

II. RESPONSES TO COMMENTS

1. INTRODUCTION

The CEQA review process provides opportunities for public participation, including periods for public review and comment on the adequacy of the Draft SEIR prior to certification. Section 15088(a) of the State CEQA Guidelines requires that the lead agency evaluate comments on environmental issues received from persons who reviewed the Draft SEIR and prepare a written response to comments received during the notice comment period. Section 15204(a) of the State CEQA Guidelines clarifies that the lead agency is not obligated to undertake every suggestion it is given, provided that the lead agency responds to significant environmental issues and makes a good faith effort at disclosure. Reviewers of the Draft SEIR are encouraged to examine the sufficiency of the environmental document, particularly regarding significant effects, and to suggest specific mitigation measures and project alternatives. Furthermore, Section 15204(c) of the State CEQA Guidelines advises reviewers that comments should be accompanied by factual support.

The City of Agoura Hills Planning and Community Development Department received a total of 61 comment letters on the Draft SEIR during the designated public review period (between April 28, 2022 and June 20, 2022). Each comment letter has been assigned a corresponding number, and comments within each comment letter are also numbered. The agencies/organizations/persons that provided written comments on the Draft SEIR to the City of Agoura Hills Planning and Community Development Department are listed in Table II-1, below. Full copies of the letters are provided in Appendix A.

Of the 61 comment letters, 50 (Comment Letters 11 through 61) commented solely on the inclusion of three development opportunity sites located at the intersection of Kanan Road and Thousand Oaks Boulevard (Sites O, P and Q in Figure III-3 of the Draft SEIR, hereinafter referred to as the “Shopping Center Sites”). These letters address various aspects of the Shopping Center Sites, including recommending removal of the sites from the list of development opportunity sites, and addressing specific environmental concerns related to the sites. Because these comment letters are all related to the Shopping Center Sites, they have been combined for purposes of this Responses to Comments section. Accordingly, comments in these 50 comment letters have been collectively responded to below under Comment Letter 11, with the specific issues that were identified in the set of comment letters broken out and responded to individually.

Written comments made during the public review period for the Draft SEIR included comments relevant to the adequacy of the environmental review, as well as comments and opinions not related to the project’s environmental issues, but relevant to the project’s approval/disapproval. Responses to comments provided in this section of the Final SEIR provide detailed responses to all comments related to the environmental review and acknowledge the comments and opinions relating to the project’s approval/disapproval.

**Table II-1
SEIR Comment Letter Submissions**

SUMMARY OF COMMENTS Agoura Hills General Plan Update	Letter Number	Aesthetics	Air Quality	Biological Resources	Cultural Resources	Greenhouse Gas Emissions	Hazardous Materials and Wildfire	Land Use and Planning	Noise	Population and Housing	Transportation/Traffic	Public Services - Fire	Alternatives	Other	Explanation of "Other"
State Agency Letters															
State of California Department of Fish and Wildlife	1			x											
State of California Department of Transportation District 7 – Office of Regional Planning	2										x				
County Agency Letters															
Office of Supervisor Linda Parks, County of Ventura Board of Supervisors, 2 nd District	3						x				x				
Community Group and Individual Letters															
Mary Wiesbrock on behalf of the Save Open Space	4												x	x	Project Objectives
Mary Wiesbrock on behalf of the Save Open Space	5						x				x	x			
Mary Wiesbrock on behalf of the Save Open Space	6		x				x			x	x			x	Project Objectives
Carolyn Cass-Barton	7						x								
Tyler Claxton	8						x								
Samantha Kim	9													x	Timeline for State approvals

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Inge Weinberg	10												x		
Individual Comment Letters Addressing the Shopping Center Sites															
Anonymous	11										x				
Janet Baraad	12	x					x								
Frank Calautti	13														
Roe Calautti	14														
Carolyn Cass-Barton and Dan Barton	15						x								
Richard and Nancy Caster	16														
David Cooper	17														
Gary and Joan Davidson	18						x								
Benedict Desimone	19														
Joseph and Jennifer De Vita	20														
Barry Elman	21														

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Jennifer Fiebig	22						x				x				
Phil and Sue Fitzpatrick	23										x				
Kelley Foster	24						x								
Ellen Francis	25						x								
Nancy Franklin	26						x								
Lauren Garner	27						x								
Andrea Gronich	28						x								
Bernice Hayden	29						x								
John Hayden	30						x								
Laura Heisen	31						x								
Shannon Hirtensteiner	32														
Sepehr Hendizadeh	33						x								
Timmie High	34						x								

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Barbara Hoffmann & Richard Hoffmann	35						x								
Mia Holako	36						x								
Cory Jakl	37						x							x	Water supply
Beth Kin	38						x								
Tina Li-Hui Yu	39														
Roselyn J. Mac	40						x								
Roselyn J. Mac	41						x								
Sandra Matthew	42						x							x	Water supply, electricity
Harry Medved	43				x										
Larry and Carol Miller	44														
Deb Mukherjee	45						x								
Brian Murray	46						x							x	Water supply
Rosalind Murray	47														

**Table II-1
SEIR Comment Letter Submissions**

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Janna Orkney	48						x									
Bev Ovdatt	49						x									
Susan Pigozzi	50						x									
Robert Ramirez	51						x									
Amy Rippee	52	x												x	Water supply	
Lisa Roberts	53															
Lynn Rollo	54						x							x	Forwarded petitions	
Geri Sterling	55						x									
Susan Stone	56						x							x	Electricity, water, solid waste, sewer	
David Tirsch	57	x	x				x									
Wendy Tirsch	58	x					x									
Natalie Wagner	59															
Scott J Weiss	60						x									

**Table II-1
SEIR Comment Letter Submissions**

<p>SUMMARY OF COMMENTS Agoura Hills General Plan Update</p>	<p>Letter Number</p>	<p>Aesthetics</p>	<p>Air Quality</p>	<p>Biological Resources</p>	<p>Cultural Resources</p>	<p>Greenhouse Gas Emissions</p>	<p>Hazardous Materials and Wildfire</p>	<p>Land Use and Planning</p>	<p>Noise</p>	<p>Population and Housing</p>	<p>Transportation/Traffic</p>	<p>Public Services - Fire</p>	<p>Alternatives</p>	<p>Other</p>	<p>Explanation of "Other"</p>
<p>Nannette Nelson and Jim Shahan</p>	<p>61</p>					<p>x</p>		<p>x</p>							

2. COMMENT LETTERS AND RESPONSES

Comment Letter No. 1

State of California
Department of Fish and Wildlife
South Coast-Region 5-Habitat Conservation Planning Program
Ruby Kwan-Davis, Senior Environmental Scientist
4665 Lampson Avenue, Suite C
Los Alamitos, CA 90720

Comment 1-1

The California Department of Fish and Wildlife has completed review of a Subsequent Environmental Impact Report for the City of Agoura Hills General Plan Update (SCH #2021090588). Please find CDFW's comment letter attached. Thank you for the opportunity to provide comments. If you have any questions or concerns regarding CDFW's comments, please feel free to contact CDFW at your convenience.

Response to Comment 1-1

The comment states the purpose of the letter. No further response is required.

Comment 1-2

The California Department of Fish and Wildlife (CDFW) has reviewed a Subsequent Environmental Impact Report (Subsequent EIR) from the City of Agoura Hills (City) for the City of Agoura Hills General Plan Update (Project). CDFW appreciates the opportunity to provide comments regarding aspects of the Project that could affect fish and wildlife resources and be subject to CDFW's regulatory authority under the Fish and Game Code.

CDFW's Role

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 & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 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., § 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.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 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 & G. Code, § 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

& G. Code, § 2050 et seq.), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Response to Comment 1-2

The comment outlines the agency's role in the review. The comment additionally states that if the project results in a "take" of protected species, appropriate authorization from CDFW is recommended. No further response is required.

Comment 1-3

Project Description and Summary

Objective: The Project would adopt the City of Agoura Hills General Plan Update, which includes the 2021-2029 Housing Element, and related updates to the Community Conservation and Development, Community Safety, Infrastructure and Community Services, and Natural Resources Elements. In addition, the Project would adopt land use and zoning regulations (Agoura Hills Zoning Code and Specific Plan amendments) and the corresponding amendments to the Zoning Map to create and implement the Affordable Housing Overlay District.

The major objectives for the proposed Project are to:

- Update the Housing Element to accommodate the City's 6th Cycle Regional Housing Needs Assessment allocation by identifying housing opportunity sites that meet all statutory requirements and follow State guidelines;
- Prepare a Housing Element Update that ensures adequate site capacity that creates a buffer above the City's Regional Housing Needs Assessment allocation;
- Prepare a Housing Element Update that promotes the development of new housing for all income levels in a manner that minimizes impacts to the City's small-town ambience, maintains the character of existing residential neighborhoods, and ensures development is in harmony with surrounding land uses;
- Update other Elements of the General Plan to meet State legal requirements and align with the Housing Element Update;
- Prepare a Housing Element Update and other General Plan Elements that continue to support the City as a safe and vibrant place to work, live, play, and visit. This includes providing services to match the community's needs, promoting community engagement, and promoting economic viability and thriving town centers, consistent with the needs of the community; and
- Prepare a Housing Element Update and update other General Plan Elements that protect the environment and promote environmental sustainability.

Location: The City is located in the foothills of the Santa Monica Mountains in the Conejo Valley on the western edge of Los Angeles County. The City encompasses nearly seven square miles and straddles the Ventura Freeway. Generally, the City is bordered by Westlake Village to the west, Thousand Oaks to the northwest, Ventura County to the north, Calabasas and unincorporated areas of Los Angeles County to the east, and unincorporated areas of Los Angeles County to the south.

Response to Comment 1-3

The comment reiterates the project description, objectives, and location. No further response is required.

Comment 1-4

Comments and Recommendations

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. Editorial comments or other suggestions are also included to improve the environmental document. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring, and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

Response to Comment 1-4

The comment states the purpose of the comments provided later in the letter. No further response is required.

Comment 1-5

Specific Comments

Comment #1: Impacts on Biological Resources

Issue: Development facilitated by the Project could impact biological resources.

Specific impacts: The City has identified 20 sites (Sites A through T) that are most viable and suitable for development within the eight-year planning period of the 2021-2029 Housing Element. Direct and indirect impacts on biological resources could result from development on the Housing Element sites that the Project has identified. Impacts on biological resources could result in reproductive suppression, mortality or injury to wildlife, or population decline of a special status, sensitive, or rare species or natural community.

Why impacts would occur: According to the Supplemental EIR, out of the 20 Housing Element sites that the Project has identified, Sites A, B, C, E, I, S, D, F, H, M, and R are vacant sites.

“Development on these sites as proposed in the GPU [General Plan Update], would require removal of habitat and construction of residential uses and site lighting. Development on these sites could result in

habitat modification and impacts to special status species during development and operation.” Development facilitated by the Project could impact biological resources, both directly or indirectly through habitat modification or loss. Biological resources that could be impacted by the Project includes special status, sensitive, or rare species or natural communities. These include (but are not limited to) the following (Table 1):

Table 1. Plants, wildlife, and sensitive natural communities that occur or could occur within the City and on developable Housing Sites identified by the Project.

Scientific Name	Common Name	California Rare Plant Rank	ESA ¹ Status	CESA Status
Plants				
<i>Calochortus catalinae</i>	Catalina mariposa	4.2		
<i>Dudleya cymosa</i> ssp. <i>agourensis</i>	canyon liveforever	1B.2		
<i>Juglans californica</i>	California walnut	4.2		
<i>Pentachaeta lyonii</i>	Lyon's <i>pentachaeta</i>	1B.1	Endangered	Endangered
<i>Navarretia ojaiensis</i>	Ojai navarretia	1B.1		
<i>Phacelia hubbyi</i>	Hubby's phacelia	4.2		
<i>Romneya coulteri</i>	Coulter's matilija poppy	4.2		
Wildlife				
<i>Vireo bellii pusillus</i>	least Bell's vireo		Endangered	Endangered
<i>Empidonax traillii extimus</i>	southwestern willow flycatcher		Endangered	Endangered
Sensitive Natural Communities				
Alliance Name (Scientific) ²	Alliance Name (Common)	State Rarity		
<i>Juglans californica</i> Woodland Alliance	California walnut groves	S3.2		
<i>Quercus agrifolia</i> Forest and Woodland Alliance	Southern coast live oak riparian forest	S4		
<i>Quercus lobata</i> Woodland Alliance	Valley oak woodland and forest	S3		
<i>Nassella</i> spp. - <i>Melica</i> spp. Herbaceous Alliance	Needle grass-Melic grass grassland	S3/S4		
<i>Platanus racemosa</i> - <i>Quercus agrifolia</i> Woodland Alliance	California sycamore - coast live oak riparian woodlands	S3		

Notes:

¹: Endangered Species Act

²: Names according to the Manual of California Vegetation

The Subsequent EIR concludes that the Project’s impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW and/or U.S. Fish and Wildlife Service (USFWS) is less than significant through implementation of the General Plan’s goals and policies and compliance with relevant local, state, and federal regulations. The General Plan’s Natural Resources Elements 1.1 through 1.4, 4.1 through 4.13, 6.1, 6.4, and 6.8 are goals and policies that do not prescribe, require, or impose specific actions that would substantially mitigate for impacts on candidate, sensitive, or special status species at a project level. The Subsequent EIR does not require future development facilitated by the Project to undertake any measures to mitigate for impacts on candidate, sensitive, or special status species. As a result, the Project, by identifying developable sites over the next eight years, could result in unmitigated impacts.

Response to Comment 1-5

The General Plan includes policies that encourage the protection of open space, natural areas, and water quality. The City uses the General Plan policies to guide the review of projects during the approval process. These policies are intended to avoid or minimize impacts but they do not and cannot prescribe, require, or impose specific actions on a project-specific level as biological resource conditions would vary on future project sites depending on location, future proposal plans, and specific biological resources on the sites. Additionally, although the Housing Element provides for the identification of sites for future housing development, the City’s actions are limited to this identification and re-designating/re-zoning of sites to

allow development, as well as creation of a State-mandated by-right approval process for qualifying housing projects, pursuant to Government Code Section 65583.2(h). Specific future development plans are unknown at this time and would be undertaken as individual development projects proposed by private parties.

As stated on Page IV.C-14 of the SEIR, impacts from all future discretionary projects in the City would be addressed at the project application stage as these discretionary projects would be subject to additional CEQA analysis at the project level. The CEQA analysis would include the preparation of biological resource assessments that analyze impacts to candidate, sensitive, or special status species, riparian habitat, sensitive natural communities, wetlands, migratory corridors, trees, and any applicable regulations and policies. These future projects would be required to comply with relevant local, state, and federal regulations protecting sensitive plant and wildlife species. Project-specific requirements would include compliance with the federal ESA, CESA, and local policies protecting sensitive species, such as the City's Municipal Code and Oak Tree Preservation Guidelines, if applicable. Project-level analyses conducted as part of a development application would ensure that the appropriate biological resources technical studies are conducted, including baseline surveys, protocol-level surveys, tree inventories, and pre-construction surveys, to confirm the presence or absence of any special status species within or immediately adjacent to proposed impact areas. Reports would be prepared that would document baseline conditions at the time of project application, identify constraints, recommend project re-design, analyze potential effects, and propose mitigation measures that reduce potential impacts to less-than significant levels. If necessary, project applicants would be required to consult with, and obtain the appropriate permits from, the USFWS and/or CDFW for unavoidable impacts to special status species and other protected resources.

For projects proposed under the AHO and which would be approved ministerially, in accordance with Government Code Section 65583.2(h), the objective standards listed in Section III. Project Description, of the SEIR, and incorporated into the developments standards for AHO projects, would apply. As noted in standard number 4 (see page III-17 of the SEIR), projects seeking approval under the AHO may not conflict with state or federal regulations pertaining to special status plant or animal species or that would have an adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the CDFW or USFWS unless the applicant/developer obtains the required permit(s) from the CDFW or USFWS. Thus, an applicant seeking approval under the AHO would need to obtain the appropriate permits from CDFW or USFWS (if applicable) before building permits may be issued for a project. The objective standards also require that project applicants for AHO projects incorporate certain elements into the ultimate project design, such as buffers, that serve as minimum thresholds for protecting sensitive and otherwise protected species, and that developers structure the construction schedule/activities, etc. to meet state and federal criteria to avoid impacts to sensitive species. Additionally, the objective standards would protect sensitive species by specifying buffer distances required for disturbance to sensitive natural communities, requiring that projects do not conflict with state or federal regulations related to special status plant or animal species, and requiring nesting bird surveys.

As all projects proposed on the housing opportunity sites would be subject to federal, state, and City regulations and policies, they would prevent impacts to any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or as identified by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFW). As all development on the project sites would have to demonstrate compliance with USFW and CDFW regulations prior to ministerial or discretionary approval, either by avoiding sensitive species (adhering to the buffer requirements adopted in the objective standards) or providing proof of approval from USFW and/or CDFW, the project would not result in unmitigated impacts.

Comment 1-6

Evidence impact would be significant: The Project has identified vacant sites within the City that could be developed through 2029. The Project could result in direct physical changes to the environment and impact special status, sensitive, or rare plant or wildlife species or natural communities. Impacts on CESA- and ESA-listed species requires a mandatory finding of significance under CEQA (CEQA Guidelines, § 15065). Take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Plants with a California Rare Plant Rank (CRPR) of 1B meets the definition of endangered, rare, or threatened species under CEQA (CEQA Guidelines, §15380; CNPS 2022a). Plants with a CRPR of 4 may meet the definition of endangered, rare, or threatened species. Impacts on rare plants could require a mandatory finding of significance. CDFW considers Sensitive Natural Communities as threatened habitats having both regional and local significance. Natural communities, alliances, and associations with a State-wide rarity ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting the Vegetation Classification and Mapping Program - Natural Communities webpage (CDFW 2022a). Impacts on sensitive natural communities could require a mandatory finding of significance.

Development facilitated by the Project could substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species [CEQA Guidelines, § 150565(a)(1)]. Without appropriate mitigation, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species, or a Sensitive Natural Community, in local or regional plans, policies, or regulations, or by CDFW and/or USFWS.

Response to Comment 1-6

Although the Housing Element provides for the identification of sites for future housing development, the City's actions with this project are limited to this identification and re-designating/re-zoning of sites to allow for potential development. Any future development plans are unknown at this time and would be undertaken as individual development projects are proposed by private parties. These projects would be subject to project-specific analysis as required under CEQA or through the City's Objective Standards.

See Response to Comment 1-5 for further discussion of the environmental review process for discretionary and AHO projects.

Comment 1-7

Recommended Potentially Feasible Mitigation Measure(s) Required for Future Projects Facilitated by the General Plan Update:

Mitigation Measure #1: Future development projects on Housing Element sites should conduct the appropriate biological resources technical studies as part of project-level analyses, including baseline surveys, protocol-level surveys, tree inventories to confirm the presence of any special status species within or immediate adjacent to proposed impact areas. Focused species-specific surveys should be required if suitable habitat is present and performed according to established CDFW and/or USFWS protocols. Reports should be prepared that should document baseline conditions at the time of project application, identify constraints, recommend project redesign, analyze potential effects, and propose mitigation measures that reduce potential impacts to less than significant levels. Biological resources technical studies should provide and include the following:

- 1) A complete, recent, assessment of rare, threatened, and endangered species, regionally and locally unique species, and sensitive habitats at the project site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of land around the project site should also be addressed. A nine-quadrangle search of CDFW's California Natural Diversity Database (CNDDDB) should be conducted to obtain current information on any previously reported sensitive species and habitat (CDFW 2022b);
- 2) A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). Adjoining habitat areas should be included where project construction and activities could lead to direct or indirect impacts off site;
- 3) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the area of potential effect. The Manual of California Vegetation (MCV), second edition, should be used to inform this mapping and assessment (Sawyer et al. 2009);
- 4) A rare plant assessment using online databases for rare, threatened, and endangered plants, including the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants of California (CNPS 2022b) as well as the Calflora's Information on Wild California Plants database (Calflora 2022);
- 5) A discussion regarding project-related indirect impacts on biological resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or

proposed or existing reserve lands [e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)]; and,

- 6) Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the project site.

Mitigation Measure #2: If necessary, the project applicants should be required to enter into consultation with, and obtain the appropriate permits from, the USFWS and/or CDFW for unavoidable impacts to special status species and other protected resources. Appropriate permits from the USFWS and/or CDFW should be obtained prior to obtaining a grading permit.

Mitigation Measure #3: If a rare plant species or a Sensitive Natural Community is detected, the project applicant should fully avoided impacts. If the project cannot feasibly avoid impacts to rare plants and habitat, or sensitive natural communities, either during project activities or over the life of the project, the project applicant should provide compensatory mitigation for the loss of individual plants and habitat acres, which should include impacts due to fuel modification. Impacts on rare plants or a Sensitive Natural Community due hazard mitigation/remediation should also be mitigated as these impacts would result in permanent loss and perpetual impacts on habitat function and quality. The project applicant should provide compensatory mitigation so that there is no net loss of rare plants and habitat, or sensitive natural communities. Compensatory mitigation should be appropriate for the extent of permanently disturbed habitat. Compensatory mitigation should be higher for impacts on CRPR 1 species, S1 or S2 Sensitive Natural Community, and Sensitive Natural Community with an additional rank of 0.1 or 0.2. Compensatory mitigation should be implemented by a qualified restoration ecologist. A Restoration Plan, at a minimum, should include success criteria and performance standards for measuring the establishment of rare plants and habitat, responsible parties, maintenance techniques and schedule, five-year monitoring and reporting schedule, adaptive management strategies, and contingencies. A Restoration Plan should be submitted to the City prior to any grading or vegetation removal.

