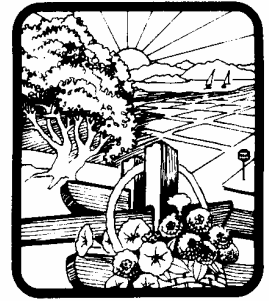


# SCOPE

## Santa Clarita Organization for Planning and the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY  
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



9-1-13

City of Santa Clarita  
Mike Hennawy, Senior Engineer  
23920 Valencia Blvd...  
Santa Clarita, CA91355

Delivered via email to: MHennawy@santa-clarita.com

Re: Notice Of Preparation - Lyons Ave. Extension Project

Dear Mr. Hennawy:

Past road extensions, i.e., Via Princessa extension, received no review before the Planning Commission and no public scoping hearings. Although a community meeting was held recently for this project, it did not include a presentation of the City's proposal, nor did it provide a hearing opportunity for formal community input. Because of the impacts of this project on the community, impacts to Placerita Creek, and the railroad crossings, we urge the City to provide all opportunities to receive public input so that all concerns may be heard and addressed to help develop a project proposal that meets everyone's needs.

### **Piece-mealing**

The California Environmental Quality Act (CEQA) requires that the whole project and its impacts be considered. It is not permissible under CEQA to divide a project into smaller pieces or sections to reduce project impacts that would occur if the whole project were considered.

We assert that this project is being piece-mealed to reduce project impacts. The City fully intends to extend this road to Highway 14. We urge the City to include the impacts of the next phase of this road extension. Obviously it is not going to stop as indicated on the map, but is intended to be built to connect to Highway 14. The next phase will meet several obstacles including a roadway that is too close to existing houses, a steep grade, grading of a significant ridgeline and associated impacts to aesthetics, and the potential for requiring removal of many oaks.

Some of these obstacles may make the extension impractical. If that is the case, these obstacles should be discussed now, rather than wasting money and time on a phase of a roadway that cannot be completed. Indeed, piece-mealing a project, as is proposed by this NOP, is contrary to CEQA guidelines and may open the project to a legal challenge.

### **GHG Production - Wrong Baseline**

The NOP states that there will be no impact to Greenhouse gas production. CEQA requires that the impacts produced by a project be weighed against existing conditions. It is obvious that the NOP analysis has reached conclusions of less than significant impacts throughout the document by first using the wrong baseline. It is well known that in *Save our Peninsula v. Monterey County Board of Supervisors* (2001), 87 Cal.App.4<sup>th</sup> 99, 125, the Court of Appeal stated:

“Section 15125, subdivision (a), now provides: “An EIR must include a description of the physical environmental conditions in the vicinity of the project , as they exist *at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced. ...This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.*” (Italics added.) Furthermore, the section 15126.2 now provides as follows: “In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced” These amendments reflect and clarify a central concept of CEQA, widely accepted by the courts, that the significance of a project’s impacts cannot be measured unless the EIR first establishes the actual physical conditions on the property. (*County of Amador v. El Dorado County Water District, supra*, 76 Cal.App.4<sup>th</sup> at p. 953, 91 Cal.Rptr.2d 66; *Environmental Planning & Information Council v. County of Carmel-by-the-Sea v. Board of Supervisors, supra*, 183 Cal.App.3d 229, 227 Cal.Rptr. 899.) In other words, baseline determination is the first rather than the last step in the environmental review process.”

We urge the City to include GHG analysis in the DEIR that is weighed against the proper baseline.

### **Noise**

We concur with the NOP analysis that this project will create substantial levels of noise and vibration for the existing residential neighborhoods. We urge the City to include alternative and mitigation to reduce noise levels to existing residents.

### **Air Quality**

Per our comments on GHG, it appears that the City may intend to use the wrong baseline for air quality and traffic analysis.

