards. Specifically, see Table N-1 (Noise/Land Use Compatibility Matrix) and Table N-2 (Interior/Exterior Noise Standards) of the General Plan. This section of the DEIR estimates the potential operational noise from the facility as 58 dBA at 21 feet away for the emergency generator (assuming solid walls around it, as proposed), and 52 dBA at 10 feet away for the HVAC systems. Please confirm that this estimate would be accurate specifically for AGH, considering that the site would be located on a hilltop, with residential uses below.

The DEIR lists the allowed hours of construction noise pursuant to the Municipal Code, which are from 7:00 a.m. to 7:00 p.m. during the weekdays and on Saturdays. We request that these hours be strictly adhered to, given that the access road to the site begins in a single-family residential neighborhood, and driveway entrance is located specifically between two residences.

Other

While not related to CEQA, we recommend that you coordinate with the property owner, Morrison Ranch Homeowners' Association, at your earliest convenience regarding possible use of the proposed site.

Thank you for your consideration of these comments. If you have any questions, please contact Allison Cook, Assistant Planning Director, at (818) 597-7310 or at acook@ci.agoura-hills.ca.us.

Sincerely,

Greg Ramirez
City Manager