Response to Comment 1-7

All discretionary projects would be subject to CEQA and would require the preparation of biological resource assessments. These assessments would follow the most current and approved protocols and incorporate avoidance measures required by CDFW and USFW. For projects proposed under the AHO and which would be approved ministerially, the objective development standards listed in Section III. Project Description of the SEIR, would apply. These objective standards would require that project applicants for AHO projects provide substantial evidence that the project, including items such as design buffers, construction schedule/activities, etc. meet state and federal criteria to avoid impacts to sensitive species. Objective Standard Biological Resources 4 requires that development on project sites would not conflict with state or federal regulations pertaining to special status plant or animal species, or that would have an adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the CDFW or USFWS unless the applicant/developer obtains the required permit(s) from the CDFW or USFWS. Therefore, the suggested mitigation measures are not needed as any project-level, site-specific measures would be required for future projects on the sites.

See Response to Comment 1-5 for further discussion of the review process for discretionary and AHO projects.

Comment 1-8

Recommendation #1: CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species that results from a project is prohibited, except as authorized by State law (Fish & G. Code, §§ 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Consequently, if a project, project construction, or any project-related activity for the duration of the project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends the project applicant seek appropriate take authorization under CESA prior to implementing or continuing the project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a Consistency Determination in certain circumstances, among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the project's CEQA document addresses all project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the 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 a CESA ITP.

Response to Comment 1-8

As stated in development standard 4 (see page III-17 of the SEIR), proposed projects seeking approval under the AHO may not conflict with state or federal regulations pertaining to special status plant or animal species, or that would have an adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the CDFW or USFWS, unless the applicant/developer obtains the required permit(s) from the CDFW or USFWS. As such, applicants will be required to seek all necessary permits, including an Incidental Take Permit (ITP), if required. As such, projects would be required to incorporate project- and site-specific measures to avoid possible impacts to endangered, threatened, and candidate species. If necessary, as required by law, the City would consult with CDFW or USFW to ensure that the applicant has obtained appropriate authorization should an ITP be required.

Comment 1-9

Comment #2: Impacts on Streams and Associated Natural Communities

Issue: Development facilitated by the Project could impact streams and associated natural communities.

Specific impacts: Development on the Housing Element sites may result in erosion and earth movement that could impair streams, whether ephemeral, intermittent, or perennial. Development on the Housing Element sites may necessitate streams to be channelized or diverted from their natural course of flow. In addition, vegetation along streams may need to be removed or may be degraded through habitat

modification (e.g., loss of water source, encroachment, and edge effects leading to introduction of non-native plants).

Why impacts would occur: According to the Supplemental EIR, Medea Creek is located on Site A and Lindero Canyon Creek located on Site B. “Medea Creek also borders the west side of Sites Q and P, and the west and south sides of Site O as a concrete flood control channel.” Development on Sites A and B could affect riparian habitat during project construction and operation. Development on these and potentially additional Housing Element sites would result in ground-disturbing activities and vegetation removal. This includes ground-disturbing activities and vegetation removal potentially required for fuel modification and hazard mitigation/remediation. Ground-disturbing activities and vegetation removal could result in erosion. Siltation or runoff downstream could impair streams and herbaceous vegetation. Herbaceous vegetation adjacent to streams protects the physical and ecological integrity of these water features and maintains natural sedimentation processes. Therefore, housing projects that would impact vegetation adjacent to streams, but not the stream itself, could still impact the stream. In addition, housing projects may require streams to be channelized or diverted from their natural course of flow.

The Subsequent EIR concludes that the Project’s impact on any riparian habitat or other sensitive natural community is less than significant through implementation of the General Plan’s goals and policies and compliance with relevant local, state, and federal regulations. The General Plan’s Natural Resources Elements 1.2, 1.3, 4.1, 4.11, 6.1, 6.4, and 6.8 are goals and policies that do not prescribe, require, or impose specific actions that would substantially mitigate for impacts on streams and associated natural communities. The Subsequent EIR does not require future development facilitated by the Project to undertake any measures to mitigate for impacts on streams and associated natural communities. As a result, the Project, by identifying developable sites over the next eight years, could result in unmitigated impacts.

Response to Comment 1-9

As stated on Page IV.C-16 of the SEIR, ground-truthing of riparian resources and fine-scale mapping would occur in the future for each specific development proposed on each of the Housing Element opportunity sites. Potential site-specific impacts cannot be known at this stage without a specific development proposal. Ground-truthing would include formal delineations and detailed mapping of riparian resources according to specific criteria defined by the CDFW and other agencies and would be required to be prepared for a development project application. Project-specific analyses would determine the presence or absence of riparian, streambed, lake, or other habitat regulated by the CDFW and protected under Section 1600 et seq. of the California Fish and Game Code within Housing Element opportunity sites. Specifically, these riparian habitats may include elements of other sensitive natural communities, including southern coast live oak riparian forest, southern riparian scrub, southern willow scrub, and mule fat scrub. The project will provide a 50-foot buffer from the edge of any wetland, riparian, or other sensitive natural community identified in a local or regional plan, policy or regulation, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS), that will be maintained as natural open space. Only planting of native species and unpaved walking trails will be allowed within the buffer. As permitted by applicable state and federal regulatory

agencies, storm drain outlets into creeks and other riparian drainages are allowed that meet City Best Management Practices (BMPs) for storm water and erosion control.

Further, all projects with the potential to impact these habitats, directly or indirectly, temporarily or permanently, would be required to obtain a Lake or Streambed Alteration Agreement from the CDFW pursuant to Section 1602 of the CFW Code prior to obtaining a grading permit. The Lake or Streambed Alteration Agreement would ensure that all construction-related impacts to riparian habitat and other areas under the jurisdiction of the CDFW are fully mitigated and reduced to less than significant.

As stated on Page IV.C-19 of the SEIR, Development on Sites A and B has the potential to affect wetland resources if development encroached into wetland areas. Technical studies would be required at the project application stage for development on Sites A and B to determine the presence or absence of wetlands and other waters of the U.S. regulated by the USACE and protected under Section 404 of the Clean Water Act. If development projects on Sites A and B impact these features, directly or indirectly, temporarily or permanently, they would be required to obtain either a Nationwide or Individual permit from the USACE pursuant to Section 404 of the Clean Water Act prior to obtaining a grading permit. In addition, all qualifying projects would likely be required to obtain a Water Quality Certification from the Los Angeles Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the Clean Water Act. For qualifying projects, a Water Quality Certification is required prior to the USACE issuing a Nationwide or Individual permit for the project.

All development on the project sites would be subject to analysis of potential impacts, consultation with appropriate trustee agencies (if required), and the application of relevant measures to avoid impacts. Therefore, the project would not result in unmitigated impacts.

See Response to Comment 1-5 for further discussion of the environmental review process for discretionary and AHO projects.

Comment 1-10

Evidence impacts would be significant:

CDFW exercises its regulatory authority as provided by Fish and Game Code section 1600 et seq. to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated natural communities. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- Divert or obstruct the natural flow of any river, stream, or lake¹;
- Change the bed, channel, or bank of any river, stream, or lake;

¹ "Any river, stream, or lake" includes those that are dry for periods of time (ephemeral/episodic) as well as those that flow year-round (perennial). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a water body.

- Use material from any river, stream, or lake; or,
- Deposit or dispose of material into any river, stream, or lake.

CDFW requires a Lake and Streambed Alteration (LSA) Agreement when a project activity may substantially adversely affect fish and wildlife resources. The Project may result in significant impacts on streams and associated natural communities if development on Housing Element sites identified by the Project would be in close proximity to these resources. Without appropriate mitigation, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on fish and wildlife resources, including rivers, streams, or lakes and associated natural communities identified by CDFW.

Response to Comment 1-10

Although the Housing Element provides for the identification of sites for future housing development, the City's actions with this project are limited to this identification and re-designating/re-zoning of sites to allow for potential development. Any future development plans are unknown at this time and would be undertaken as individual development projects proposed by private parties. Projects seeking a discretionary approval in accordance with the underlying zoning district would be subject to project-specific analysis as required under CEQA, whereas projects seeking a ministerial approval in accordance with the AHO would be required to comply with the City's Objective Standards. If necessary, as required by law, the City would consult with CDFW to ensure that appropriate authorization has been obtained (should an LSA be required).

Also, see Response to Comment 1-8 regarding standard 3 for projects seeking approval under the AHO. See also Response to Comment 1-5.

Comment 1-11

Recommended Potentially Feasible Mitigation Measure(s) Required for Future Projects Facilitated by the General Plan Update:

Mitigation Measure #4: Project specific analyses should prepare a jurisdictional delineation² and impact assessment provided along with the project's biological resources technical studies.

Mitigation Measure #5: If any river, stream, or lake are present and may be impacted, the project should be required to avoid impacts by implementing appropriate vegetative buffers and/or setbacks adjoining the stream or wetland feature to reduce impacts of the project on these resources.

Mitigation Measure #6: If avoidance is not feasible, the project applicant should be required to notify CDFW pursuant to Fish and Game Code 1602 and obtain an LSA Agreement from CDFW prior to obtaining a grading permit. The project applicant should comply with the mitigation measures detailed in a LSA Agreement issued by CDFW. The project applicant should also provide compensatory mitigation at no less than 2:1 for the impacted stream and associated natural community, or at a ratio acceptable to CDFW.

Please visit CDFW's Lake and Streambed Alteration Program webpage for more information (CDFW 2022c).

Response to Comment 1-11

See Response to Comment 1-7. The suggested mitigation measures are not needed as project-level reports would be prepared that incorporate adequate, or substantially similar, measures to avoid impacts. These reports and any potential measures would be undertaken for future housing projects.

² *Be advised that some wetland and riparian habitats subject to CDFW's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' Section 404 permit and Regional Water Quality Control Board Section 401 Certification.*

Comment 1-12

Recommendation #2: CDFW's issuance of an LSA Agreement 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 from the lead agency/project applicant for the project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, a project's 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 Agreement. To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures; avoidance of resources; protective measures for downstream resources; on- and/or off-site habitat creation; enhancement or restoration; and/or protection and management of mitigation lands in perpetuity.

Response to Comment 1-12

See Response to Comment 1-7. Projects would be required to incorporate project- and site-specific measures to avoid impacts to potential jurisdictional resources, riparian habitat, or other sensitive natural community. If necessary, the City would submit project-specific analyses of jurisdictional resources, riparian habitat, or other sensitive natural communities to CDFW or USFW to obtain appropriate approval or permits.

Comment 1-13**Comment #3: Impacts on Oak Shrublands and Woodlands**

Issue: Development facilitated by the Project could impact oak shrublands and woodlands.

Specific impact: Development on the Housing Element sites may result in loss of individual oak trees (*Quercus* genus) as well as acres of oak shrublands and woodlands.

Why impacts would occur: According to the Subsequent EIR, "Development on Sites A, B, C, E, I, S, D, F, H, M, and R would occur on currently vacant sites. These sites are comprised of mostly open space and are dominated by non-native annual grassland interspersed with some native species, such as coast live oak, valley oak, scrub oak and elderberry." Development on these and potentially additional Housing Element sites could result in the loss of individual trees and acres of oak shrublands and woodlands. Impacts on oak trees, oak shrublands, and oak woodlands could occur as a result of clearing a project site for development, which includes fuel modification areas surrounding the potential development. Even if individual trees are not removed as part of fuel modification, removal and disturbance of the understory vegetation would result in the complete loss, degradation, or disturbance of a structurally diverse oak shrubland or woodland.

The Subsequent EIR concludes that the Project's impact on oak trees is less than significant through implementation and compliance with the City's Oak Tree Preservation Guidelines and Ordinance, as well as the General Plan's Natural Resources Elements 4.2 and 4.10. The City's Oak Tree Preservation

Guidelines and Ordinance applies to individual trees, not the habitat or natural community as a whole. The General Plan's Natural Resources Elements 4.2 and 4.10 do not prescribe, require, or impose specific actions that would substantially mitigate for impacts on a natural community that CDFW considers to be a Sensitive Natural Community. The Subsequent EIR does not require any future development facilitated by the Project to undertake measures to mitigate for impacts on oaks as a natural community. As a result, the Project, by identifying developable sites over the next eight years, could result in unmitigated impacts.

Loss of woodlands supporting foraging, nesting, and dispersing wildlife may not be completely mitigated by planting individual trees. Individual trees may not completely replace the loss of viable habitat, understory vegetation, mycorrhizal fungi, and biological functions. Oak leaf litter contains beneficial mycorrhizae, microorganisms, and nutrients. Lastly, there is a longer establishment period for oak trees and higher risk of failure especially during periods of drought, which results in prolonged temporal loss of habitat. The Project, by identifying developable Housing Sites where there are oak shrublands and woodlands, could result in a short-term and long-term reduction in oak shrublands and woodlands available to support biological and ecological functions. Even if replacement oak trees survive transplanting, oak tree saplings could remain small and shrubby for many years. It may take 20 to 40 years, potentially longer under drought conditions, for replacement oak trees to reach maturity and restore the habitat, structure, foliage, and canopy lost. As such, wildlife such as birds may be unable to nest in planted oak trees and shrubs until they mature. This could result in local extirpation of wildlife.

Response to Comment 1-13

Sites G, J, K, L, N, O, P, Q and T are developed with commercial uses and ornamental trees. Therefore, development on these sites would not result in impacts to a natural community. Development on Sites A, B, C, E, I, S, D, F, H, M, and R would occur on currently vacant sites that are mostly open space and dominated by non-native annual grassland interspersed with some native species, such as coast live oak, valley oak, scrub oak and elderberry. However, as stated on Page IV.C-6 of the SEIR, although California Walnut Woodland, Southern Coast Live Oak Riparian Forest, and Valley Oak Woodland are located within one mile of Sites F, H, O, P and Q; no sensitive natural communities are located on the sites. Additionally, all of these vacant sites have been at least partially plowed recently, possibly to reduce fuels for fire prevention. Therefore, the project sites have been disturbed and do not contain any Oak shrublands or woodlands.

All development proposals on the project sites that proceed through a discretionary approval process would be required to prepare an oak tree report (if oak trees are present on the site) as part of development application submittal, and obtain an oak tree permit prior to construction, consistent with the City's Oak Tree Preservation Guidelines and Ordinance. For projects proposed under the AHO and which would be approved ministerially, the objective development standards listed in Section III. Project Description of the SEIR, would apply. Objective Standard Biological Resource 1 and 2 specify removal limits and replacement ratios that must be followed. Therefore, the project would not result in unmitigated impacts.

Comment 1-14

Evidence impacts would be significant: Oak woodlands have higher levels of biodiversity than any other terrestrial ecosystem in California. Over 330 species of birds, mammals, reptiles, and amphibians depend on oak woodlands in California at some stage in their life cycle (CalPIF 2002). Oak trees provide nesting and perching habitat for approximately 170 species of birds. Large oak trees in oak woodland habitats are important for cover, nesting sites for cup nesting species and cavity nesting species, as well as caching sites for birds storing acorns (CalPIF 2002). Oak woodlands also serve several important ecological functions important within an ecosystem such as protecting soils from erosion and land sliding, regulating water flow in watersheds, and maintaining water quality in streams and rivers.

CDFW considers oak woodlands to be a sensitive plant community. Oak trees and woodlands are protected by the Oak Woodlands Conservation Act (pursuant under Fish and Game Code sections 1360-1372) and Public Resources Code section 21083.4 due to the historic and on-going loss of these resources. Moreover, CDFW's Areas of Conservation Emphasis - Significant Habitats dataset includes oak woodlands as a Terrestrial Significant Habitat based on its priority for conservation and acquisition planning for some counties, local jurisdictions, and the Wildlife Conservation Board (CDFW 2019).

Impacts to a Sensitive Natural Community should be considered significant under CEQA unless impacts are clearly mitigated below a level of significance. Without appropriate mitigation, the Project may result in significant impacts on a Sensitive Natural Community if development facilitated by the Project would remove, encroach into, or disturb (e.g., fuel modification) such resources. Accordingly, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a species or natural community identified as a candidate, sensitive, or special status species by CDFW.

Response to Comment 1-14

As discussed in Appendix E, Biological Resources, of the Draft SEIR, on page 8 of 10, no sensitive natural communities are located on the subject sites. Further, page 7 of Appendix E of the Draft SEIR provides an exhibit which graphically depicts the location of sensitive natural communities. Additional information can be found in Response to Comment 1-13.

Comment 1-15**Recommended Potentially Feasible Mitigation Measure(s) Required for Future Projects Facilitated by the General Plan Update:**

Mitigation Measure #7: Where a development project results in the loss of oak shrublands/woodlands, the Project Applicant should offset the loss by no less than 2:1 of the total acreage of shrublands/woodlands lost. The number of replacement trees and shrublands/woodlands acres should be higher if a project impacts large oak trees; impact an oak shrublands/woodlands supporting rare, sensitive, or special status plants and wildlife; impact an oak woodland adjacent to a watercourse; or impact an oak shrublands/woodlands with a State Rarity Ranking of S1, S2, or S3, or additional ranking of 0.1 or 0.2.

Mitigation Measure #8: The project should be required to provide an Oak Woodland Restoration Plan prior to obtaining an oak tree permit. Restoration should recreate functioning shrubland and/or woodland of similar composition, structure, and function to natural communities impacted. Mitigation should include restoration of structurally diverse understory vegetation species (i.e., grass, forb, shrub, subshrub, vine) occurring in the impacted natural communities. Acorns and/or seedlings should originate from plants/trees of the same species (i.e., genus, species, subspecies, and variety) as the species impacted. An Oak Woodland Restoration Plan should prescribe the following:

- 1) Species-specific planting methods;
- 2) Planting schedule;
- 3) Measures to control exotic vegetation and protection from herbivory;
- 4) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Measurable success criteria should be based on site/habitat conditions prior to impact and/or functional local native oak shrublands/woodlands as reference sites;
- 5) Contingency measures if the success criteria is not met;
- 6) Long-term monitoring for at least 10 years, with a minimum of seven years without supplemental irrigation;
- 7) Adaptive management techniques, including replacement plants if necessary; and
- 8) Annual reporting criteria and requirements.

Mitigation Measure #9: Where a development project results in the loss of oak woodlands, the Project Applicant should remove oak tree in phases to the maximum extent feasible. A phased removal plan should be provided as a condition of obtaining an oak tree permit. Removing trees in phases minimizes impacts resulting from the temporal loss of oak trees and to provide structurally diverse oak woodlands while any on or off-site site mitigation for impacts to oak woodlands occurs.

Response to Comment 1-15

As stated on Page IV.C-6 of the SEIR, although California Walnut Woodland, Southern Coast Live Oak Riparian Forest, and Valley Oak Woodland are located within one mile of Sites F, H, O, P and Q; no sensitive natural communities are located on the sites. Therefore, the project sites do not contain any Oak Woodlands.

Regarding the suggested mitigation measures, see Response to Comment 1-7.

Comment 1-16

Comment #4: Impacts on Nesting Birds

Issue: Development facilitated by the Project could impact nesting birds and raptors directly or through habitat loss and modification.

Specific impacts: Development on the Housing Sites during the nesting bird season could cause nesting birds to abandon their nests and a decrease in feeding frequency. This could result in loss of fertile eggs and nestlings. In addition, development on the Housing Sites identified by the Project could result in loss of nesting habitat or degrade habitat quality and function in areas adjacent to a project.

Why impacts would occur: According to the Subsequent EIR, “Sites G, J, K, L, N, O, P, Q and T are developed with commercial uses and ornamental trees. Development on Sites A, B, C, E, I, S, D, F, H, M, and R would occur on currently vacant sites. These sites are comprised of mostly open space and are dominated by non-native annual grassland interspersed with some native species, such as coast live oak, valley oak, scrub oak and elderberry.” Trees in all developable sites identified by the Project could provide suitable nesting habitat for birds and raptors. Oak woodlands have higher levels of biodiversity than any other terrestrial ecosystem in California. Over 330 species of birds, mammals, reptiles, and amphibians depend on oak woodlands in California at some stage in their life cycle (CalPIF 2002). Large oak trees in oak woodland habitats are important for cover, nesting sites for cup nesting species and cavity nesting species, as well as caching sites for birds storing acorns (CalPIF 2002).

Nesting birds and raptors could be impacted where a development project would occur within or adjacent to suitable habitat. Construction would create elevated levels of noise, human activity, dust, ground vibrations, and vegetation disturbance. These activities occurring near potential nests could cause birds to abandon their nests and a decrease in feeding frequency, both resulting in the loss of fertile eggs or nestlings. Accordingly, nesting birds and raptors would be impacted. In addition, a development project would require grading and vegetation removal within the project site and adjacent areas for fuel modification. Accordingly, development may result in permanent loss of nesting habitat. The quality and function of nesting habitat in areas adjacent to a project site could also be permanently impacted by project-facilitated edge effects such as ambient nighttime lighting and spread of invasive, non-native species.