The Santa Clarita Valley is in a non-attainment area for ozone, PM2.5 and PM10 air pollution. In a rating from marginal to extreme, the SCV was rated severe. Approval of the 2007 Air Quality Management Plan allowed local entities to request a “bump up” to the Extreme classification. This “bump-up” applies to ozone only. The category change allowed an extension of time to comply, but required instituting certain mitigation measures and the attainment of “milestones”. We do not see the required mitigation measures in the DEIR. Nor is there a discussion of the milestones that must be reached in order to comply with the 2007 Air Quality Plan. Without compliance, Federal funding for road expansion will be denied.

The health effects of this pollutant as described on the EPA air quality website are as follows:

**Ozone** –“(a) Pulmonary function decrements and localized lung edema in humans and animals; (b) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (c) Increased mortality risk; (d) Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (e)Vegetation damage; and (f) Property damage.”

The attainment date for PM<sub>2.5</sub> is much earlier than the 2024 extended date for the ozone extreme designation. The PM<sub>2.5</sub> plan, due in 2008, is still being processed with the US EPA.

Adverse health effects for particulate pollution as described by the EPA website are as follows:

**PM<sub>10</sub>** “(a) Exacerbation of symptoms in sensitive patients with respiratory or cardiovascular disease; (b) Declines in pulmonary function growth in children; and (c) Increased risk of premature death from heart or lung diseases in the elderly”.

**PM<sub>2.5</sub>** Same as above.

Based on the thresholds of significance identified in Appendix G of the 2005 *CEQA Guidelines*, a project would have a significant effect on the environment if it would:

- (a) conflict with or obstruct implementation of the applicable air quality plan;
- (b) violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- (c) result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);

The DEIR should address these issues.

### **Wildlife corridors and impacts to Placerita Creek**

Placerita Creek is a tributary to the Santa Clara River which serves as a major wildlife corridor. The DEIR should thoroughly discuss these issues and provide alternatives that would reduce impacts to Placerita Creek and its function as a wild life corridor.

An alternative should be provided that would enhance the function of this tributary by replanting with native riparian plants, thus enhancing the re-charge and corridor values of the tributary.

### **At Grade Railroad Crossings**

The project proposes an at-grade railroad crossing immediately north of the existing Newhall MetroLink station. At grade crossings are permitted through the California Public Utilities Commission (CPUC). In the past, the CPUC has not granted approval for such crossings. This issue should be discussed in the DEIR. An alternative should be included that provides for a bridge going over the railroad crossing, in the event that such a crossing does not receive approval. The financial requirements for building a bridge should also be discussed in the DEIR.

An at-grade crossing may slow or otherwise impede MetroLink trains on this railroad line, as well as adding to the potential for train/car accidents that already exists at several crossings. The DEIR should evaluate this increased risk. Also, a stalled train may impede emergency access to the Placerita Canyon neighborhood as has occurred in other areas of the Santa Clarita Valley. While the potential for such an impact already exists, it would be increased by the proposal at hand.

### **Traffic and Circulation**

It appears that his project may impact access or create other traffic related problems for the Newhall Library as well as increasing traffic and noise on Lyons Ave. Please address these issues in the DEIR.

**Conclusion**

We believe that conducting the environmental analysis for this project at this time is premature, unless the City has the funding to begin work and complete the *entire* (not just this first phase).

It appears that the project will have substantial major negative impacts on adjacent residents, reducing both their home values and their quality of life. It will increase cumulative air pollution and add to GHG production in the Santa Clarita Valley.

We therefore urge the City to re-consider moving forward with this project at this time. At a minimum, the City should conduct noticed hearings on this NOP to hear from residents and consider the financial impacts of the project.

We will be providing additional comments as the public process continues and request to receive a copy of the DEIR when it becomes available. Thank you for the opportunity to participate.

Sincerely,

*Carmillis Noltemeyer*

Carmillis Noltemeyer  
Board Member

A handwritten signature in black ink, appearing to read "Lynne Plambeck". The signature is fluid and cursive, with a large initial "L" and "P".

Lynne Plambeck  
President