The Subsequent EIR concludes that the Project’s impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW and/or USFWS is less than significant through implementation of the General Plan’s goals and policies and compliance with relevant local, state, and federal regulations. The General Plan’s Natural Resources Elements 1.1 through 1.4, 4.1 through 4.13, 6.1, 6.4, and 6.8 are goals and policies that do not prescribe, require, or impose specific actions that would substantially mitigate for impacts on nesting birds and raptors. The Subsequent EIR does not require any future development facilitated by the Project to undertake mitigation measures to mitigate for impacts on nesting birds and raptors. As a result, the Project, by identifying developable sites over the next eight years, could result in unmitigated impacts.

Response to Comment 1-16

All development on the project sites seeking discretionary approvals through the underlying zoning districts would be subject to analysis of potential impacts, consultation with appropriate trustee agencies

(if required), and the application of relevant measures to avoid impacts. In addition, projects seeking ministerial approval through the AHO district would be subject to the specific standard regarding nesting birds (see page III-17 of the SEIR). Therefore, the project would not result in unmitigated impacts.

See Response to Comment 1-5 for further discussion of the environmental review process for discretionary and AHO projects.

Comment 1-17

Evidence impact would be significant: Nests of all birds and raptors are protected under State laws and regulations, including Fish and Game Code, sections 3503 and 3503.5. Fish and Game Code section 3503 states, "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird." Fish and Game code section 3503.5 prohibits the take, possession, or destruction of birds-of-prey and their nests or eggs. Also, take or possession of migratory nongame birds designated in the Federal Migratory Bird Treaty Act of 1918 is prohibited under Fish and Game Code section 3513. Without appropriate mitigation, development facilitated by the Project could substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species [CEQA Guidelines, § 150565(a)(1)]. Accordingly, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species, or a Sensitive Natural Community, in local or regional plans, policies, or regulations, or by CDFW and/or USFWS.

Response to Comment 1-17

All development on the project sites seeking discretionary approvals through the underlying zoning districts would be subject to analysis of potential impacts, consultation with appropriate trustee agencies (if required), and the application of relevant measures to avoid impacts. In addition, projects seeking ministerial approval through the AHO district would be subject to the specific standard regarding nesting birds (see page III-17 of the SEIR). Therefore, the project would not result in unmitigated impacts.

See Response to Comment 1-5 for further discussion of the environmental review process for discretionary and AHO projects.

Comment 1-18

Recommended Potentially Feasible Mitigation Measure(s) Required for Future Projects Facilitated by the General Plan Update:

Mitigation Measure #10: Future development projects requiring vegetation disturbance and/or removal, and/or are adjacent to suitable nesting habitat should be required to avoid impacts on nesting birds by conducting all project-related activities between September 1 through January 31, outside of the nesting bird season.

Mitigation Measure #11: If construction must occur during the bird nesting season, project applicants should be required to retain a qualified biologist to survey suitable nesting habitat for nesting birds on the

project site and within 500 feet from the project site to the extent allowable and accessible. A qualified biologist should conduct a nesting bird survey no more than seven days prior to the beginning of any project-related physical activity, such as vegetation clearance, use, and transport of equipment, mobilization and construction likely to impact birds and raptors. If such project activity ceases for longer than seven days, additional surveys should be conducted prior to re-commencing the activity.

Mitigation Measure #12: If such species are identified, a no-disturbance buffer of 300 feet around active perching birds and songbirds should be implemented. A no-disturbance buffer of 500 feet around active non-listed as threatened or endangered raptor nests, and 0.5 mile around active listed birds should be implemented. Buffers should be maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

Mitigation Measure #13: Future development projects removing habitat for nesting birds should be required to restore or replace habitat. In-kind habitat should be provided on site if feasible to prevent temporal or permanent habitat loss. Projects should provide replacement habitat for both individual trees and habitat acres.

Response to Comment 1-18

Objective Standard Biological Resources 6 outlines the protocols for nesting bird surveys. These protocols include date windows for vegetation clearance, distance buffers for active perching birds and songbirds, active non-listed as threatened or endangered raptor nests, and active listed birds. The California Department of Fish and Wildlife nesting bird season is February 1st through August 31st. The nesting bird season identified in objective standard 9663.4(A)(3) is from January 1st through September 15th. Thus, the objective standard encompasses the CDFW nesting bird season. Therefore, the suggested mitigation measures are not needed as these measures are adequate to prevent impacts to nesting birds.

Comment 1-19

Comment #5: Impacts on Biological Resources Resulting From Projects Approved Ministerially Under the Affordable Housing Overlay

Issue: Development facilitated by the Project that would be approved ministerially under the Affordable Housing Overlay could still result in impacts on biological resources even with the required development standards.

Specific impacts: Development on the Housing Sites that would be approved ministerially under the Affordable Housing Overlay may still impact biological resources such as oak trees and riparian resources without adequate replacement or buffer/set back from those resources. Oaks that would be removed but not replaced would result in loss of oak trees and habitat. An insufficient setback from riparian resources may still result in impacts on streams and associate natural communities.

Why impacts would occur: According to the Subsequent EIR, projects proposed under the Affordable Housing Overlay would be approved ministerially. These projects would be required to implement six development standards to prevent impacts on biological resources. Two of those standards are:

- “If the project would remove oak trees, not more than 25 percent of the total estimated tree canopy or root structure of all protected oak trees on the project parcel(s) that have a combined total of 1-10 oak trees will be removed. Not more than 35 percent of the total estimated tree canopy or root structure of all protected oak trees on the project parcel(s) that have a combined total of 11 or more oak trees will be removed. Protected oak trees are defined in the City’s Oak Tree Ordinance and Guidelines.”
- “The project will provide a 50-foot buffer from the edge of any wetland, riparian, or other sensitive natural community identified in a in a local or regional plan, policy or regulation, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS), that will be maintained as natural open space. Only planting of native species and unpaved walking trails will be allowed within the buffer. As permitted by applicable state and federal regulatory agencies, storm drain outlets into creeks and other riparian drainages are allowed that meet City Best Management Practices (BMPs) for storm water and erosion control.”

As it is currently written, the development standard for oak trees would permit removal of oak trees but does not explicitly require oak trees to be replaced. Oaks that would be removed but not replaced would result in loss of oak trees and habitat. Regarding the development standard for buffers, a 50-foot buffer may be insufficient to substantially mitigate impacts on any wetland, riparian, or other sensitive natural community. It is unclear how a 50-foot buffer provides sufficient setback to minimize substantial impacts. An insufficient setback from riparian resources may still result in impacts on streams and associated natural communities as a result of edge effects such spread of non-native plants and pests (e.g., Argentine ants), fuel modification, and nighttime lighting. Edge effects can result in habitat type conversion (e.g., native to more non-native species) and reduce plant and wildlife species richness (Mitrovich et al. 2009).

Response to Comment 1-19

For projects proposed under the AHO and which would be approved ministerially, the objective development standards listed in Section III. Project Description of the SEIR, would apply. These objective standards would require that project applicants for AHO projects provide substantial evidence that the project, including items such as design buffers, construction schedule/activities, etc. meet state and federal criteria to avoid impacts to sensitive species. Additionally, Objective Standard Biological Resources 4 requires that development on project sites would not conflict with state or federal regulations pertaining to special status plant or animal species, or that would have an adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive or special status species in local or regional plans, polices or regulations, or by the CDFW or USFWS unless the applicant/developer obtains the required permit(s) from the CDFW or USFWS.

With respect to Oak Trees, the objective standards proposed a part of the project includes the following requirements for ministerial projects:

- A. If a project involves the removal of or encroachment greater than 25 percent into the root zone or canopy zone of a protected oak tree that is 48 inches in diameter or less per the City's Oak Tree Ordinance and Guidelines (Valley Oak, Coast Live Oak), one 24-inch-box minimum size oak tree of the same species shall be planted on the site. For scrub oak species protected per the City's Oak Tree Ordinance and Guidelines, on-site replacement for removal shall be equal to the square footage of the area removed, with scrub oaks of the same species planted to a five foot on center spacing within the replacement area.
- B. If a project involves the removal of up to 10 protected oak trees within the project site, not more than 25 percent of the total estimated tree canopy or root structure of all protected oak trees on that project site shall be removed. If the project involves the removal of 11 or more protected oak trees within the project side, not more than 35 percent of the total estimated tree canopy or root structure of all protected oak trees on the project site shall be removed.
- C. For the purpose of providing natural stabilization of hillsides and preservation of native landscaping, a minimum of 75 percent of all native trees on a slope steeper than 50 percent shall be retained.
- D. The removal of or encroachment greater than 25 percent into the root zone or canopy zone of a protected "landmark" Oak Tree (trees whose diameter exceeds 48 inches) is prohibited.

Therefore, site-specific measures would be required for future projects on the sites designated as AHO.

Comment 1-20

Evidence impact would be significant: Projects under the Affordable Housing Overlay that would be approved ministerially may result in significant impacts on streams and associated natural communities if development would be in close proximity to these resources. Without sufficient mitigation, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on fish and wildlife resources, including rivers, streams, or lakes and associated natural communities identified by CDFW. In addition, ministerially approved projects may result in loss of trees and vegetation in a natural community that CDFW considers to be a Sensitive Natural Community. Without sufficient mitigation, the Project continues to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a species or natural community identified as a candidate, sensitive, or special status species by CDFW.

Response to Comment 1-20

See Responses to Comment 1-14 and 1-19.

Comment 1-21

Recommended Potentially Feasible Mitigation Measure(s) Required of Future Projects Facilitated by the General Plan Update:

Recommendation #3: The Project's CEQA document should explain how a 50-foot buffer provides sufficient setback to minimize substantial impacts on any wetland, riparian, or other sensitive natural community.

Recommendation #4: CDFW recommends the City include a requirement for oak tree and habitat replacement in development standard #2.

Additional Recommendations

Recommendation #5: Data - CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., CNDDDB] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Information on special status species should be submitted to the CNDDDB by completing and submitting CNDDDB Field Survey Forms (CDFW 2022d). Information on special status native plant populations and sensitive natural communities, the Combined Rapid Assessment and Relevé Form should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2022e).

Recommendation #6: Mitigation and Monitoring Reporting Plan - CDFW recommends the City provide Biological Resources Mitigation Measures for the Project and condition the Project's environmental document to include mitigation measures recommended in this letter. CDFW provides comments to assist the City in developing mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and clear for a measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The City is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (MMRP) (Attachment A).

Response to Comment 1-21

Where applicable, the City will instruct preparers of biological resource assessments that all biological resource survey information collected for the project sites be entered into the CNDDDB. At the time of project application, the City would require that all AHO projects provide substantial evidence that the project, including items such as design buffers, construction schedule/activities, etc. meet state and federal criteria to avoid impacts to sensitive species. As needed, site- and project-specific measures would be incorporated into the project at that time.

Additional information is available in Responses to Comments 1-14 and 1-19.

Comment 1-22

Filing Fees

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 City of Agoura Hills and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the

underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

Response to Comment 1-22

Comment noted. No further response required.

Comment 1-23

Conclusion

We appreciate the opportunity to comment on the Project to assist the City of Agoura Hills in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City of Agoura Hills 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 Ruby Kwan-Davis, Senior Environmental Scientist (Specialist), at Ruby.Kwan-Davis@wildlife.ca.gov or (562) 619-2230.

Response to Comment 1-23

Comment noted. No further response required.

Comment 1-24

References:

[CDFWa] California Department of Fish and Wildlife. 2022. Natural Communities. Available from: <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>.

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[CDFWc] California Department of Fish and Wildlife. 2022. Lake and Streambed Alteration Program. Available from: <https://wildlife.ca.gov/Conservation/LSA>.

[CDFWd] California Department of Fish and Wildlife. 2022. Submitting Data to the CNDDDB. Available from: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

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[CDFW] California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. Available from: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>

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<https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>

[CNPSb] California Native Plant Society, Rare Plant Program. 2022. Inventory of Rare and Endangered Plants of California (online edition, v9-01 1.0). Available from: <https://www.rareplants.cnps.org>

[CalPIF] California Partners in Flight. 2002. Version 2.0. The oak woodland bird conservation plan: a strategy for protecting and managing oak woodland habitats and associated birds in California (S. Zack, lead author). Point Reyes Bird Observatory, Stinson Beach, CA. Available from: <http://www.prbo.org/calpif/plans.html>

Mitrovich, M.J., Matsuda, T., Pease, K.H., and R.N. Fisher. (2009). Ants as a Measure of Effectiveness of Habitat Conservation Planning in Southern California. *Conservation Biology* 24(5): 1239-1248.

Sawyer, J. O., Keeler-Wolf, T., and Evens J.M. 2009. *A Manual of California Vegetation*, 2nd ed. ISBN 978-0-943460-49-9.

Response to Comment 1-24

This comment is a listing of references. No further response required.

Comment 1-25

Attachment A: Draft Mitigation and Monitoring Reporting Plan

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
REC-1-California Endangered Species Act take authorization	If a project, project construction, or any project-related activity for the duration of the project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the project applicant should seek appropriate take authorization under CESA prior to implementing or continuing the project. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA Permit. The project's CEQA document should address all project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.	Prior to implementing/ continuing the project	Applicants of development on Housing Element sites
REC-2-Lake and Streambed Alteration (LSA) Agreement	To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, a project's 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 an LSA Agreement.	Prior to finalizing the Project's CEQA document/ project-level CEQA documents	City of Agoura Hills (City)/ Applicants of development on Housing Element sites
REC-3-Potential Impacts on Streams-50-foot buffer	The Project's CEQA document should explain how a 50-foot buffer provides sufficient setback to minimize substantial impacts on any wetland, riparian, or other sensitive natural community.	Prior to finalizing the Project's	City
		CEQA document	
REC-4-Ministerial Projects-Oak Tree Replacement	The City should include a requirement for oak tree and habitat replacement in development standard #2.	Prior to finalizing the Project's CEQA document	City
REC-5-Submitting Data for Sensitive and Special Status Species and Natural Communities	Information on special status species should be submitted to the CNDDDB by completing and submitting <u>CNDDDB Field Survey Forms</u> . Information on special status native plant populations and sensitive natural communities, the <u>Combined Rapid Assessment and Relevé Form</u> should be completed and submitted to CDFW's Vegetation Classification and Mapping Program.	Prior to finalizing future project-level CEQA documents	Applicants of development on Housing Element sites
REC-6-Mitigation and Monitoring Reporting Plan	The City should provide Biological Resources Mitigation Measures for the Project and condition the environmental document to include mitigation measures recommended in this letter.	Prior to finalizing the Project's CEQA document	City
MM-BIO-1 Impacts on Biological Resources – Biological Resources Technical Studies	Future development projects on Housing Element sites shall conduct the appropriate biological resources technical studies as part of project-level analyses, including baseline surveys, protocol-level surveys, tree inventories to confirm the presence of any special status species within or immediate adjacent to proposed impact areas. Focused species-specific surveys shall be required if suitable habitat is present and performed according to established CDFW and/or USFWS protocols. Reports shall be prepared that shall document baseline conditions at the time of project application, identify constraints, recommend project redesign, analyze potential effects, and propose mitigation measures that reduce potential impacts to less than significant levels. Biological resources technical studies shall provide and include the following: 1) A complete, recent, assessment of rare, threatened, and	Preparation of project-specific CEQA document	Applicants of development on Housing Element sites

	<p>endangered species, regionally and locally unique species, and sensitive habitats at the project site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species. Species to be addressed shall include all those which meet the CEQA definition of endangered, rare, or threatened species. Seasonal variations in use of land around the project site shall also be addressed. A nine-quadrangle search of CDFW's <u>California Natural Diversity Database (CNDDDB)</u> shall be conducted to obtain current information on any previously reported sensitive species and habitat;</p> <p>2) A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's <u>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities</u>. Adjoining habitat areas shall be included where project construction and activities could lead to direct or indirect impacts off site;</p> <p>3) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the area of potential effect. The <u>Manual of California Vegetation (MCV)</u>, second edition, shall be used to inform this mapping and assessment;</p> <p>4) A rare plant assessment using online databases for rare, threatened, and endangered plants, including the California Native Plant Society (CNPS) <u>Online Inventory of Rare and Endangered Plants of California</u> as well as the Calflora's <u>Information on Wild California Plants</u> database;</p> <p>5) A discussion regarding project-related indirect impacts on biological resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands [e.g., preserve lands associated with a Natural Community Conservation Plan; and,</p>		
	<p>6) Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the project site.</p>		
<p>MM-BIO-2 Impacts on Biological Resources – Take of Listed Species</p>	<p>If necessary, the project applicants shall be required to enter into consultation with, and obtain the appropriate permits from, the USFWS and/or CDFW for unavoidable impacts to special status species and other protected resources. Appropriate permits from the USFWS and/or CDFW shall be obtained prior to obtaining a grading permit.</p>	<p>Prior to issuance of grading permit</p>	<p>Applicants of development on Housing Element sites</p>
<p>MM-BIO-3 Impacts on Biological Resources – Rare Plants & Sensitive Natural Communities</p>	<p>If a rare plant species or a Sensitive Natural Community is detected, the project applicant shall fully avoided impacts. If the project cannot feasibly avoid impacts to rare plants and habitat, or sensitive natural communities, either during project activities or over the life of the project, the project applicant shall provide compensatory mitigation for the loss of individual plants and habitat acres, which shall include impacts due to fuel modification.</p> <p>The project applicant shall provide compensatory mitigation so that there is no net loss of rare plants and habitat, or sensitive natural communities. Compensatory mitigation shall be appropriate for the extent of permanently disturbed habitat. Compensatory mitigation shall be higher for impacts on CRPR 1 species, S1 or S2 Sensitive Natural Community, and Sensitive Natural Community with an additional rank of 0.1 or 0.2.</p> <p>Compensatory mitigation shall be implemented by a qualified restoration ecologist. A Restoration Plan, at a minimum, shall include success criteria and performance standards for measuring the establishment of rare plants and habitat, responsible parties, maintenance techniques and schedule, five-year monitoring and reporting schedule, adaptive management strategies, and contingencies. A Restoration Plan shall be submitted to the City prior to any grading or vegetation removal.</p>	<p>A Restoration Plan shall be submitted to the City prior to any grading or vegetation removal</p>	<p>Applicants of development on Housing Element sites</p>

<p>MM-BIO-8 Impacts on Oak Shrublands and Woodlands – Oak Woodland Restoration Plan</p>	<p>The project shall be required to provide an Oak Woodland Restoration Plan prior to obtaining an oak tree permit. Restoration shall recreate functioning shrubland and/or woodland of similar composition, structure, and function to natural communities that impacted. Mitigation shall include restoration of structurally diverse understory vegetation species (i.e., grass, forb, shrub, subshrub, vine) occurring in the impacted natural communities. Acorns and/or seedlings shall originate from plants/trees of the same species (i.e., genus, species, subspecies, and variety) as the species impacted. An Oak Woodland Restoration Plan shall prescribe the following:</p> <ol style="list-style-type: none"> 1) Species-specific planting methods; 2) Planting schedule; 3) Measures to control exotic vegetation and protection from herbivory; 4) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover) based on site/habitat conditions prior to impact and/or functional local native oak shrublands/woodlands as reference sites; 5) Contingency measures if the success criteria is not met; 6) Long-term monitoring for at least 10 years, with a minimum of seven years without supplemental irrigation; 7) Adaptive management techniques, including replacement plants if necessary; and 8) Annual reporting criteria and requirements. 	<p>Prior to obtaining an oak tree permit</p>	<p>Applicants of development on Housing Element sites</p>
<p>MM-BIO-9 Impacts on Oak Shrublands and Woodlands – Phased Removal</p>	<p>Where a development project results in the loss of oak woodlands, the Project Applicant shall remove oak tree in phases to the maximum extent feasible. A phased removal plan shall be provided as a condition of obtaining an oak tree permit.</p>	<p>Prior to obtaining an oak tree permit</p>	<p>Applicants of development on Housing Element sites</p>
<p>MM-BIO-4 Impacts on Streams and Associated Natural Communities – Jurisdictional Delineation</p>	<p>Project specific analyses shall prepare a jurisdictional delineation and impact assessment provided along with the project's biological resources technical studies.</p>	<p>Preparation of project-specific CEQA document</p>	<p>Applicants of development on Housing Element sites</p>
<p>MM-BIO-5 Impacts on Streams and Associated Natural Communities – Buffers & Setbacks</p>	<p>If any river, stream, or lake are present and may be impacted, the project shall be required to avoid impacts by implementing appropriate vegetative buffers and/or setbacks adjoining the stream or wetland feature to reduce impacts of the project on these resources.</p>	<p>Project design Preparation of project-specific CEQA document</p>	<p>Applicants of development on Housing Element sites</p>
<p>MM-BIO-6 Impacts on Streams and Associated Natural Communities – Fish & Game Code 1602</p>	<p>If avoidance is not feasible, the project applicant shall be required to notify CDFW pursuant to Fish and Game Code 1602 and obtain an LSA Agreement from CDFW prior to obtaining a grading permit. The project applicant shall comply with the mitigation measures detailed in a LSA Agreement issued by CDFW. The project applicant shall also provide compensatory mitigation at no less than 2:1 for the impacted stream and associated natural community, or at a ratio acceptable to CDFW.</p>	<p>Prior to issuance of grading permit</p>	<p>Applicants of development on Housing Element sites</p>
<p>MM-BIO-7 Impacts on Oak Shrublands and Woodlands – Compensatory Mitigation</p>	<p>Where a development project results in the loss of oak shrublands/woodlands, the Project Applicant shall offset the loss by no less than 2:1 of the total acreage of shrublands/woodlands lost. The number of replacement trees and shrublands/woodlands acres shall be higher if a project impacts large oak trees; impact an oak shrublands/woodlands supporting rare, sensitive, or special status plants and wildlife; impact an oak woodland adjacent to a watercourse; or impact an oak shrublands/woodlands with a State Rarity Ranking of S1, S2, or S3, or additional ranking of 0.1 or 0.2.</p>	<p>Prior to obtaining an oak tree permit</p>	<p>Applicants of development on Housing Element sites</p>

MM-BIO-10 Impacts on Nesting Birds – Avoiding Impacts	Future development projects requiring vegetation disturbance and/or removal, and/or are adjacent to suitable nesting habitat shall be required to avoid impacts on nesting birds by conducting all project-related activities between September 1 through January 31, outside of the nesting bird season.	Prior to any grading and vegetation removal	Applicants of development on Housing Element sites
MM-BIO-11 Impacts on Nesting Birds – Surveys & No- Disturbance Buffers	If construction must occur during the bird nesting season, project applicants shall be required to retain a qualified biologist to survey suitable nesting habitat for nesting birds on the project site and within 100 feet from the project site to the extent allowable and accessible. A qualified biologist shall conduct a nesting bird survey no more than seven days prior to the beginning of any project-related physical activity, such as vegetation clearance, use, and transport of equipment, mobilization and construction likely to impact birds and raptors. If such project activity ceases for longer than seven days, additional surveys shall be conducted prior to re-commencing the activity.	No more than seven days prior to the beginning of any project-related physical activity Repeat surveys if project activity ceases for longer than seven days during the bird nesting season	Applicants of development on Housing Element sites
MM-BIO-12 Impacts on Nesting Birds – No-Disturbance Buffers	If such species are identified, a no-disturbance buffer of 300 feet around active perching birds and songbirds shall be implemented. A no-disturbance buffer of 500 feet around active non-listed as threatened or endangered raptor nests, and 0.5 mile around active listed birds shall be implemented. Buffers shall be maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.	During project construction and activities	Applicants of development on Housing Element sites
MM-BIO-13 Impacts on Nesting Birds –	Future development projects removing habitat for nesting birds shall be required to restore or replace habitat. In-kind habitat should be provided on site if feasible to prevent temporal or	Prior to any grading and	Applicants of development on
Replacement Habitat	permanent habitat loss. Projects shall provide replacement habitat for both individual trees and habitat acres.	vegetation removal During project construction	Housing Element sites

Response to Comment 1-25

This comment includes suggested mitigation measures. See Response to Comment 1-7, 1-11, 1-15, and 1-21. No further response is required.

Comment Letter No. 2

State of California
 Department of Transportation
 District 7 – Office of Regional Planning
 Miya Edmonson, LDR/CEQA Branch Chief
 100 S. Main Street, MS 16
 Los Angeles, CA 90012

Comment 2-1

Attached please find Caltrans comment letter.

Response to Comment 2-1

The comment forwards the formal comments from Caltrans regarding the General Plan Update (GPU) Draft Supplemental EIR (Draft SEIR). No response is necessary.

Comment 2-2

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced environmental document. The project is the adoption of the General Plan Update of the City of Agoura Hills, Housing Element, and related updates to the Community Conservation and Development, Community Safety, Infrastructure and Community Services, and Natural Resources Elements (the "General Plan Update" or "GPU") and adoption of land use and zoning regulations and the corresponding amendments to the Zoning Map to create and implement the Affordable Housing Overlay District ("AHO"). The Housing Element requires amending General Plan land use designations on some of the proposed Housing Element opportunity sites, which requires revisions to the Land Use & Community Form section of the Community Conservation and Development Element and Land Use Map, along with a re-zoning program and conforming Specific Plan Amendments. The Community Conservation and Development Element is also being amended to reflect the City's new Sphere of Influence (SOI), which includes additional areas beyond the City limits.

Response to Comment 2-2

The comment accurately describes the principal components of the GPU. No response is necessary.

Comment 2-3

Agoura Hills' Regional Housing Needs Assessment (RHNA) allocation for the 2021-2029 planning period was forecast at 318 total units, distributed among the four income categories

- Very Low Income (0-50% of Area Median Income): 127 units
- Low Income (51 to 80 percent of AMI): 72 units
- Moderate Income (81 to 120 percent of AMI): 55 units
- Above Moderate Income (>120% of AMI): 64 units

Response to Comment 2-3

The comment accurately describes the City's RHNA allocation that is included in the City's updated Housing Element. No response is necessary.

Comment 2-4.A

If the project is required to prepare a Vehicle Miles Travelled (VMT) analysis per the City of Agoura Hills Transportation Assessment Guidelines (July 2020), Transportation Demand Management measures (TDMs) identified in the Guidelines are included, as necessary, in the project to reduce the VMT generated by the project to below the significance thresholds based on the VMT assigned to each TDM in the Guidelines and the City's VMT model. The thresholds include 16.8 VMT/Cap for residential uses, and 18.7

VMT/Cap for employment. Net change is considered the VMT associated with total trips based on the SCAG Travel Demand Model consistent with the City's Guidelines.

Caltrans concurs that a set of transportation demand management (TDM) strategies are available to reduce the Project VMT to below the significance threshold. These strategies are contained within the City of Agoura Hills Transportation Assessment Guidelines, which provide seven parent strategies: (1) Parking, (2) Transit, (3) Communication & Information, (4) Commuting, (5) Shared Mobility, (6) Bicycle Infrastructure, and (7) Neighborhood Enhancement. For additional TDM options as consideration, please refer to the Federal Highway Administration's Integrating Demand Management into the Transportation Planning Process: A Desk Reference (Chapter 8). This reference is available online at:

<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>

You can also refer to the 2010 Quantifying Greenhouse Gas Mitigation Measures report by the California Air Pollution Control Officers Association (CAPCOA), which is available online at:

<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

For projects that may impact the State facilities, the City may reference to the published VMT-focused Transportation Impact Study Guide (TISG), dated May 20, 2020 and the Caltrans Interim Land Development and Intergovernmental Review (LD-IGR) Safety Review Practitioners Guidance, prepared in On December 18, 2020. You can review these resources at the following links:

<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/sb-743/2020-05-20-approved-vmt-focused-tisg-a11y.pdf>

<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/sb-743/2020-12-22-updated-interim-ldigr-safety-review-guidance-a11y.pdf>

Response to Comment 2-4.A

Caltrans's comment that it concurs that a set of transportation demand management (TDM) strategies are available to reduce the Project VMT to below the significance threshold is acknowledged. No response is necessary.

Comment 2-4.B

Caltrans recommends the Lead Agency to include a policy to prepare a post-development VMT analysis (actual data collection) for monitoring validation purpose and for future VMT thresholds within the City.

Response to Comment 2-4.B

Caltrans' recommendation that the City conduct post-development VMT analysis is acknowledged. This appears to be a policy-related comment on the project and not any environmental analysis. The comment will be forwarded to the decision-makers for their consideration. Moreover, as discussed in the Draft SEIR (pages IV.M-31 to IV.M-37), the City's Transportation Assessment Guidelines require preparation of a VMT study for each project under the City code and objective standards for processing by-right projects under

the AHO. Because of the variety and potential effectiveness of VMT reductions available from the VMT strategies listed above, the effectiveness of which are analyzed on pages IV.M-31 to IV.M-37, implementation of one or more of these strategies within each residential development project occurring under the GPU would be feasible and would ensure that each individual development project achieves the required VMT reductions. However, the City has assessed that the variety of available VMT reduction measures will be sufficient to ensure that projects will meet the City's standards for VMT reduction with a margin for error and such post-development monitoring would not be necessary to ensure that the appropriate VMT reductions from projects in the City will be achieved.

Comment 2-4.C

Additional mitigation measure should be implemented when the post-development VMT analysis discloses any traffic significant impact.

Response to Comment 2-4.C

The City cannot respond further on the issue of additional mitigation measures because the commenter has not identified what additional mitigation measure should be implemented. The collective effect of applying the City's regulations would reduce the project VMT to below the significance threshold and the Draft SEIR concludes that VMT impacts of the GPU would be less than significant. No additional mitigation measures are necessary.

Comment 2-5

At this time, Caltrans concurs that the General Plan Update would result in less than significant impacts related to transportation with conformance to the City's Transportation Assessment Guidelines. The GPU would contribute to significant and unavoidable regional transportation impacts when considered in conjunction with projected regional growth.

Response to Comment 2-5

Caltrans' concurrence that the GPU will result in less than significant impacts with respect to VMT is acknowledged. With respect to regional transportation impacts, future developers/project applicants would contribute their fair share to regional programs, as applicable, including application of the City's approved TDM strategies for residential land uses (Draft SEIR, Table IV.M-6, pages IV.M-32 through IV.M-37), which would in turn reduce a project's VMT to below the significance threshold. However, if these regional programs are not implemented, the Draft SEIR conservatively concludes (page IV.M-42) that the cumulative transportation and traffic impacts would remain significant and unavoidable.

Comment 2-6

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 269-1124 and refer to GTS # LA-2021-03935-DSEIR.

Response to Comment 2-6

This comment provides a point of contact for Caltrans' comments. No response is necessary.

Comment Letter No. 3

County of Ventura
Board of Supervisors
Linda Parks, Supervisor, 2nd District
625 West Hillcrest Drive
Thousand Oaks, CA 91360

Comment 3-1

Please find attached letters to the Agoura Hills City Council and Planning Commission from the Oak Park Municipal Advisory Council, along with a cover letter from Ventura County Supervisor Linda Parks, regarding the Agoura Hills Housing Element.

Response to Comment 3-1

The comment forwards comment letters from County Supervisor Linda Parks and the Oak Park Municipal Advisory Council for consideration by the City's decision makers. No response to this specific comment is necessary. Responses to comments raised in the forwarded letters are provided in Responses to Comments 3-2 through 3-4.

Comment 3-2

As you may be aware, there has been great concern voiced in the Oak Park community regarding the Agoura Hills Housing Element proposal for rezoning three shopping centers on Kanan Road to multi-family housing.

The Oak Park Municipal Advisory Council is an elected body representing over 14,000 residents. They have voted to send the enclosed letters of concern to your Council and Planning Commission. I ask that you give full weight to the concerns of this neighboring community when making critical decisions that affect them.

Response to Comment 3-2

The comment expresses the concerns of the Oak Park community regarding the three proposed housing opportunity sites located at the intersection of Kanan Road and Thousand Oaks Boulevard (the "Shopping Center Sites"). The commenter requests the City consider the views of the adjacent community when making decisions regarding the Project. This is a comment on the project and not any environmental analysis. The comment is acknowledged and will be considered by the decision makers. No specific response to this comment is necessary. Responses to comments raised in the letters forwarded from the Oak Park Municipal Advisory Council are provided in Responses to Comments 3-3 and 3-4. Please see Responses to Comments 3-3 and 3-4.

Comment 3-3

The Oak Park Municipal Advisory Council (MAC), on behalf of the community of Oak Park, urges your Council to reject consideration of zoning for multifamily residential development at three shopping center

sites on Kanan Road and Thousand Oaks Boulevard. Kanan Road is a main entrance and exit for our community of 14,000 residents. We already experience traffic congestion and delays on Kanan Road. Adding approximately 5,000 additional daily car trips from over 500 potential residential units would impede evacuation in the event of wildfires and other emergencies, leading to life-threatening gridlock should a disaster strike.

During the Woolsey Fire, Oak Park residents became acutely aware of the terror of fleeing from a wildfire and how difficult it was to evacuate when Kanan Road, the key evacuation route, became congested. Subsequently, in a study of evacuation routes by the University of California Institute of Transportation Studies, Oak Park was identified as “being within the worst 1% in the state when it comes to population-to-evacuation-route ratios” and was noted as having greater numbers of people living in the highest fire risk zones, per lane of major roadway out, compared to Paradise, CA. Public safety is our MAC’s main concern and that is why we are taking this unprecedented step of writing to you.

At our May 31, 2022 MAC meeting, the local advocacy group Preserve Evacuation Kanan Corridor (PEKC) presented the MAC with over 1,000 signatures from residents concerned about the negative impact adding dense housing on Kanan Road would have on our main evacuation route during a wildfire or other disaster. As elected representatives on the Oak Park MAC, we feel it is our duty to add our voice to strongly oppose your City’s proposed re-zoning on Kanan Road. Placing 24-hour-a-day multifamily residential with associated vehicle trips will threaten our ability to safely flee in the event of wildfires. While we appreciate that cities are under a State mandate to find new housing opportunities, it is not acceptable to place the Oak Park community at greater risk. Our MAC implores your Council to remove the proposed sites for re-zoning on Kanan Road and instead prioritize the safety for our mutual communities.

Response to Comment 3-3

The commenter requests the City remove three shopping center sites from the project and voices opposition to the proposed re-zoning on Kanan Road. The comment is acknowledged and the letter will be included in the record that will be provided to the City’s decisionmakers.

With respect to evacuation, the commenter is directed to Response to Comment 5-1.

The Commenter also states: “in a study of evacuation routes by the University of California Institute of Transportation Studies, Oak Park was identified as ‘being within the worst 1% in the state when it comes to population-to-evacuation-route ratios’ and was noted as having greater numbers of people living in the highest fire risk zones, per lane of major roadway out, compared to Paradise, CA.” The commenter has not provided a study prepared by the UC ITS with their comment letter. However, assuming the commenter is referring to the March 2020 study provided by other commenters, titled “Review of California Wildfire Evacuations from 2017 to 2019,” the comment is inaccurate. The study includes no such quote or claim. Instead, the study provides survey data from individuals impacted by various fires in California, which according to the abstract of the study, “reveal[s] the decision-making of individuals in these wildfires including choices related to evacuating or staying, departure timing, route, sheltering, destination, transportation mode, and reentry timing. We also present results related to communication

and messaging, non-evacuee behavior, and opinion of government response.” The study does not specifically refer to Kanan Road, nor does it discuss evacuation from Oak Park specifically. As stated by the authors in the abstract: “Using the summarized case studies and empirical evidence, we present a series of recommendations for agencies to prepare for, respond to, and recover from wildfires.” The author’s key recommendations are included in Table ES2 in the UC ITS study (which is included with Comment Letter 7). Many of these recommendations address the need to improve “Evacuation Orders and Communication.”

Comment 3-4

The Oak Park Municipal Advisory Council (MAC), on behalf of the community of Oak Park, urges your Commission to reject consideration of zoning for multifamily residential development at three shopping center sites on Kanan Road and Thousand Oaks Boulevard. Kanan Road is a main entrance and exit for our community of 14,000 residents. We already experience traffic congestion and delays on Kanan Road. Adding approximately 5,000 additional daily car trips from over 500 potential residential units would impede evacuation in the event of wildfires and other emergencies, leading to life-threatening gridlock should a disaster strike.

During the Woolsey Fire, Oak Park residents became acutely aware of the terror of fleeing from a wildfire and how difficult it was to evacuate when Kanan Road, the key evacuation route, became congested. Subsequently, in a study of evacuation routes by the University of California Institute of Transportation Studies, Oak Park was identified as “being within the worst 1% in the state when it comes to population-to-evacuation-route ratios” and was noted as having greater numbers of people living in the highest fire risk zones, per lane of major roadway out, compared to Paradise, CA. Public safety is our MAC’s main concern and that is why we are taking this unprecedented step of writing to you.

At our May 31, 2022 MAC meeting, the local advocacy group Preserve Evacuation Kanan Corridor (PEKC) presented the MAC with over 1,000 signatures from residents concerned about the negative impact adding dense housing on Kanan Road would have on our main evacuation route during a wildfire or other disaster. As elected representatives on the Oak Park MAC, we feel it is our duty to add our voice to strongly oppose your City’s proposed re-zoning on Kanan Road. Placing 24-hour-a-day multifamily residential with associated vehicle trips will threaten our ability to safely flee in the event of wildfires. While we appreciate that cities are under a State mandate to find new housing opportunities, it is not acceptable to place the Oak Park community at greater risk. Our MAC implores your Commission to remove the proposed sites for re-zoning on Kanan Road and instead prioritize the safety for our mutual communities.

Response to Comment 3-4

This comment is a duplicate of Comment 3-3, except that it was addressed to the Planning Commission rather than the City Council. Please see Response to Comment 3-3.

Comment Letter No. 4

Save Open Space

Santa Monica Mountains

Mary Wiesbrock, Chair Save Open Space/Santa Monica Mountains

P.O. Box 1284

Agoura Hills, CA 91376

Comment 4-1

Please forward to all City Council members and Planning Commissioners. In addition, put into official record.

SOS is an "interested party" from now on remember to send us a notice on this issue. We did not receive a notice on the availability of this SEIR.

Let me know that you received these comments.

Response to Comment 4-1

The comment is acknowledged and the commenter is noted as an interested party for the SEIR. The City will provide notices to the commenter regarding the GPU as required by law.

Comment 4-2

II. Executive Summary:

3. Project Objectives- Add these objectives thus heeding voter's main concern: Kanan mobility.

1) Support the objective of safety during evacuations from our now frequent fast moving fires on our major Kanan Evacuation Route by not increasing any Housing density there to save lives.

2) Support the objective of safety by not adding to traffic accidents in and out of the 3 Kanan shopping centers. with the existing high traffic accident history there, by removing these 3 shopping center sites/locations from the location list.

3) support the community's goal by not further congesting the Kanan shopping center area by adding higher density which will cause worse traffic impacts on already unacceptable Kanan traffic. Support not worsening safety on the segment Kanan Road serving these 3 neighborhood shopping centers. This section of Kanan is the only area of the city which accommodates the traffic from 7 schools.

Response to Comment 4-2

The General Plan Update (GPU) is a City-wide project and the Project Objectives listed in the Draft SEIR (page III-38) are appropriately focused on the GPU's objectives as they apply to the entire City. In accordance with CEQA Guidelines Section 15124(a), the project objectives included in the Draft SEIR are intended to include the underlying purpose of the project and typically do not include narrowly focused project objectives. The objectives were used to develop the reasonable range of alternatives that were included in the Draft SEIR.

Comment 4-3

2. Alternatives are feasible.

Alternative B, reduce Housing sites, is feasible.

Removing Housing sites by removing the proposed 3 congested controversial Kanan shopping centers (O,P,and Q), still allows for the City of Agoura Hills to meet its RHNA very low and low income (affordable) requirements of 199 Housing units with an acceptable buffer. (Objective #2) Including our 3 local Kanan shopping centers violates an important "no net loss requirement", as the road infrastructure can not handle/"is not available" for any increase in density at congested Kanan Road, especially in front of Starbucks, as it is not in any plans to be widened there. Removal allows for 241 affordable (low, very low) Housing units from the remaining 17 locations.

Response to Comment 4-3

This is a comment on the project and the feasibility of a project alternative. The comment will be forwarded to the decision-makers for their consideration.

Comment 4-4

Most importantly, it meets the most important objective #3 to preserve our small town ambience at our low lying Kanan shopping centers with our picturesque hills in the background which the bulk of Agoura Hills voters use and consider the heart of our city. Their parking lots are not underutilized as stand alone retail buildings have been added.

Response to Comment 4-4

This is a comment on the project and the feasibility of a project alternative. The comment will be forwarded to the decision-makers for their consideration.

Comment 4-5

Another critical objective #5, safety is achieved as the threat of more population (cars), max new density of over 1000 people (2-3 people per unit), to evacuate on our major Kanan Evacuation Route is gone. This SEIR is inadequate as it does not analyze the impacts of over 10,000 people having to evacuate at once here.

Response to Comment 4-5

Please see Response to Comment 5-1.

Comment 4-6.A

Alternative C, variable density, is feasible.

Both our sister cities, Westlake Village and Calabasas increase density in their location Housing sites. WLV allowed 32 units per acre and Calabasas allowed 40 units per acre in their Housing Elements. Agoura Hills has a suitable, noncontroversial location, not on a major Evacuation Route, to add density to: the large

acreage on Dorothy Drive which has a landowner willing to work with our city: Yes, it is feasible as our sister cities have allowed some of their Housing sites greater than 25 units per acre. Dorothy Drive is just one example of a suitable location for variable density. If our sister cities can do it, it is feasible for Agoura Hills. Why not?

It makes good planning sense to allow more density than 25 units per acre at noncontroversial, non congested traffic wise locations. Why not? It is feasible and will allow for required accommodation of the 6th cycle RHNA. This does meet project objectives: safe place, no net loss, and keeps Agoura Hills' "small town feeling" at our local congested shopping centers. This achieves many objectives and would permit higher density on less sensitive hillside areas.

Response to Comment 4-6.A

This is a comment on the project and the feasibility of project alternatives. The comment is acknowledged and will be considered by the decision-makers. The commenter's letter is included in the record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment 4-6.B

Add Alternative E, Remove Controversial Kanan Shopping Centers and add underutilized parking lots BP properties locations near the city line with WL, is feasible.

Response to Comment 4-6.B

This is a comment on the project and the feasibility of project alternatives. The comment is acknowledged and will be considered by the decision-makers. The commenter's letter is included in the record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment 4-6.C

The city of Calabasas has one of its Housing sites/locations as an underutilized private parking lot. The cities of Palo Alto and Mountain View are also considering existing parking lots. Agoura Hills has an almost mile long older Business Park (attachment, circled) with properties with several underutilized parking lots.

This is a very appropriate location and meets several objectives. This underutilized older Business Park is located near and consistent with the City of Westlake Village GP intensification zone. (east of Lindero Canyon, north of Agoura Road) Also, this underutilized Business Park with its underutilized parking lots, meets the project objectives: safety-non congested traffic (LOS A), safety-not on the major Kanan Evacuation route, near/at Agoura Hills' major job location, and Agoura Hills Community Center and Library. This location for Affordable Housing accomplishes fair distribution of Affordable Housing throughout our city in this left out corner area of our city-a major inadequacy of the draft Agoura Hills Housing Element.

Response to Comment 4-6.C

This is a comment on the project. The comment is acknowledged and will be considered by the decision-makers. The commenter's letter is included in the record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment 4-7

3. Environmentally Superior Alternatives (per this letter Alternative B,C, and E): We request that Agoura Hills' Planning Commissioners and City Council remove the 3 congested, controversial Kanan shopping centers, feasible Alternative B.

Response to Comment 4-7

Please see Responses to Comments 4-3 and 4-4.

Comment 4-8

We request the Decision makers consider the addition of Alternatives C and E which are feasible, noncontroversial, and meet many project objectives which will have the support of the community and Agoura Hills voters.

Response to Comment 4-8

Please see Response to Comment 4-6.

Comment Letter No. 5

Save Open Space

Santa Monica Mountains

Mary Wiesbrock, Chair Save Open Space/Santa Monica Mountains

P.O. Box 1284

Agoura Hills, CA 91376

Comment 5-1**Public Services-Fire (Pages IV-k)**

The Primary Responsibility for emergency management resides with the City of Agoura Hills for the major Kanan Evacuation Corridor in front of our 3 local shopping centers. The policies to manage those risks need updating as the policies are both dated prior to the vivid disaster situation of gridlocked traffic on Kanan as over existing populations of over 10,000 people trying to evacuate during the November, 2018 Woolsey Fire.

Response to Comment 5-1

Although the commenter references the Public Services-Fire section of the SEIR, the crux of the comment addresses hazards and wildfire risk, which is discussed in Section IV.F of the SEIR. As discussed in the Draft SEIR (page IV.F-32), the Las Virgenes-Malibu Council of Governments (LVMCOG) Multi-Jurisdictional

Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification

system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

Comment 5-2

Page IV.k.1-10: Goal CS-6 needs additional policies in order to support the community (includes both Agoura Hills and Oak Park) for a safe evacuation along the major Kanan Evacuation Route.

Add-These existing old policies are very inadequate given evidence of what happened during the Woolsey Fire. Please add policies to protect the Kanan Evacuation Route.

Response to Comment 5-2

Please see Response to Comment 5-1. The Citywide evacuation plan will include evacuation using Kanan Road accounting for both the Agoura Hills and Oak Park neighborhoods that would use this route.

Comment 5-3

Please delete old policies which add new significant safety impacts to the major Kanan Evacuation Route serving around 10,000 people and 7 schools.

Response to Comment 5-3

Please see Response to Comment 5-1. No further response is offered because the commenter did not specify the policies they wish removed.

Comment 5-4

1) Upzoning, adding to allowed density, shall not be allowed along the critical major Kanan

Evacuation Corridor. As this segment of Kanan Road is necessary to support timely Kanan Road traffic flow out when another frequent fast moving, wind blown Santa Ana fire occurs. Not only the community residents, but if the fire is during school sessions, then hundreds of students from 7 schools will need to evacuate also. Since this is the only road in the city that serves 7 schools, timely evacuation is necessary not only for community residents, but also to evacuate these students in a timely fashion.

Response to Comment 5-4

Please see Response to Comment 5-1.

Comment 5-5

2) Kanan Road Infrastructure cannot support new upzoning. Since the major Kanan Evacuation route has to be able to handle cars of existing community residents to evacuate safely out, there shall be no new upzoning/higher density per acre along this Agoura Hills sole critical major evacuation route.

Response to Comment 5-5

Please see Response to Comment 5-1.

Comment 5-6

3) Identify safe areas to stay overnight as area hotels become fully booked. Past history demonstrates that the 3 Kanan shopping centers parking lots served as a safe area, as the parking lot was full of cars with people staying overnight there during the Woolsey Fire.

Response to Comment 5-6

Please see Response to Comment 5-1. Additionally, as discussed in the Draft SEIR Implementation Program and in Response to Comment 5-1, communication technology will be employed during emergencies (e.g.: Code Red and Zone Haven). The notifications sent to residents will identify shelters, as well as, animal shelter locations if available at the time of notification. Nothing in the Draft SEIR or implementation of the project would prohibit the use of private property (e.g.: parking lots) from being used in the event of an emergency.

Comment 5-7

Remove: Policy CS-6.5 and CS-6.6. It is creating a safety liability and matter of life and death for Kanan Road residents for the city to put any new development in this already overburdened major Kanan Road Evacuation route in front of the 3 local shopping centers.

Response to Comment 5-7

This is a comment on the project and not any environmental analysis. The comment will be forwarded to the decision-makers for their consideration. In addition, it is noted that the referenced policies address provision of adequate water infrastructure for firefighting purposes and incorporation of fire suppression measures in new development. These policies address requirements generally related to development,

rather than wildfire, and thus are included in the Community Services section of the Infrastructure and Community Services Element of the General Plan.

Comment 5-8

Page IV.k.1-14 Comparison of Significance to General Plan of 2010 EIR. This General Plan Update, the impacts to Fire and Emergency would be significant if the Kanan shopping centers (sites O,P and Q) remain. This section is inadequate as this critical issue for the community is missing even though this safety issue is a life and death issue of timely evacuation from our frequent fast moving fires.

Response to Comment 5-8

Please see Response to Comment 5-1.

Comment 5-9

There would be a significant new impact not foreseen in GP 2010 EIR to Kanan Road, north of 101, having to handle a max of over a thousand more residents. The November 2018 Woolsey Fire Evacuation Road is documented by pictures and follow up newspaper articles. Additional significant fire safety impacts- including but not limited to the time it takes to get out- include adding a max of over 1000 residents (Housing sites O,P, and Q) to this critical major Kanan Road Evacuation Route.

Response to Comment 5-9

Please see Response to Comment 5-1.

Comment 5-10

SEIR 111-26

Under goals, minimizing risks to persons, add policy: There shall be no increase in allowed density along the major Kanan Evacuation Route which serves our 3 local shopping centers and 7 schools.

Response to Comment 5-10

Please see Response to Comment 5-1. In addition, this is a comment on the project and not any environmental analysis. The comment will be forwarded to the decision-makers for their consideration.

Comment 5-11

General Plan C. Wildland and Urban Fire Hazards (Safety)

5-16 Kanan Road is an Evacuation Route (people need to get safely out as demonstrated in the Woolsey Fire), not just a disaster route. (emergency equipment get in) It is a Evacuation Route not a "possible" evacuation route. This route is and will be used during our frequent fast moving fires as there is no other way out. The pathway of the Santa Ana fires are predictable. Utilization of Kanan Road here in front of the shopping centers will happen. Delete the last full paragraph on this page as it is not factual and compromises safety.

Response to Comment 5-11

The paragraph referred to by the commenter addresses the Draft Safety Element of the Los Angeles County General Plan Update, which identifies Kanan Road as a “possible” evacuation route. The City’s draft evacuation plan identifies Kanan Road as one of seven evacuation routes. This plan is being coordinated with the Los Angeles County Fire Department, Sheriff Department and state emergency preparedness agencies. The City is not constrained by any designation included in the Los Angeles County General Plan.

As discussed in the Draft SEIR (page IV.F-10 and IV.F-11), the Los Angeles County General Plan indicates that Kanan Road is a designated Highway Disaster Route, running north-south through the central portion of the City. Additionally, the US-101 freeway, which the Los Angeles County General Plan indicates is a designated Freeway Disaster Route, runs east-west through the southern portion of the City. The City’s SEMS and NIMS indicate similar designations for these roadways. According to the County of Los Angeles Department of Public Works, Disaster Routes are freeway, highway or arterial routes pre-identified for use during times of crisis to bring emergency personnel, equipment, and supplies into impacted areas in order to save lives, protect property and minimize impact to the environment. The County’s Department of Public Works notes that although Disaster Routes are not Evacuation Routes, an emergency may warrant a road to be used as both a disaster route (e.g., access for emergency response vehicles) and an evacuation route.

Comment 5-12

5-17 This Zone section is inadequate as it does not mention that the main major Kanan Evacuation route is functioning now as a route out as it must handle over 10,000 people's evacuation during one of our fast moving wind blown frequent Santa Ana fires. Adding any more density here above existing allowed density is adding to the city's liability as Agoura Hills will have the responsibility for evacuation delays here if any one dies trying to evacuate.

Response to Comment 5-12

See Response to Comment 5-1.

Comment 5-13

F. Emergency Preparedness (S)

Add missing policy: S-6.6 Plan for emergency access by maintaining existing density on major Kanan Evacuation route which allows the existing community population of around 10,000 people to safely get out during one of our frequent. fast moving Santa Ana fires. It will also protect an existing "safe zone" in the 3 shopping centers as all the nearby accommodations fill up.

Response to Comment 5-13

Please see Response to Comment 5-1 and Comment 5-6.

Comment Letter No. 6

Save Open Space

Santa Monica Mountains

Mary Wiesbrock, Chair Save Open Space/Santa Monica Mountains

P.O. Box 1284

Agoura Hills, CA 91376

Comment 6-1

Please replace SOS's earlier letter with this newly edited letter. The last paragraph needed an important edit.

Response to Comment 6-1

The comment letter as shown in this Final EIR reflects the revised version as submitted by the commenter.

Comment 6-2

AIR QUALITY (II. 6 and IV B.)

Removal of the Housing Site location at the 3 congested controversial Kanan shopping centers can be done and the city still meets its RHNA requirements with an adequate buffer. Why not? Then, there will be no additional air quality impacts on the around 1000 city residents, sensitive receptors who live adjacent to these congested Kanan shopping centers. Several feasible alternatives can reduce any significant impacts on these sensitive receptors in the site locations of O,P, and Q (Kanan 3 shopping centers). Why not consider the feasible alternatives to eliminate additional air quality impacts to around 1000 sensitive receptors who live near and or adjacent to these 3 Kanan shopping centers?

Response to Comment 6-2

As discussed in the Draft SEIR (pages IV.B-23 through IV.B-27), regional operational emissions would be from mobile sources, such as vehicles (including emissions from the additional vehicle miles generated from the proposed housing opportunity sites), area sources (including emissions from consumer products, landscape equipment and architectural coatings), and energy usage (including emissions from the generation of electricity and natural gas used at the proposed housing opportunity sites). Impacts from these emissions manifest in regional air quality conditions throughout the South Coast Air Basin. Although individual development projects associated with the GPU could potentially result in regional emissions levels that are under the SCAQMD thresholds, project-specific air quality analyses based on project-specific parameters would be required to establish this. New development resulting from the GPU could potentially exceed SCAQMD significance thresholds for operational emissions. Therefore, regional operational air quality impacts associated with the future development of the opportunity sites are conservatively assessed to be significant and unavoidable.

Localized operational emissions, which manifest as concentrations that can directly affect receptors located near the emissions source were assessed in the Draft SEIR to be less than significant (page IV.B-30 and IV.B-31). Carbon monoxide (CO) is the pollutant of major concern along roadways because the

most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. Traffic data for Year 2029 shows that Kanan Road south of Thousand Oaks Boulevard is projected to have an average daily traffic (ADT) volume of 43,430 vehicles. Therefore, the volume of traffic associated with the future development of the housing sites would be below the intersection volume of 100,000 vehicles per day and below the necessary volume to even get close to causing a violation of the CO standard. Therefore, it is anticipated that the buildout of the housing opportunity sites would not produce the volume of traffic required to generate a CO hotspot. Impacts related to CO concentrations would be less than significant (Draft SEIR, page IV.B-31).

Comment 6-3

Allowing the 3 Kanan shopping centers will have specific adverse health and safety impacts which can not be mitigated which is a direct violation of Government Code #65589.5 (j).

Car emissions in the area of Kanan and Thousand Oaks Blvd. are air quality impacts which are significant now in 2022 during peak times including a new peak when several schools let out in the mid afternoon. This area currently exceeds the SCAQMD threshold of significance during these peak times. Adding more car emission pollutants will directly impact the health of around 1000 residents (sensitive receptors) in the adjacent condo/apartments located here which includes Town and Country, Annandale I, and nearby Meadowridge.

Adding more noxious car air pollutants from over a max of 1000 new cars here is avoidable by removing the 3 shopping centers from the location list.

Response to Comment 6-3

Please see Response to Comment 6-2.

Comment 6-4

According to Housing Element: "most projects in the city propose to maximize the number of units permitted under zoning" (III-27) with the accompanying chart establishing that Agoura Hills landowners/developers have a history of requesting the maximum allowed. Proof that a max of 564 new housing units is possible which will add hundreds of more cars to that bottleneck intersection and gridlocked Kanan here at peak times. This in turn worsens the air that around 1000 existing condo/apartment residents, sensitive receptors, breathe.

Yes, the project (a max of 564 new housing units) here would expose sensitive receptors to substantial pollutant concentrations everyday during peak Kanan back up times. This is a significant impact-not less than significant- not identified as such on page II-7.

Response to Comment 6-4

Please see Response to Comment 6-2.

Comment 6-5

To add more noxious air quality pollutants is adding additional serious health impacts who will be breathing this much more polluted air to the around 1000 residents who reside in the Kanan/Thousand Oaks Blvd area and breathe this air. This air quality section is inadequate as there is no mention of the air quality impacts from the additional car emissions from allowing a huge upzoning of housing units which add a significant number of cars with their noxious pollutants. Within this 7 year RHNA period, there will still be gas guzzling cars idling from school and peak time back ups on Kanan in this immediate area.

Response to Comment 6-5

Please see Response to Comment 6-2.

Comment 6-6

HAZARDS II-6 and IV-F

Reducing Fire Risk and Preventing Loss of Lives

Impact F-6 and F-8: Yes, adding Housing to the 3 Kanan shopping centers will significantly impair the major Kanan Evacuation route. Further adding people and cars will impact timely evacuations for around 10,000 community people to be able to evacuate safely. The city of Agoura Hills will be liable for any deaths and or burn injuries from causing slower timely evacuations by being accountable for adding more cars to evacuate at the Kanan shopping centers. This will also cause the loss of a safe zone for people to park and stay safe when the designated evacuation locations are all full. Impact is significant, not less than significant.

Impact F-9, F-10, and F-11: Yes. Adding more people and cars at the 3 Kanan shopping centers will: impeded people from getting out safely, exacerbate wildlife risks, further overload inadequate Kanan Road infrastructure, and cause additional people to be exposed to significant risk. Impact is significant, not less than significant.

Public Safety is the first priority in the guiding principles of the Federal Fire Management Policy of 1995. In addition, risk management is one of the main principles of this federal Fire Management Policy. Adding unnecessary population along the major Kanan Evacuation Route adds risk during the evacuation of tens of thousands of people to get safely out during one of our frequent, fast moving wind blown fires.

Response to Comment 6-6

Please see Response to Comment 5-1 and 5-6.

Comment 6-7

Allowing impediments to quick evacuation here also is in conflict with California's recent Executive Order N-05-19 which requires consideration of high hazard communities with vulnerable populations that exacerbate the human toll of wildfires. The communities of Agoura Hills and Oak Park qualify for this Executive Order as vulnerable communities in our now ever frequent fast moving Santa Ana wildfires.

Response to Comment 6-7

Please see Response to Comment 5-1. Moreover, there is no evidence that the housing opportunity sites, or the shopping center sites specifically, conflict with Executive Order N-05-10.

Comment 6-8

All the comments in SOS's letter under Public Services-Fire Protection also apply to this Hazards-Fire SEIR and GPU. The detailed changes to the Goals and Policies in Agoura Hills General Plan need to be updated to protect the major Kanan Evacuation Route by prohibiting any increase in upzoning from the existing CMU 1.75 (which would cause new density/population) in the area of the 3 Kanan shopping centers. Timely evacuation on this major Kanan Evacuation Route is a matter of life or death.

Response to Comment 6-8

Please see Response to Comment 5-1.

Comment 6-9

IV-M. Transportation/Traffic

This is the main issue of concern with Agoura Hills voters. Existing conditions have cars backed up in the morning peak, and new 3 pm peak when the 7 schools are in session (M-F, 9 months of the year) to Laro and sometimes to Eagleton Streets. The 5 year Transportation Plan has no plans to widen this stretch of Kanan. None of the TDM policies (carpooling, bicycles) have occurred to ease this gridlock situation experienced daily by Agoura Hills voters as they travel to their jobs and/or try to leave the city for activities during the 3 pm hour.

Agoura Hills voters are angry at this gridlock and all the VMT studies with their unenforceable TDM strategies will not mitigate this Kanan gridlock from happening.

Response to Comment 6-9

CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing

by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment 6-10

Page IV-M: The Housing sites are not spread throughout the city as required by FAIR HOUSING. Please correct this misinformation as this SEIR needs to be factual.

Response to Comment 6-10

As discussed in the Draft SEIR (pages III-4 through III-7), a major component of the Housing Element is the identification of sites for future housing development and evaluation of the adequacy of these sites for fulfilling the City's fair share of regional housing needs, which is based on the SCAG RHNA. The City plans to fulfill its share of regional housing needs using a combination of the following:

- Vacant single-family sites with zoning in place
- Provision of accessory dwelling units
- Designation of opportunity sites with an Affordable Housing Overlay

City staff, with input from the community and City decision-makers, undertook a comprehensive analysis of potential additional sites for land use re-designation and rezoning to accommodate Agoura Hills' RHNA. Through the public review process, a total of twenty housing opportunity sites, including eight within the Agoura Village Specific Plan (AVSP), were ultimately selected as those most viable and suitable for development within the eight-year planning period. As shown in Figure III-2 of the Draft SEIR, these housing development opportunity sites are dispersed throughout the City, and were designed to avoid sensitive areas such as hillsides and biological habitats. In addition, accessory dwelling units may be developed on single-family and multi-family properties located throughout the City.

Comment 6-11

Page IV-M-12: The 3 Kanan shopping centers are not co-locating to where the jobs are not co-locating to where the jobs are. (CORE) The highest concentration of jobs are in the underutilized almost a mile long missing Housing sites area south of the 101, north of Agoura Rd to the WLV city line.

Response to Comment 6-11

The intersection of Kanan Road and Thousand Oaks Boulevard is a major commercial center of the City. Locating housing in this area would place housing units in the vicinity of job opportunities. Please see Response to Comment 6-10.

Comment 6-12

2010 EIR never envisioned/planned an increase in traffic in the area of 3 Kanan shopping centers to impact the now identified in newspaper article and studies the major Kanan evacuation route out for safely evacuating around 10,000 people at once. There will be a significant impact fire safety hazard -emergency

evacuation-to be able to use this section of Kanan Road to evacuate safely if any more added density, an upzoning increase, is allowed there.

This SEIR needs to clearly state that there will be a significant impact as adding huge upzoning at these 3 Kanan shopping center locations will result in inadequate emergency evacuation route access during one of our frequent fast moving Santa Ana wind blown fires.

Response to Comment 6-12

Please see Response to Comment 5-1.

Comment 6-13

Safe egress out along the major Kanan Evacuation Route of around 10,000 community people needs to be added to the transportation Goals and Policies in this 2022 SEIR on Transportation. It is inadequate to just have goals and policies that just pertain to access in and out of the individual properties.

Response to Comment 6-13

Please see Response to Comment 5-1. The goals and policies that require access apply to the entire city, including the shopping center sites. Additional information regarding evacuation may be found in comment 5-1.

Comment 6-14

Level of significance after mitigation with respect to transportation would NOT be less than significant in the area of the 3 Kanan shopping centers if any increase in zoning is allowed there. Kanan Road volumes and existing infrastructure of Kanan Road are and will be grossly inadequate to safely handle Kanan Road Fire Evacuations. Deaths could result from untimely evacuations for which the city will be liable. There are no plans to widen where the morning backup is and afternoon backup is during 9 months of the year when school is in session as the backups extend to Laro and Eagleton streets at times. This Kanan area north of Thousand Oaks Blvd was not included in the city's future 5 year transportation plans for Kanan to 101. . Agoura Hills voters have had it with this already existing traffic nightmare.

Response to Comment 6-14

Please see Response to Comment 5-1 and 6-9.

Comment 6-15

The VMT analysis demonstrates that the residential VMT/capita threshold is exceeded now. This is not acceptable to our residents who spoke loud and clear that LOS C was the acceptable LOS level throughout our city in the city's initial/first General Plan. The VMT/capita threshold for the Kanan shopping center area will not be reduced to below significant threshold if the proposed huge upzoning is allowed. TDM strategies for the residential and school communities utilizing the Kanan stretch in front of 2 of the shopping centers have failed. It is gridlocked now and TDM did NOT reduce the VMT to below the significant threshold. Voters do not accept LOS F and E levels here.

Response to Comment 6-15

Please see Responses to Comments 2-4 and 6-9.

Comment 6-16

Population and Housing

IV-J-1: Voters do not support additional substantial unplanned population growth in the area of the 3 Kanan shopping centers. This is not a less than significant impact as the max allowed is 564 new housing units.

Response to Comment 6-16

As discussed in the Draft SEIR (pages IV.J-13 through IV.J-16), changes in land use designations, rezoning, and updates to the Community Conservation and Development Element would result in an increase in residential units and an associated increase in residential population within the City. No changes or updates would allow for an increase in non-residential uses and, accordingly, no increase in direct employment would occur within the City as part of the GPU. Development that would be supported by the project could exceed both the number of new units and the total number of units projected for the City by SCAG in the 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy, Demographics and Growth Forecast, 2020. In addition, the increase in total population that could occur under the project could exceed the projected SCAG increase in the same report. However, the projected growth in total population is necessitated by SCAG's Regional Housing Needs Assessment allocation plan, which establishes income-specific requirements for new development within the current 2021-2029 housing element update cycle. To actually produce the affordable units needed to meet the City's lower income RHNA allocation (as determined by SCAG and included in the RHNA allocation plan), the City must allow for a larger number of total units and rely on an inclusionary requirement to actually produce income-restricted units. This strategy also ensures that affordable units are distributed throughout the City (as required by state law). To meet both of these legal requirements and fully conform with SCAG's RHNA allocation plan, the project allows for a number of units that is greater than the total forecasted by SCAG in its Regional Transportation Plan / Sustainable Communities Strategy, Demographics and Growth Forecast, 2020, but fully envisioned and required by the RHNA allocation plan. As such, the growth allowed by the project is the direct result of meeting the SCAG RHNA allocation plan, which reflects statewide and regional plans to meet the housing demand and therefore, impacts of projected population growth under the General Plan Update would not represent unplanned population growth in the City and are assessed to be less than significant.

Comment 6-17

Land Use

IV-H-2 Allowing a max of 564 new Housing units, huge or any upzoning, will conflict with an established General Plan Goal: by destroying our "small town feeling." These units can go on top of the existing commercial- so taking away some of the views of the Morrison Hills (Aesthetic Impact that is significant)

and/or in the parking lot with parking structures which will severely intensify and eliminate any “small town feeling” of this area which is considered the heart of the city by multi-thousands of city voters.

Response to Comment 6-17

The commenter appears to be referring to a General Plan goal but it is unclear which goal they are referencing. The commenter does not explain why adding residential units to existing commercial sites (in either a horizontal or mixed use configuration) would destroy the small town feeling of the City. Therefore we are unable to provide further response to this comment.

Separately, the objective design standards incorporated into the project provides opportunities to reasonably protect views. Objective standards that are part of the GPU project would limit building height to 3 stories, 45 feet and prohibit obstruction of a scenic vista (Ladyface Mountain, Strawberry Hill, Morrison Ranch Hills, Palo Comado Hills, and Simi Hills, as well as primary and secondary ridgelines per the General Plan) from a passersby on the site’s adjacent rights-of-way by more than 50 percent of the length of the project site (Draft SEIR, page III-15). In addition, the GPU and AHO standards would prohibit development on primary and secondary ridgelines. The objective standards would also require that development on sites with an average 10 percent or higher slope, structures are located with a minimum building setback of thirty (30) feet to the top of slope. As all projects proposed on the housing opportunity sites would be subject to the Municipal Code, General Plan policies, and objective standards, impacts to existing visual character would be prevented.

Comment Letter No. 7

Carolyn Cass-Barton

No Address

Comment 7-1

Here is the Wildfire Evacuation Study that I am also submitting to be included in the Housing Element/General Plan Update (SEIR, GPU), that needs to go into the record.

Response to Comment 7-1

The comment forwards the University of California study that addresses evacuations during wildfires between 2017 and 2019. Please see Responses to Comments 3-3 and 5-1.

Comment 7-2

UC Office of the President

Review of California Wildfire Evacuations from 2017 to 2019 (refer to Appendix B of this Final SEIR for complete study)

Response to Comment 7-2

The comment forwards the University of California study that addresses evacuations during wildfires between 2017 and 2019. Please see Responses to Comments 3-3 and 5-1.

Comment Letter No. 8

Tyler Claxton

No Address

Comment 8-1

I'm writing in regards to the Draft Safety Element and current Municipal Code, specifically, the updated VHFHSZ section. In the current GP, it is noted that "Natural vegetation that covers the undeveloped hillsides that surround the community contributes to scenic beauty but may also provide fuel to support a large wildfire. Consequently, all of Agoura Hills is within a Very High Fire Hazard Zone (Figure S-1). Wildfire hazards can be magnified by various factors including fuel load, weather conditions, topography, and property characteristics."

This same notation regarding the entirety of the City being within a VHFHSZ was also noted in proposed ordinance 19- 445.

In the DRAFT of the updated General Plan, along with section 9120.21. - V. of the municipal code, it is noted/mapped that the City of Agoura Hills is only considering the parts of the city mapped by the State/CalFire as VHFHSZ, and that this should be considered the official VHFHSZ.

With the above in mind, I have two questions:

1. Is it accurate to say that the City of Agoura Hills no longer considers the entirety of the City to be in the VHFHSZ, but only those parts mapped by CalFire as VHFHSZ?
2. If the above is true, what would that mean for a property on the edge of the VHFHSZ as mapped by the state? They used to be in a VHFHSZ per the city, and now, according to the City Map/language in the DRAFT GP, "only VHFHSZs are found in the LRA", so this property has...no fire hazards? As fires don't respect property lines, I am curious how a property at say 5920 KINGHAM CT AGOURA HILLS, CA, should be notified of their potential fire hazard?

Thank you, and please let me know if you have any questions on my questions above.

Response to Comment 8-1

The VHFHSZ is designated by CalFire and is shown in Figure S-4 of the Safety Element of the General Plan Update. Most, although not all, of the City is within the designated VHFHSZ. However, all areas of the City are subject to the City's requirements for brush clearance and fuel modification as set forth in the Municipal Code.

Comment Letter No. 9

Samantha Kim

No Address

Comment 9-1

I had some questions regarding the Agoura Hills General Plan Update and was hoping that you could provide an update to my questions below.

1. When do you anticipate State HCD final approval for the Housing Element Update?
2. Or has the State provided final approval? If so, when was final approval obtained?
3. The Draft SEIR is currently being circulate for public review. Once the review period ends, when do you anticipate City Council approval/adoption of the General Plan Update and SEIR? I am trying to get an understanding of the anticipated timeframes for City adoption.

If you would like to reach out and discuss in person, I can be reached at (213) 706-0063. Thank you for your assistance.

Response to Comment 9-1

HCD approval of the 2021-2029 Housing Element is expected to occur approximately 60 days after the GPU is adopted by the City Council. The City has coordinated with HCD throughout the preparation of the Housing Element and has received preliminary concurrence from HCD. The City Council will consider approval of the GPU, including the Housing Element, at its regular meeting on August 10, 2022.

Comment Letter No. 10

Inge Weinberg

No Address

Comment 10-1

I concur with you whole heartedly with all your reasoning below. On this side of the FWY (Ralphs and Vons shopping centers) we are already impacted, but not so on the lady face mountain side.

Response to Comment 10-1

The comment expresses agreement with a separately submitted comment. Please see Response to Comment 10-3.

Comment 10-2

For years AVE has tried to build a beautiful well planned and viable project that due to our anti-growth communities have prevented it from being realized. That is an overdue project worthy of passing and will add value to our city with flying colors as they have spent millions to accommodate all of the Cities' demands and still no approval, now that is shameful! Not to mention disrespectful to the many Agoura Hills residents, with less loud mouths, who are in favor of such a wonderful development. We are in

desperate need of a venue that would allow residents/people to have a place to meet, shop, and enjoy the beautiful outdoors. The mixed use is a popular housing option throughout many communities and again would only add to the desirability of our community. I would like to see you revisit this AVE project and stop considering the other one which makes zero sense as Susan so aptly pointed out! Too many excuses from you and very little solutions.

Response to Comment 10-2

The “AVE project” referred to by the commenter was a proposed project for a site located at the southeast corner of the intersection of Kanan Road and Agoura Road. This corresponds to development opportunity site A in the GPU. The City will consider any proper application for development of this site, which will be included in the Affordable Housing Overlay district. The comment does not refer to any deficiency in environmental analysis. No further response is necessary.

Comment 10-3

From: Susan Stone <ss@susanstone.com>

Sent: Thursday, June 16, 2022 1:01 PM

To: Kimberly Rodrigues <KRodrigues@agourahillscity.org>; Jessica Cleavenger <JCleavenger@agourahillscity.org>

Subject: Planning Commission vote for housing in Ralphs and Von's shopping centers.

Hello,

I'm a 40-year resident of Agoura Hills.

The proposed housing projects in the two shopping center parking lots make no sense to me at all for a number of reasons. First is the choice of locations. Traffic? Parking? General congestion?

Now is NOT the time to talk about adding any new housing or any development until we resolve the current infrastructure and utility shortage problems. Water, Electricity, discontinuing gas appliances (which is another subject I oppose), and even garbage collection. And what about sewer capacity?

Do you realize yet that we live in a desert? (Remember the book and movie CHINATOWN?) Those who planed and implemented the infrastructure for our area (and CA in general) did not plan wisely.

Is your goal to place Agoura in more danger in case of fire? Or to have us eliminate landscaping entirely?

Is it your goal that in the name of “equity,” we all suffer equally?

Regardless of what the CA legislature has imposed on us, without our votes, you should stand up to them and say, “No more building until the proper infrastructure is in place.” After all, there are still billions of unused federal funds from COVID relief in Sacramento’s coffers that can be used for this. Desert countries create desalination plants before building cities. The Romans built aqueducts. Let’s move forward, not backward.

Thank you for reading my letter.

Sincerely,

Susan Stone

Response to Comment 10-3

The comment is a duplicate of a comment letter submitted to the City (Comment Letter No. 56). Please see Responses to Comments 5-1, 11-1, 11-3, 11-7, 11-8, 11-11 and 11.12.

Comment Letters Nos. 11 through 61

Comment Letters 11 through 61 all pertain to the three development opportunity sites (Sites O, P and Q) located at the intersection of Kanan Road and Thousand Oaks Boulevard (the Shopping Center sites). The comment letters raise the topic areas listed below regarding these sites. The topic areas have been summarized from the comment letters for brevity and clarity and to facilitate readers' review of the responses.

- A. Request that the sites be removed from the list of development opportunity sites.
- B. Impacts on possible evacuation via Kanan Road in the event of an emergency.
- C. Impacts on traffic congestion generally on Kanan Road and Thousand Oaks Boulevard.
- D. Unplanned housing growth in the area of the Shopping Center sites.
- E. Aesthetic effects on the "small town environment of the City".
- F. Privacy concerns from new development.
- G. Impacts on water supply.
- H. Impacts on electric power supply.
- I. Impacts regarding a potential Native American burial ground in the area southwest of the intersection of Kanan Road and Thousand Oaks Boulevard.
- J. Impacts on bicycle and walking paths.
- K. Impacts on solid waste disposal.
- L. Impacts on sewer system.
- M. Impacts on air quality.

Individual responses to these topic areas are provided below.

Topic Area A

Most of the commenters requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Topic Area A

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Topic Area B

Many of the commenters expressed concern that development of the Shopping Center sites would increase traffic on Kanan Road and other roadways in the vicinity during an emergency requiring evacuation of the area.

Response to Topic Area B

Please see Response to Comment 5-1. The full text of the response has been included in the response to each individual comment letter.

Topic Area C

Some commenters expressed concern that development of the Shopping Center sites would increase traffic congestion in the area generally (i.e., non-emergency situations).

Response to Topic Area C

Please see Response to Comment 6-9. The full text of the response has been included in the response to each individual comment letter.

Topic Area D

Some commenters expressed concern that development of the Shopping Center sites would result in unplanned housing growth in the area.

Response to Topic Area D

Please see Response to Comment 6-16. The full text of the response has been included in the response to each individual comment letter.

Topic Area E

Some commenters expressed concern that development of the Shopping Center sites would adversely impact the aesthetic character of the area and the “small town environment” of the City.

Response to Topic Area E

As discussed in the Draft SEIR (Pages IV.A-15 through IV.A-16), residential development under the GPU would occur on sites that are currently undeveloped and vacant or currently developed with commercial uses. All the sites are in areas considered as urbanized, as the entire City is classified as an urbanized area per CEQA Guideline 15387. Sites A, B, C, D, E, F, H, I, M, R, and S consist of undeveloped land. Sites G, J, and K are developed with commercial uses, including the Regency Theater Center, Roadside Lumber, and Whizin’s Market Square. Sites O, P, and Q are developed with shopping center uses, including grocery and pharmacy stores, banks, other commercial uses, and parking lots. Sites L, N, and T are developed with commercial uses.

Focusing infill development on underutilized properties would foster architectural quality and variety, as well as ensure landscape/open space buffers on the City fringe, that would preserve the open visual character of the City as a whole. No new or amended goals or policies relating to Aesthetics are proposed as part of the GPU. Additionally, current General Plan policies that would remain with the GPU would ensure new developments visually complement and enhance existing uses. For example, Policy LU-4.5 (Development Compatibility) requires that infill development incorporate design elements with buffers and transitions in density, scale, and mass to assure compatibility with adjacent uses. Development would be encouraged to be of human scale per Policy LU-4.6 (Building Scale and Design), and Policy LU-4.4 (Concentration of Development Density) would focus the highest densities of development along the freeway corridor. Additionally, Policy LU-7.2 (Housing Character and Design) requires that new and renovated housing within existing single- and multi-family neighborhoods be located and designed to maintain their distinguishing characteristics and qualities, including prevailing lot sizes; building form, scale, massing, and relationship to street frontages; architectural design; landscape; property setbacks; and comparable elements. The proposed GPU spreads the development sites throughout the City, with the intent of not concentrating potential residential development in any one particular area, for the purpose of maintaining small town character throughout the City. The Draft SEIR concludes that, as all projects proposed on the housing opportunity sites would be subject to the Municipal Code, General Plan policies, and objective standards, adverse impacts to existing visual character would be less than significant.

Topic Area F

Some commenters in the immediate area expressed concern that development of the Shopping Center sites would result in loss of privacy for immediately adjoining properties.

Response to Topic Area F

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element due to privacy concerns. There is no threshold of significance within CEQA Appendix G specifically related to privacy. No additional comments regarding the adequacy of the Draft SEIR were included in these statements. However, it is worth noting that privacy concerns are addressed on an individual project basis, including multi-family and mixed-use projects. The proposed objective design standards and existing development standards within the Municipal Code require projects be designed to limit impacts to adjacent residential uses.

Topic Area G

Some commenters questioned whether adequate water supply would be available for new development.

Response to Topic Area G

As discussed in the Draft SEIR (pages IV.N.1-18 through IV.N.1-20), the City obtains its water supply from the Las Virgenes Municipal Water District (LVMWD). Changes in land use designations, ultimate rezoning as a result of the change in land use designations, and updates to the Community Conservation and Development Element would result in an increase in residential units on the housing opportunity sites,

and an associated increase in residential population within the City. Buildout of the project could result in an additional water demand in the City of 962,883 gallons per day (gpd) to 1,613,520 gpd, or 1,077 acre-feet per year (AFY) to 1,807 AFY. Based on the lowest amount of water supply projected for normal years (27,787 AFY), single dry years (30,270 AFY), and multiple dry years (30,684 AFY), the increased water demand resulting from buildout that would be supported by the project would represent 3.8 to 6.5 percent of water supplies during normal years, 3.6 to 5.9 percent of water supplies during single dry years, and 3.5 to 5.6 percent of water supplies available during multiple dry years.

As detailed in the LVMWD's 2020 Urban Water Management Plan (UWMP), Agoura Hills would be able to meet the projected future demand for water for normal years through 2045. Because the City's 2020 UWMP was based on growth rate projections obtained from data provided by SCAG, it is assumed that growth that would occur under the project was not accounted for within the projections of future water demand. However, with the LVMWD's existing sources of water supply, coupled with the combined effect of the District's efforts to increase available water supplies, it is expected that there would be adequate water supplies for the LVMWD service area through at least 2045. As outlined in Section 10509 of the AHMC, prior to development of each opportunity site final project approval would be based on compliance with all requirements as to area, improvement and design, floodwater, drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection. Therefore, impacts would be less than significant in regards to available projected water supplies within the City.

Topic Area H

Some commenters questioned whether adequate electric power would be available for new development.

Response to Topic Area H

As discussed in the Draft SEIR (pages IV.N.4-21 and IV.N.4-22), future development associated with the GPU is projected to increase the electrical demand of SCE by between 0.0002 percent and 0.005 percent. Such an increase would not require the construction of new or the expansion of existing regional electrical infrastructure, such as supply generation, high-voltage transmission grid, or substation facilities. Although new supply generation and transmission facilities would not be required, similar to other new infill development, it is anticipated that new housing development under the GPU would result in the need for the construction, relocation, or undergrounding of local electrical delivery power lines or service connections, as well as local natural gas distribution lines. Construction of any development on Sites A-T would require the installation of new onsite electrical and natural gas infrastructure that would connect to the existing local delivery systems located in adjacent rights-of-way. Impacts from such construction or relocation work would not be anticipated to result in significant impacts based on the localized nature of installation and connection of electric power lines in existing rights-of-way and other public easements that have been previously disturbed. As part of the normal construction process, project applicants would be required to coordinate electrical infrastructure removals or relocations with SCE prior to construction activities. As a result, there is adequate energy for the project through local-serving electrical and natural gas delivery facilities. In addition, as stated in the Draft EIR, the project will not result in wasteful,

inefficient, or unnecessary consumption of energy resources, or conflict with or obstruct a plan for renewable energy or energy efficiency.

Topic Area I

One commenter indicated that a potential Native American burial site may be located on the property located at the southwest corner of the intersection of Kanan Road and Thousand Oaks Boulevard.

Response to Topic Area I

As discussed in the Draft SEIR (pages IV.D-14 and IV.D-15), on July 27, 2021, the City of Agoura Hills received the Sacred Lands File (SLF) results from the NAHC. A cultural resources assessment, including record search, was conducted for the 20 housing opportunity sites in the Housing Element. Cultural resource studies completed prior to 2014 were not subject to Native American consultation under CEQA Assembly Bill (AB) 52. Based on the findings in this updated record search, and as noted above, a large percentage of the sites have never been subject to cultural resource investigation. Of the 40 reports that were completed within these 20 sites the most recent was completed in 2006, with a handful of archaeological testing and monitoring studies completed (most recent in 2014). The results on known resources indicate the area is sensitive for archaeological and tribal cultural resources.

Government Code Section 65352.3(A)(2), requires the City to consult with appropriate tribes whenever a project subject to a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report under CEQA specifically address tribal cultural resources. Additional CEQA review and tribal consultation would be required for such projects. Therefore, the GPU would not result in a significant impact. If the housing opportunity sites are developed under the AHO, with a by right and ministerial approval process, the objective standards would apply and ensure less than significant impacts to tribal resources.

The objective standards for Cultural Resources require that if Native American or tribal cultural resources exist on the site, the applicant will enter into a Cultural Resources Treatment Agreement with a local Native American Tribe traditionally and culturally affiliated with Agoura Hills that is acknowledged by the Native American Heritage Commission, which shall address the following: (1) treatment and disposition of cultural resources; (2) designation, responsibilities, and participation of professional Tribal monitors during grading, excavation and ground disturbing activities; (3) project grading and development scheduling; (4) terms of compensation for the Tribal monitors; (5) treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on site; (6) Tribal monitor's authority to stop and redirect grading in order to evaluate the significance of any potential resources discovered on the property, and to make recommendations as to treatment; and (7) the applicant's agreement to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project area, to the Tribe for proper treatment and disposition; and the applicant's agreement that all Tribal sacred sites are to be avoided and preserved.

Because tribal consultation is required under AB 52, impacts to tribal cultural resources would be less than significant for housing projects on the opportunity sites that are not developed under the AHO. For sites developed under the AHO, the objective standards to which the projects must adhere would result in less than significant impacts.

Topic Area J

One commenter suggested that the City provide more bicycle and walking paths in the area instead of more housing units and traffic.

Response to Topic Area J

As discussed in the Draft SEIR (pages IV.M-22 through IV.M-25), the GPU does not include any policies or land uses that would conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The sites proposed for development as part of the General Plan Update would be constructed on existing parcels, including potentially merging individual parcels. The design of each site would require the installation of sidewalk enhancements to further improve the pedestrian experience along the perimeter of each opportunity site. The sidewalks can be constructed, upgraded, or maintained within the existing public right-of-way (ROW). Bikeway facilities along the street would be required to be maintained.

The proposed residential development would not preclude the further maintenance and development of the pedestrian and bicycle systems in the City, nor would the amount of new development likely cause the capacity of the existing/proposed systems as the City is constantly updating the pedestrian and bicycle facilities in compliance with General Plan Goals M-7 and M-8 and Policy M-2.5. As such, the goals and policies pertaining to transportation contained within the General Plan 2010 would continue to promote and enhance the alternative modes of transportation within the City and ensure future development would not conflict with programs, plans, policies, and ordinances.

Topic Area K

Some commenters expressed concerns regarding solid waste disposal capacity available to serve new development.

Response to Topic Area K

As discussed in the Draft SEIR (pages IV.N.3-9 through IV.N.3-11), additional development throughout the City accommodated under the General Plan Update would increase solid waste generation within the City. Three landfills currently serve the City of Agoura Hills, including the Calabasas Landfill, the SVLRC, and the Burbank Landfill Site No. 3. As of December 31, 2019 (the most recent date for which data is available), these three landfills have a combined capacity of approximately 55 million tons. Development under the GPU would generate an increase of approximately 17,134 to 28,716 pounds of solid waste per day in the City. Under a contract with the City, G.I. Industries would continue to provide services to future development in Agoura Hills. As previously discussed, the County landfills receiving solid waste from Agoura Hills have a combined maximum throughput of 9,740 tons per day (or 19,480,000 pounds per day). The additional solid waste that would be generated from development on the housing opportunity sites would represent approximately 0.09 to 0.15 percent of the total landfill daily throughput. Therefore, waste generated by the project would be accommodated by existing and likely future landfill capacities.

Topic Area L

Some commenters expressed concerns regarding sewer capacity available to serve new development.

Response to Topic Area L

As discussed in the Draft SEIR (pages IV.N.2-8 and IV.N.2-9), the City does not have wastewater treatment capacity or facilities, only a wastewater collection system. The local sewer lines are operated and maintained by the County of Los Angeles Department of Public Works (DPW) and the LVMWD maintains the trunk sewer lines. Based on an increased dwelling unit estimate of 18.3 percent to 30.7 percent with the GPU, the additional wastewater generation would be between 462,330 gpd and 774,840 gpd. The wastewater treatment facility, Tapia Wastewater Reclamation Facility (TWRF) has a capacity to process up to 16 million mgd of wastewater, but currently averages about nine mgd of wastewater. Therefore, there is enough capacity for the increase associated with implementation of the GPU. Upgrades to wastewater infrastructure would be the responsibility of LVMWD and they would continually evaluate and adjust wastewater infrastructure in order to provide adequate wastewater services to serve the needs of existing and future wastewater needs. Furthermore, development of the housing would require installation of onsite wastewater infrastructure, however these would be installed as part of normal building construction. Such improvements would be conducted in coordination with the City and LVMWD in order to avoid impacts to wastewater service to adjacent uses. Therefore, impacts would be less than significant.

Topic Area M

Some commenters expressed concerns regarding air quality resulting from development of the Shopping Center sites.

Response to Topic Area M

Please see Response to Comment 6-2. The full text of the response has been included in the response to each individual comment letter.

Comment Letter No. 11

Name not provided

No Address

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element due to traffic. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 11-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to

evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 12

Janet Baraad
5744 Emerson Court
Agoura Hills, CA

This commenter opposes changing the zoning along Kanan. The following concerns were cited: Traffic impacts in general, traffic impacts impeding fire evacuation for Agoura and Oak Park residents, Morrison Ranch and other community's privacy, quality of life, property values, and requests for information (requested complete list of housing opportunity sites).

Response to Comment Letter No. 12-1 and 12-2

The comments are acknowledged and will be considered by the City's decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion

was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City’s response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City’s General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City’s Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City’s Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an

emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main “hub” for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff’s Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

In conclusion, as discussed in the Draft SEIR (pages IV.J-13 through IV.J-16), changes in land use designations, rezoning, and updates to the Community Conservation and Development Element would result in an increase in residential units and an associated increase in residential population within the City. No changes or updates would allow for an increase in non-residential uses and, accordingly, no increase in direct employment would occur within the City as part of the GPU. Development that would be supported by the project could exceed both the number of new units and the total number of units projected for the City by SCAG in the 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy, Demographics and Growth Forecast, 2020. In addition, the increase in total population that could occur under the project could exceed the projected SCAG increase in the same report. However, the projected growth in total population is necessitated by SCAG’s Regional Housing Needs Assessment allocation plan, which establishes income-specific requirements for new development within the current 2021-2029 housing element update cycle. To actually produce the affordable units needed to meet the City’s lower income RHNA allocation (as determined by SCAG and included in the RHNA allocation plan), the City must allow for a larger number of total units and rely on an inclusionary requirement to actually produce income-restricted units. This strategy also ensures that affordable units are distributed throughout the City (as required by state law). To meet both of these legal requirements and fully conform with SCAG’s RHNA allocation plan, the project allows for a number of units that is greater than

the total forecasted by SCAG in its Regional Transportation Plan / Sustainable Communities Strategy, Demographics and Growth Forecast, 2020, but fully envisioned and required by the RHNA allocation plan. As such, the growth allowed by the project is the direct result of meeting the SCAG RHNA allocation plan, which reflects statewide and regional plans to meet the housing demand and therefore, impacts of projected population growth under the General Plan Update would not represent unplanned population growth in the City and are assessed to be less than significant.

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element due to privacy concerns. There is no threshold of significance within CEQA Appendix G specifically related to privacy. No additional comments regarding the adequacy of the Draft SEIR were included in these statements. However, it is worth noting that privacy concerns are addressed on an individual project basis, including multi-family and mixed-use projects. The proposed objective design standards and existing development standards within the Municipal Code require projects be designed to limit impacts to adjacent residential uses.

Response to Comment Letter No. 12-4

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 12-5

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 13

Frank Calautti
6255 Rustling Oaks Dr.
Agoura Hills, CA

The commenter requested the three shopping centers at Kanan be removed. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 13-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 14

Roe Calautti
6255 Rustling Oaks Dr.
Agoura Hills, CA

The commenter requested the three shopping centers at Kanan be removed. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 14-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 15

Carolyn Cass-Barton and Dan Barton
No Address Given

The commenters advised, any housing units adding population to the three shopping centers would have significant impact. Newspaper article links, articles, and article excerpts were provided relating to roads, wildfires, and evacuation for communities in the State of California. No specific information regarding the adequacy of the SEIR was included in the statement.

Response to Comment Letter No. 15-1

The comments are acknowledged and will be considered by the City's decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing

risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved

communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

Response to Comment Letter No. 15-2

The commenter has provided information and articles on various issues related to the project. The comment is acknowledged and will be considered by the decision makers. Please see the response regarding evacuations in 15-1 and 5-1.

Response to Comment Letter No. 15-3

The commenter has provided information and articles on various issues related to the project. The comment is acknowledged and will be considered by the decision makers. Please see the response regarding evacuations in 15-1 and 5-1.

Comment Letter No. 16

Richard and Nancy Caster
39 Briarwood Ln.
Oak Park, CA 91377

The commenters oppose rezoning the Kanan Shopping Center to allow apartments. They do not want low income housing built on top of “our shopping center”. The commenters requested the three shopping centers at Kanan be removed. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 16-1

The commenter states a position on the project and requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 16-2

The commenter states a position on the project and requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 17

David Cooper

No Address Given

The commenter requests the removal of the Kanan shopping centers. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 17-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision-makers. The commenter's letter is included in the record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 18

Gary and Joan Davidson

6125 Deerhill Rd.

Oak Park, CA 91377

The commenters expressed concerns regarding traffic and evacuation, as well as, the impact on people in Oak Park safely evacuating in the event of a fire like Woolsey with 600 additional housing units in the location of the shopping centers. The commenters requested removal of the three Kanan Road shopping centers.

Response to Comment Letter No. 18-1

The comments are acknowledged and will be considered by the City's decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts

of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Response to Comment Letter No. 18-2

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the

City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

Response to Comment Letter No. 18

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 19

Benedict Desimone
28748 Aries St.
Agoura Hills, CA

The commenter wrote, "NO!". No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 19-1

The comment is acknowledged and will be considered by the decision-makers. The commenter's letter is included in the record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 20

Joseph and Jennifer De Vita
No address given

The commenters are opposed to upzoning the shopping centers due to traffic and the effect it would have on evacuation.

Response to Comment Letter No. 20-1

The comments are acknowledged and will be considered by the City's decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion

was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City’s response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

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As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

Comment Letter No. 21

Barry Elman
No address given

The commenter requested the three Kanan shopping centers be removed. The commenter conveyed, “For years, the city and the nimbies have fought any development in Agoura Hills, you should keep it up.”. the commenter expressed the following: “I have read the bill that dictated this demand for affordable housing including the penalties for non-compliance. I believe that Agoura Hills can easily afford to endure the penalties.” No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 21-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision-makers. The commenter’s letter is included in the

record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 21-2

The commenter states a position on statewide housing legislation. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 22

Jennifer Fiebig
29318 Quail Run Dr.
Agoura Hills, CA

The commenter is opposed to allowing housing units off Kanan in Agoura. Traffic and safety concerns in the event of an emergency were raised.

Response to Comment Letter No. 22-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 22-2

The comments are acknowledged and will be considered by the City's decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion

was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City’s response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City’s General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City’s Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City’s Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an

emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main “hub” for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff’s Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

Comment Letter No. 23

Phil and Sue Fitzpatrick
Agoura Hills

The commenters are opposed to the shopping center upzoning proposals. Impacts to Morrison Ranch residents affected by increased traffic and density were cited.

Response to Comment Letter No. 23-1

The comments are acknowledged and will be considered by the City’s decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project’s transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts

of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

The remainder of the commenter's remarks relate to the commenters position on the project. The comment is acknowledged and will be considered by the decision-makers. The commenter's letter is included in the record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 24

Kelley Foster

No Address

The commenter requested the three Kanan shopping centers be removed. The commenter wrote, "The amount of added traffic will be a daily nuisance and in an emergency evacuation potentially deadly."

Response to Comment Letter No. 24-1

The comments are acknowledged and will be considered by the City's decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City’s response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City’s General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City’s Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City’s Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main “hub” for information, and also

determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

The remainder of the commenter's remarks relate to the commenters position on the project. The comment is acknowledged and will be considered by the decision-makers. The commenter's letter is included in the record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 25

Ellen Francis
6148 Edinburgh Ct.
Agoura Hills, CA 91401

The commenter requested the three shopping centers be removed. Traffic and evacuation concerns were cited.

Response to Comment Letter No. 25-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 25-2

The comments are acknowledged and will be considered by the City's decision-makers. CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

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With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

The remainder of the commenter's remarks relate to the commenters position on the project. The comment is acknowledged and will be considered by the decision-makers. The commenter's letter is included in the record that will be provided to the City's decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 25-3

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 26

Nancy Franklin
Fountainwood St.
Agoura Hills, CA

The commenter requested the three Kanan shopping centers be removed. Concerns regarding traffic impacts on safe evacuation were cited.

Response to Comment Letter No. 26-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 26-2

The comments are acknowledged and will be considered by the City's decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion

was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

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With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

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As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

The remainder of the commenter’s remarks relate to the commenters position on the project. The comment is acknowledged and will be considered by the decision-makers. The commenter’s letter is included in the record that will be provided to the City’s decision-makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 27

Lauren Garner

No address given

The commenter expressed concerns regarding traffic, impact traffic will have on evacuation, the aesthetics of the existing shopping centers, and the condition and aesthetics of the wall along “Canaan” from the freeway up to the shopping center.

Response to Comment Letter No. 27-1

The comments are acknowledged and will be considered by the City’s decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most

appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Response to Comment Letter No. 27-2

The comments are acknowledged and will be considered by the City's decision-makers. With respect to evacuations, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of

an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

Response to Comment Letter No. 27-3

The comments are acknowledged and will be considered by the City's decision-makers. With respect to aesthetics, as discussed in the Draft SEIR (Pages IV.A-15 through IV.A-16), residential development under the GPU would occur on sites that are currently undeveloped and vacant or currently developed with commercial uses. All the sites are in areas considered as urbanized, as the entire City is classified as an urbanized area per CEQA Guideline 15387. Sites A, B, C, D, E, F, H, I, M, R, and S consist of undeveloped land. Sites G, J, and K are developed with commercial uses, including the Regency Theater Center, Roadside Lumber, and Whizin's Market Square. Sites O, P, and Q are developed with shopping center uses, including grocery and pharmacy stores, banks, other commercial uses, and parking lots. Sites L, N, and T are developed with commercial uses.

Focusing infill development on underutilized properties would foster architectural quality and variety, as well as ensure landscape/open space buffers on the City fringe, that would preserve the open visual character of the City as a whole. No new or amended goals or policies relating to Aesthetics are proposed as part of the GPU. Additionally, current General Plan policies that would remain with the GPU would ensure new developments visually complement and enhance existing uses. For example, Policy LU-4.5 (Development Compatibility) requires that infill development incorporate design elements with buffers and transitions in density, scale, and mass to assure compatibility with adjacent uses. Development would be encouraged to be of human scale per Policy LU-4.6 (Building Scale and Design), and Policy LU-4.4 (Concentration of Development Density) would focus the highest densities of development along the freeway corridor. Additionally, Policy LU-7.2 (Housing Character and Design) requires that new and renovated housing within existing single- and multi-family neighborhoods be located and designed to maintain their distinguishing characteristics and qualities, including prevailing lot sizes; building form, scale, massing, and relationship to street frontages; architectural design; landscape; property setbacks; and comparable elements. The proposed GPU spreads the development sites throughout the City, with the intent of not concentrating potential residential development in any one particular area, for the purpose of maintaining small town character throughout the City. The Draft SEIR concludes that, as all projects proposed on the housing opportunity sites would be subject to the Municipal Code, General Plan policies, and objective standards, adverse impacts to existing visual character would be less than significant.

Comment Letter No. 28

Andrea Gronich
Oak Park, CA

The commenter requests the three Kanan shopping centers be removed. Concerns regarding traffic and the affect it will have on evacuation during wildfires were expressed.

Response to Comment Letter No. 28-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the

record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 28-2

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

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With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

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As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion

was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 29

Bernice Hayden
28850 Barragan St.
Agoura Hills, CA 91301

The commenter is opposed to any upzoning on Kanan Rd and requests the three shopping centers be removed. The impacts of increased traffic and its effect on evacuation was cited.

Response to Comment Letter 29-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to comment Letter 29-2

The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter 29-3

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

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proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already

undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 30

John Hayden
28850 Barragan St.
Agoura Hills, CA 91301

The commenter requests the three shopping centers be removed. The commenter states, "There should be no further development in the Kanan Rd. area." Traffic, safety, and fire rescue are cited.

Response to Comment No. 30-1

The commenter states a position on a portion of the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment No. 30-2

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and

risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved

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As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

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Comment Letter No. 31

Laura Heisen
Agoura Hills, CA

The commenter is opposed to adding homes to any or all of the shopping centers on Kanan. Traffic and the impacts of increased traffic on evacuation were cited.

Response to Comment Letter No. 31-1

The commenter requests the City remove three shopping center sites from the project. The commenter also states a position on the project. The comments are acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As the comments do not raise issues about the SEIR, no specific responses to the comments are necessary.

Comment Letter No. 32

Shannon M. Hirtensteiner
5776-D Lindero Canyon Rd.
Westlake Village, CA 91352

The commenter requests the three local shopping centers be removed citing inability for the community to absorb the congestion from hundreds of housing units at the Kanan Rd/Thousand Oaks Blvd. intersection.

Response to Comment Letter No. 32-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 33

Sepehr Hendizadeh
Oak Park, CA

The commenter is concerned about the effect of the development on safe evacuation in case of a fire emergency.

Response to Comment Letter No. 33-1

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

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Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Response to Comment Letter No. 33-2

The commenter states a position on alternative sites related to the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 34

Timmie High
Oak Park, CA

The commenter expressed concerns regarding traffic if housing was added to the shopping centers and the impacts during evacuation. The commenter requests no shopping areas be taken away and no more cars.

Response to Comment Letter No. 34-1

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City’s response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City’s General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City’s Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the

City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts

of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 35

Barbara and Richard Hoffmann
Agoura Hills, CA

The commenters request that "not one more housing unit be added to Kanan Rd." The commenters cite evacuation times as an issue and requests the shopping centers be removed.

Response to Comment Letter No. 35-1

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-1.1 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 36

Mia

No address given

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. Concerns about traffic and safety during evacuation were cited.

Response to Comment Letter No. 36-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 36-2

The commenter notes concerns regarding evacuation and traffic issues. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

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Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 37

Cory Jakl
Oak Park, CA

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. They also express concerns with traffic, fire evacuation, and lack of water.

Response to Comment Letter No. 37-1

The comment expresses a position on current traffic conditions. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 37-2

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

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With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies

unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that

the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Response to Comment Letter No. 37-3

The commenter states a position on water supply issues related to the project. The comment is acknowledged and will be considered by the decision makers. With regard to water, as discussed in the Draft SEIR (pages IV.N.1-18 through IV.N.1-20), the City obtains its water supply from the Las Virgenes Municipal Water District (LVMWD). Changes in land use designations, ultimate rezoning as a result of the change in land use designations, and updates to the Community Conservation and Development Element would result in an increase in residential units on the housing opportunity sites, and an associated increase in residential population within the City. Buildout of the project could result in an additional water demand in the City of 962,883 gallons per day (gpd) to 1,613,520 gpd, or 1,077 acre-feet per year (AFY) to 1,807 AFY. Based on the lowest amount of water supply projected for normal years (27,787 AFY), single dry years (30,270 AFY), and multiple dry years (30,684 AFY), the increased water demand resulting from buildout that would be supported by the project would represent 3.8 to 6.5 percent of water supplies during normal years, 3.6 to 5.9 percent of water supplies during single dry years, and 3.5 to 5.6 percent of water supplies available during multiple dry years.

As detailed in the LVMWD's 2020 Urban Water Management Plan (UWMP), Agoura Hills would be able to meet the projected future demand for water for normal years through 2045. Because the City's 2020 UWMP was based on growth rate projections obtained from data provided by SCAG, it is assumed that growth that would occur under the project was not accounted for within the projections of future water demand. However, with the LVMWD's existing sources of water supply, coupled with the combined effect of the District's efforts to increase available water supplies, it is expected that there would be adequate water supplies for the LVMWD service area through at least 2045. As outlined in Section 10509 of the AHMC, prior to development of each opportunity site final project approval would be based on compliance with all requirements as to area, improvement and design, floodwater, drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection. Therefore, impacts would be less than significant in regards to available projected water supplies within the City.

Comment Letter No. 37-4

The commenter suggests that alternative sites for housing might be available. The comment is acknowledged and will be considered by the decision makers.

Comment Letter No. 37-5

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the

record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 38

Beth Kin

Oak Park Resident

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. They expressed concerns related to traffic and evacuation.

Response to Comment Letter No. 38-1

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement

with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the

appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 39

Tina

No address

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 39-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 40

Roslyn J Mac

No address

This is a duplicate comment. See Comment Letter No. 41.

Comment Letter No. 41

Roslyn J Mac

No address

This commenter requested the removal of the three shopping center sites contained in the Housing Element. They expressed concerns related to traffic and evacuation.

Response to Comment Letter No. 41

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP)

provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the

event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 42

Sandra Matthew

No address

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. They expressed concerns related to water and electricity supply, as well as, traffic.

Response to Comment Letter No. 42-1

The commenter provides background information and states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to comment Letter No. 42-2

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to water availability, as discussed in the Draft SEIR (pages IV.N.1-18 through IV.N.1-20), the City obtains its water supply from the Las Virgenes Municipal Water District (LVMWD). Changes in land use designations, ultimate rezoning as a result of the change in land use designations, and updates to the Community Conservation and Development Element would result in an increase in residential units on the housing opportunity sites, and an associated increase in residential population within the City. Buildout of the project could result in an additional water demand in the City of 962,883 gallons per day (gpd) to 1,613,520 gpd, or 1,077 acre-feet per year (AFY) to 1,807 AFY. Based on the lowest amount of water supply projected for normal years (27,787 AFY), single dry years (30,270 AFY), and multiple dry years (30,684 AFY), the increased water demand resulting from buildout that would be supported by the project would represent 3.8 to 6.5 percent of water supplies during normal years, 3.6 to 5.9 percent of water supplies during single dry years, and 3.5 to 5.6 percent of water supplies available during multiple dry years.

As detailed in the LVMWD's 2020 Urban Water Management Plan (UWMP), Agoura Hills would be able to meet the projected future demand for water for normal years through 2045. Because the City's 2020 UWMP was based on growth rate projections obtained from data provided by SCAG, it is assumed that growth that would occur under the project was not accounted for within the projections of future water demand. However, with the LVMWD's existing sources of water supply, coupled with the combined effect of the District's efforts to increase available water supplies, it is expected that there would be adequate water supplies for the LVMWD service area through at least 2045. As outlined in Section 10509 of the AHMC, prior to development of each opportunity site final project approval would be based on compliance with all requirements as to area, improvement and design, floodwater, drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection. Therefore, impacts would be less than significant in regards to available projected water supplies within the City.

With regard to electricity supply, as discussed in the Draft SEIR (pages IV.N.4-21 and IV.N.4-22), future development associated with the GPU is projected to increase the electrical demand of SCE by between 0.0002 percent and 0.005 percent. Such an increase would not require the construction of new or the expansion of existing regional electrical infrastructure, such as supply generation, high-voltage transmission grid, or substation facilities. Although new supply generation and transmission facilities would not be required, similar to other new infill development, it is anticipated that new housing development under the GPU would result in the need for the construction, relocation, or undergrounding of local electrical delivery power lines or service connections, as well as local natural gas distribution lines. Construction of any development on Sites A-T would require the installation of new onsite electrical and natural gas infrastructure that would connect to the existing local delivery systems located in adjacent rights-of-way. Impacts from such construction or relocation work would not be anticipated to result in significant impacts based on the localized nature of installation and connection of electric power lines in existing rights-of-way and other public easements that have been previously disturbed. As part of the normal construction process, project applicants would be required to coordinate electrical infrastructure removals or relocations with SCE prior to construction activities. As a result, there is adequate energy for the project through local-serving electrical and natural gas delivery facilities. In addition, as stated in the Draft EIR, the project will not result in wasteful, inefficient, or unnecessary consumption of energy resources, or conflict with or obstruct a plan for renewable energy or energy efficiency.

Response to Comment Letter No. 42-3

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, as discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City’s response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City’s General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping

center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the

measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Response to Comment Letter No. 42-4

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 43

Harry Medved
No Address

This commenter indicated that a potential Native American burial site may be located on the property located at the southwest corner of the intersection of Kanan Road and Thousand Oaks Boulevard.

Response to Comment Letter No. 43-1

The commenter provides background information and states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 43-2

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to Cultural Resources, as discussed in the Draft SEIR (pages IV.D-14

and IV.D-15), on July 27, 2021, the City of Agoura Hills received the Sacred Lands File (SLF) results from the NAHC. A cultural resources assessment, including record search, was conducted for the 20 housing opportunity sites in the Housing Element. Cultural resource studies completed prior to 2014 were not subject to Native American consultation under CEQA Assembly Bill (AB) 52. Based on the findings in this updated record search, and as noted above, a large percentage of the sites have never been subject to cultural resource investigation. Of the 40 reports that were completed within these 20 sites the most recent was completed in 2006, with a handful of archaeological testing and monitoring studies completed (most recent in 2014). The results on known resources indicate the area is sensitive for archaeological and tribal cultural resources.

Government Code Section 65352.3(A)(2), requires the City to consult with appropriate tribes whenever a project subject to a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report under CEQA specifically address tribal cultural resources. Additional CEQA review and tribal consultation would be required for such projects. Therefore, the GPU would not result in a significant impact. If the housing opportunity sites are developed under the AHO, with a by right and ministerial approval process, the objective standards would apply and ensure less than significant impacts to tribal resources.

The objective standards for Cultural Resources require that if Native American or tribal cultural resources exist on the site, the applicant will enter into a Cultural Resources Treatment Agreement with a local Native American Tribe traditionally and culturally affiliated with Agoura Hills that is acknowledged by the Native American Heritage Commission, which shall address the following: (1) treatment and disposition of cultural resources; (2) designation, responsibilities, and participation of professional Tribal monitors during grading, excavation and ground disturbing activities; (3) project grading and development scheduling; (4) terms of compensation for the Tribal monitors; (5) treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on site; (6) Tribal monitor's authority to stop and redirect grading in order to evaluate the significance of any potential resources discovered on the property, and to make recommendations as to treatment; and (7) the applicant's agreement to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project area, to the Tribe for proper treatment and disposition; and the applicant's agreement that all Tribal sacred sites are to be avoided and preserved.

Because tribal consultation is required under AB 52, impacts to tribal cultural resources would be less than significant for housing projects on the opportunity sites that are not developed under the AHO. For sites developed under the AHO, the objective standards to which the projects must adhere would result in less than significant impacts.

Response to Comment Letter No. 43-3

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 43-4

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 44

Larry and Carol Miller
5585 Rock Tree Drive, Agoura Hills

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 44-1

The commenter provides background information and states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 44-2

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 45

Dr. Debasish Mukherjee
28950 Burleson St.
Agoura Hills, CA 91301

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements. They also expressed concerns related to traffic and evacuations.

Response to Comment Letter No. 45-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 45-2

The commenter cites a position on the project. The comment is acknowledged and will be considered by the decision makers. With regard to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City’s response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City’s General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City’s Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

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emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main “hub” for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff’s Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project’s transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City’s established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City’s requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 46

Brian Murray
6345 Germania Ct
Agoura Hills, CA 91301

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 46-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 47

Rosalind Murray
No address

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 47-1

The commenter provides background information and provides comments on current traffic conditions. The comments are acknowledged and will be considered by the decision makers. As these comments do not raise issues about the SEIR, no specific responses are necessary.

Response to Comment Letter No. 47-2

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 48

Janna Orkney
48 Kanan Road
Oak Park, CA 91377

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the

adequacy of the Draft SEIR were included in these statements. They also expressed concerns related to evacuation routes.

Response to Comment Letter No. 48-1

The commenter requests the comments to be provided to City decisionmakers and included in the record. The comments are acknowledged, will be considered by the decision makers, and are included in the record. As these comments do not raise issues about the SEIR, no specific responses are necessary.

Response to Comment Letter No. 48-2

As discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City’s response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City’s General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City’s Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies

unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

Response to Comment Letter No. 48-3

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 48-4

The commenter requests the comments be included in the record. The comments are acknowledged, will be considered by the decision makers, and are included in the record. As these comments do not raise issues about the SEIR, no specific responses are necessary.

Comment Letter No. 49

Bev Ovdatt
No address

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 49-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 49-2

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 50

Susan Pigozzi
No address

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 50

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 51

Robert Ramirez
Oak Park

This commenter requested the removal of the three shopping center sites contained in the Housing Element. They expressed concerns related to evacuation and traffic.

Response to Comment Letter No. 51-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the

record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 51-2

With regard to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The

goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main “hub” for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff’s Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project’s transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City’s established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City’s requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion

was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

Comment Letter No. 52

Amy Rippee

Viewpoint School, Calabasas

The commenter requests the City remove three shopping center sites from the project, and provides suggestions for alternative sites for residential development. The comments are acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. They expressed concerns related to traffic, evacuation, aesthetics, and water availability.

Response to Comment Letter No. 52-1

With regard to Evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

With regard to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT

and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project's transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City's established Transportation Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With regard to aesthetics, as discussed in the Draft SEIR (Pages IV.A-15 through IV.A-16), residential development under the GPU would occur on sites that are currently undeveloped and vacant or currently developed with commercial uses. All the sites are in areas considered as urbanized, as the entire City is classified as an urbanized area per CEQA Guideline 15387. Sites A, B, C, D, E, F, H, I, M, R, and S consist of undeveloped land. Sites G, J, and K are developed with commercial uses, including the Regency Theater Center, Roadside Lumber, and Whizin's Market Square. Sites O, P, and Q are developed with shopping center uses, including grocery and pharmacy stores, banks, other commercial uses, and parking lots. Sites L, N, and T are developed with commercial uses.

Focusing infill development on underutilized properties would foster architectural quality and variety, as well as ensure landscape/open space buffers on the City fringe, that would preserve the open visual character of the City as a whole. No new or amended goals or policies relating to Aesthetics are proposed as part of the GPU. Additionally, current General Plan policies that would remain with the GPU would ensure new developments visually complement and enhance existing uses. For example, Policy LU-4.5 (Development Compatibility) requires that infill development incorporate design elements with buffers and transitions in density, scale, and mass to assure compatibility with adjacent uses. Development would be encouraged to be of human scale per Policy LU-4.6 (Building Scale and Design), and Policy LU-4.4 (Concentration of Development Density) would focus the highest densities of development along the freeway corridor. Additionally, Policy LU-7.2 (Housing Character and Design) requires that new and renovated housing within existing single- and multi-family neighborhoods be located and designed to maintain their distinguishing characteristics and qualities, including prevailing lot sizes; building form, scale, massing, and relationship to street frontages; architectural design; landscape; property setbacks; and comparable elements. The proposed GPU spreads the development sites throughout the City, with the intent of not concentrating potential residential development in any one particular area, for the purpose of maintaining small town character throughout the City. The Draft SEIR concludes that, as all projects proposed on the housing opportunity sites would be subject to the Municipal Code, General Plan policies, and objective standards, adverse impacts to existing visual character would be less than significant.

Response to Comment Letter No. 52-2

As discussed in the Draft SEIR (pages IV.N.1-18 through IV.N.1-20), the City obtains its water supply from the Las Virgenes Municipal Water District (LVMWD). Changes in land use designations, ultimate rezoning as a result of the change in land use designations, and updates to the Community Conservation and Development Element would result in an increase in residential units on the housing opportunity sites, and an associated increase in residential population within the City. Buildout of the project could result in an additional water demand in the City of 962,883 gallons per day (gpd) to 1,613,520 gpd, or 1,077 acre-feet per year (AFY) to 1,807 AFY. Based on the lowest amount of water supply projected for normal years (27,787 AFY), single dry years (30,270 AFY), and multiple dry years (30,684 AFY), the increased water demand resulting from buildout that would be supported by the project would represent 3.8 to 6.5 percent of water supplies during normal years, 3.6 to 5.9 percent of water supplies during single dry years, and 3.5 to 5.6 percent of water supplies available during multiple dry years.

As detailed in the LVMWD's 2020 Urban Water Management Plan (UWMP), Agoura Hills would be able to meet the projected future demand for water for normal years through 2045. Because the City's 2020 UWMP was based on growth rate projections obtained from data provided by SCAG, it is assumed that growth that would occur under the project was not accounted for within the projections of future water demand. However, with the LVMWD's existing sources of water supply, coupled with the combined effect of the District's efforts to increase available water supplies, it is expected that there would be adequate water supplies for the LVMWD service area through at least 2045. As outlined in Section 10509 of the AHMC, prior to development of each opportunity site final project approval would be based on compliance with all requirements as to area, improvement and design, floodwater, drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection. Therefore, impacts would be less than significant in regards to available projected water supplies within the City.

Response to Comment Letter No. 52-3

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. The commenter also requests the comments be included in the record. The comments are acknowledged, will be considered by the decision makers, and are included in the record. As these comments do not raise issues about the SEIR, no specific responses are necessary.

Comment Letter No. 53

Lisa Roberts
No address.

This commenter requested the removal of the three shopping center sites contained in the Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 53

The commenter requests the City remove three shopping center sites from the project. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 54

Mrs. Lynn Rollo
6462 Maplegrove
Oak park, CA 91377

This commenter included a petition requesting the removal of the three shopping center sites contained in the Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 54-1

The commenter requests the City remove three shopping center sites from the project, and attaches petitions signed by approximately 923 individuals supporting that request. The comment, and the signatures, are acknowledged and will be considered by the decision makers. The commenter's letter, along with the signatures, are included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 55

Geri Sterling
No address

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 55-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 55-2

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 56

Susan Stone

No address

The commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements. They also expressed concerns related to water and sewer capacity.

Response to Comment Letter No. 56-1

The commenter states a position on the project. The comment is acknowledged and will be considered by the decision makers. As these comments do not raise issues about the SEIR, no specific responses are necessary.

Response to Comment Letter No. 56-2

As discussed in the Draft SEIR (pages IV.N.2-8 and IV.N.2-9), the City does not have wastewater treatment capacity or facilities, only a wastewater collection system. The local sewer lines are operated and maintained by the County of Los Angeles Department of Public Works (DPW) and the LVMWD maintains the trunk sewer lines. Based on an increased dwelling unit estimate of 18.3 percent to 30.7 percent with the GPU, the additional wastewater generation would be between 462,330 gpd and 774,840 gpd. The wastewater treatment facility, Tapia Wastewater Reclamation Facility (TWRF) has a capacity to process up to 16 million mgd of wastewater, but currently averages about nine mgd of wastewater. Therefore, there is enough capacity for the increase associated with implementation of the GPU. Upgrades to wastewater infrastructure would be the responsibility of LVMWD and they would continually evaluate and adjust wastewater infrastructure in order to provide adequate wastewater services to serve the needs of existing and future wastewater needs. Furthermore, development of the housing would require installation of onsite wastewater infrastructure, however these would be installed as part of normal building construction. Such improvements would be conducted in coordination with the City and LVMWD in order to avoid impacts to wastewater service to adjacent uses. Therefore, impacts would be less than significant.

Response to Comment Letter No. 56-3

As discussed in the Draft SEIR (pages IV.N.1-18 through IV.N.1-20), the City obtains its water supply from the Las Virgenes Municipal Water District (LVMWD). Changes in land use designations, ultimate rezoning as a result of the change in land use designations, and updates to the Community Conservation and Development Element would result in an increase in residential units on the housing opportunity sites, and an associated increase in residential population within the City. Buildout of the project could result in an additional water demand in the City of 962,883 gallons per day (gpd) to 1,613,520 gpd, or 1,077 acre-feet per year (AFY) to 1,807 AFY. Based on the lowest amount of water supply projected for normal years (27,787 AFY), single dry years (30,270 AFY), and multiple dry years (30,684 AFY), the increased water demand resulting from buildout that would be supported by the project would represent 3.8 to 6.5 percent of water supplies during normal years, 3.6 to 5.9 percent of water supplies during single dry years, and 3.5 to 5.6 percent of water supplies available during multiple dry years.

As detailed in the LVMWD's 2020 Urban Water Management Plan (UWMP), Agoura Hills would be able to meet the projected future demand for water for normal years through 2045. Because the City's 2020 UWMP was based on growth rate projections obtained from data provided by SCAG, it is assumed that growth that would occur under the project was not accounted for within the projections of future water demand. However, with the LVMWD's existing sources of water supply, coupled with the combined effect of the District's efforts to increase available water supplies, it is expected that there would be adequate water supplies for the LVMWD service area through at least 2045. As outlined in Section 10509 of the AHMC, prior to development of each opportunity site final project approval would be based on compliance with all requirements as to area, improvement and design, floodwater, drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection. Therefore, impacts would be less than significant in regards to available projected water supplies within the City.

Comment Letter No. 57

David Tirsch

Morrison Ranch Resident

Comment Letter No. 57

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements. They also expressed concerns related to traffic, evacuation, air quality, and privacy.

Response to Comment Letter No. 57-1

The commenter requests the comments be included in the record. The comments are acknowledged, will be considered by the decision makers, and are included in the record. As these comments do not raise issues about the SEIR, no specific responses are necessary.

Response to Comment letter No. 57-2

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. The commenter's letter is included in the record that will be provided to the City's decisionmakers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 57-3

As discussed in the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

As also discussed in the Draft SEIR (page IV.F-32), no specific City-wide emergency response plan or evacuation plan has been adopted to date, and therefore the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. However, as part of the project itself, the GPU adds new Policies S.1-11 and S.3-10, which require the City to prepare Citywide evacuation plans for flooding and wildfire events, respectively (Draft SEIR, page IV.F-38). These endeavors are already underway. In addition, the project itself includes changes to the Wildland and Urban Fire Hazards section of the General Plan Safety Element to address the risk of fire in the City, including for land classified as being located in the Very High Fire Hazard Severity Zone (VHFHSZ). The Safety Element update that is part of the project includes specific policies with respect to disaster communication and communications systems, public education programs, and development-specific standards and fire protection plans. Through these changes, the City's General Plan will ensure that the proposed project as a whole (including the possibility of development of housing at the three shopping center sites) does not expose people or structures to a significant risk of loss, injury, or death from wildland fires.

With respect to evacuation, seven important evacuation routes have been identified by the City in the current version of the draft evacuation plan (which is scheduled to be completed in 2023). In the case of an evacuation, affected residents will be notified of which evacuation route to use and shelter locations, depending on the information available at the time of notification and the details of the specific fire event.

One of the main shortcomings identified during the Woolsey Fire was a lack of effective communication with the public. The City already has improved communication protocols by entering into an agreement with Code Red in 2021 to update the City's Mass Notification System. This system can send a message to a specific area that is drawn on a map and includes landlines, cell phones and e-mails. Additionally, the City has been working with the Los Angeles County Office of Emergency Services and the County Public Safety agencies to implement an emergency evacuation program called Zone Haven, which identifies unique circumstances for any type of emergency. Zone Haven provides the ability to notify residents and businesses in affected zones through emergency evacuation notifications.

Further, the City's Emergency Operations Center (EOC) serves to keep citizens informed and prepared for any emergency, coordinates resources during an emergency, and provides relief after an emergency. The goal of the Emergency Operations Center personnel is to save lives and protect property by developing programs and emergency operational capabilities in the event of a natural or manmade disaster. In an emergency, such as a wildfire, the City of Agoura Hills staff operate the EOC in collaboration with Los Angeles County public safety personnel. The EOC serves as the main "hub" for information, and also determines how to disseminate resources, as needed. Similarly, Alert LA County is a free mass notification system used by the Sheriff's Department to contact Los Angeles County residents and businesses in the event of an emergency or disaster. The system sends shelter-in-place instructions, evacuation, and other emergency messages. Improved public outreach and education programs, together with improved communications technology and standardized emergency terminology, will ensure a smoother evacuation process in the future.

Additionally, in accordance with State laws and recommendations, areas within the City that have streets lacking two emergency evacuation routes were identified in the Safety Element. Most of these streets are in the Old Agoura area in the northeast portion of the City. The City has prepared a draft emergency traffic control plan for the Old Agoura neighborhood to mitigate traffic impacts in the case of an emergency. There are also three streets lacking two emergency evacuation routes in the Indian Hills area, and one located in the Liberty Canyon area. All the streets in these two areas of the City would use Agoura Road for emergency evacuation, and evacuation would be coordinated through the communications systems described above. Kanan Road and Thousand Oaks Boulevard are not identified as roads lacking two emergency evacuation routes.

As described in the SEIR (and above), the development of housing in accordance with the Housing Element and General Plan Update will not physically interfere with or impair the implementation of an adopted emergency response plan or evacuation plan. In addition, the communications improvements already undertaken by the City, the policies included in the updated Safety Element as part of the project, and the measures that will be undertaken to implement those policies, further ensure that the project will not expose people or structures to a significant risk of loss, injury, or death.

Response to Comment Letter No. 57-4

The comment expresses a position on current traffic conditions. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 57-5

The comment expresses a position on current traffic conditions and impacts to air quality. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 57-6

The comment expresses a position on potential privacy issues related to the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter no. 57-7

The commenter requests the City remove three shopping center sites from the project and states a position on alternate potential residential use sites. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 57-8

The comment expresses a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 58

Wendy Tirsch

No Address

Comment Letter No. 58

This commenter requested that the City remove the three Shopping Center sites from the list of opportunity sites contained in the updated Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements. They expressed concerns related to aesthetic effects on the small town environment of the City, impacts on privacy, and impacts on traffic.

Response to Comment Letter No. 58-1

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No 58-2

The commenter expresses a position on potential aesthetic effects of the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.”

Response to Comment Letter No. 58-3

The comment expresses a position on potential privacy issues related to the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 58-4

The comment expresses a position on current traffic conditions, impacts to air quality, and evacuation concerns. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Response to Comment Letter No. 58-5

The comment expresses a position on the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 59

Natalie Wagner

No address

Comment Letter No. 59

This commenter is opposed to the three shopping centers sites contained in the Housing Element. No additional comments regarding the adequacy of the Draft SEIR were included in these statements.

Response to Comment Letter No. 59

The commenter requests the City remove three shopping center sites from the project. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.

Comment Letter No. 60

Scott Weiss

No address

Comment Letter No. 60

This commenter expressed concern that development of the Shopping Center sites would increase traffic congestion in the area generally (i.e., non-emergency situations).

Response to Comment Letter No. 60

The commenter states a position on the project and certain sites identified for residential uses. The comment is acknowledged and will be considered by the decision makers. As this comment does not raise issues about the SEIR, no specific response to this comment is necessary.”

Comment Letter No. 61

Nannette Nelson and Jim Shahan

5912 Sunny Vista Ave.

Oak Park, CA 91377

This commenter expressed concern that development of the Shopping Center sites would increase traffic congestion in the area and impact evacuations.

Response to Comment Letter No. 61

The comments are acknowledged and will be considered by the City’s decision-makers. With respect to traffic, CEQA Guidelines Section 15064.3 establishes Vehicle Miles Travelled (VMT) as the most appropriate measure of transportation impacts. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT and may revise those estimates to reflect professional judgment based on substantial evidence. In July 2020, the City of Agoura Hills updated its Transportation Assessment Guidelines to include VMT as the appropriate metric to evaluate a project’s transportation impacts under CEQA. The use of congestion-related metrics such as Level of Service (LOS) is no longer an appropriate metric to determine the impacts of projects under CEQA. In accordance with CEQA Guidelines, the Draft SEIR (pages IV.M-25 through IV.M-37) evaluated the potential transportation impacts of the proposed GPU using VMT and concluded that the impact would be less than significant through compliance with the City’s established Transportation

Assessment Guidelines. The Transportation Assessment Guidelines contain strategies which would be applied to individual development projects occurring under the GPU through application of the City's requirement that a VMT study be prepared for each project under the City code, and objective standards for processing by-right projects under the Affordable Housing Overlay. Consideration of traffic congestion was not a factor in this determination as this approach is no longer permitted under CEQA Guidelines Section 15064.3.

With respect to evacuation, the Draft SEIR (page IV.F-32), the Las Virgenes–Malibu Council of Governments (LVMCOG) Multi-Jurisdictional Hazard Mitigation Plan (HMP) provides guidance for the City's response to emergency situations associated with natural and manmade disasters. The HMP provides a list of activities that assists participating LVMCOG jurisdictions, including the City, in reducing risks and preventing loss from future hazard events. As proposed, the hazard and risk reduction strategies contained in the HMP are complementary to the Goals and Policies of the General Plan. There is nothing in the proposed project that would impair the implementation of the HMP.

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