

## **RESPONSE TO COMMENTS FOR DRAFT MITIGATED NEGATIVE DECLARATION NO. 16-003**

- I. This document serves as the Response to Comments on the Draft Mitigated Negative Declaration (MND) No. 16-003. This document contains all information available in the public record related to General Plan Amendment No. 16-002, Zoning Map Amendment No. 16-003, Zoning Text Amendment No. 16-004, Local Coastal Program Amendment No. 16-002, Tentative Tract Map No. 18060, Conditional Use Permit No. 16-035, Coastal Development Permit No. 16-018, Development Agreement No. 16-001 (Windward Residential Development) as of April 10, 2017 and responds to comments in accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines.

This document contains six sections. In addition to this Introduction, these sections are Public Participation and Review, Comments, Responses to Comments, and Appendix.

The Public Participation section outlines the methods the City of Huntington Beach has used to provide public review and solicit input on the Draft Mitigated Negative Declaration No. 16-003. The Comments section contains those written comments received from agencies, groups, organizations, and individuals as of May 1, 2017. The Response to Comments section contains individual responses to each comment.

It is the intent of the City of Huntington Beach to include this document in the official public record related to the Draft Mitigated Negative Declaration No. 16-003. Based on the information contained in the public record, the decision-makers will be provided with an accurate and complete record of all information related to the environmental consequences of the project.

## **II. PUBLIC PARTICIPATION AND REVIEW**

The City of Huntington Beach notified all responsible and interested agencies and interested groups, organizations, and individuals that Draft Mitigated Negative Declaration No. 16-003 had been prepared for the proposed project. The City also used several methods to solicit input during the review period for the preparation of the Draft Mitigated Negative Declaration No. 16-003. The following is a list of actions taken during the preparation, distribution, and review of the Draft Mitigated Negative Declaration No. 16-003.

1. An official 30-day public review period for the Draft Mitigated Negative Declaration No. 16-003 was established by the State Clearinghouse. It began on March 9, 2017 and ended on April 10, 2017. Public comment letters were accepted by the City of Huntington Beach through May 1, 2017.
2. Notice of the Draft Mitigated Negative Declaration No. 16-003 was published in the Huntington Beach Wave on March 9, 2017. Upon request, copies of the document were distributed to agencies, groups, organizations, and individuals.

3. Notice of Draft Mitigated Negative Declaration No. 16-003 was provided by mail to property owners and occupants within 500 ft. radius of the project site and interested parties on March 9, 2017.
4. Notice of Draft Mitigated Negative Declaration No. 16-003 was posted on the internet on the City of Huntington Beach website <http://www.huntingtonbeachca.gov/government/departments/planning/environmental-reports/environmental-report-view.cfm?ID=51> on March 9, 2017.

### **III. COMMENTS**

Copies of all written comments received as of May 1, 2017 are contained in Appendix A of this document. All comments have been numbered and are listed on the following pages. Responses to Comments for each comment which raised an environmental issue are contained in this document.

### **IV. RESPONSE TO COMMENTS**

The Draft Mitigated Negative Declaration No. 16-003 was distributed to responsible agencies, interested groups, organizations, and individuals. The report was made available for public review and comment for a period of 30 days. The public review period for the Draft Mitigated Negative Declaration No. 16-003 established by the State Clearinghouse commences on March 9, 2017 and expired on April 10, 2017. The City of Huntington Beach accepted comment letters through May 1, 2017.

Copies of all documents received as of May 1, 2017 are contained in Appendix A of this report. Comments have been numbered with responses correspondingly numbered. Responses are presented for each comment which raised a significant environmental issue.

Several comments do not address the completeness or adequacy of the Draft Mitigated Negative Declaration No. 16-003, do not raise significant environmental issues, or request additional information. A substantive response to such comments is not appropriate within the context of the California Environmental Quality Act (CEQA). Such comments will be forwarded to all appropriate decision makers for their review and consideration. Responses to comments are contained in Appendix B of this document.

## APPENDIX A COMMENTS ON THE DRAFT MND

Below are the original comment letters which have been bracketed to isolate the individual comments. Comments that raise significant environmental issues are provided with responses. Comments that are outside of the scope of the CEQA review will be forwarded for considerations to the decision makers as part of the project approval process or to the applicant for their information.

<b>COMMENT LETTERS RECEIVED DURING THE DRAFT MND COMMENT PERIOD</b>		
<i>No.</i>	<i>Commenter/Organization</i>	<i>Abbreviation</i>
	<b>STATE DEPARTMENTS</b>	
1	Department of Fish and Wildlife, Gail K. Sevrens, April 10, 2017	DFW
2	California Coastal Commission, Meg Vaughn, May 1, 2017	CCC
	<b>REGIONAL AGENCIES</b>	
3	Southern California Edison, Heather Neely, April 10, 2017	SCE
	<b>INDIVIDUALS</b>	
4	Veronica Fallon, April 3, 2017	FALL
5	Phil Van Herle, April 3, 2017	VANH
6	Dr. Marsha Rechkunova-Goodson, April 7, 2017	REGO
7	Vikas and Ruchi Sareen, April 7, 2017	SARE
8	Ann Dewey, April 10, 2017	DEWE
9	Ranbir and Vinod Mohan, April 10, 2017	MOHA
10	Beth Simmons, April 10, 2017	SIMM
11	Eileen Smith, April 10, 2017	SMIT
12	Robert Hans Wittkamm, April 10, 2017	WITT



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
(858) 467-4201  
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



RECEIVED

APR 10 2017

Dept. of Planning & Building

April 6, 2017

Ms. Tess Nguyen  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648  
tnguyen@surfcity-hb.org

**Subject: Comments on the Notice of Intent to Adopt a Mitigated Negative Declaration for the Windward Residential Development Project, Huntington Beach, CA (SCH# 2017031022)**

Dear Ms. Nguyen:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Windward Residential Development Project, dated March 2017. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program.

DFW-1

The proposed project would develop 36 townhome units on an approximately 5-acre parcel, located at the southeast corner of Los Patos Avenue and Bolsa Chica Street, in the City of Huntington Beach (City). To the south east of the project area is the Shea Property, whose land adjacent to the project area is conserved open space containing California Coastal Commission-designated Environmentally Sensitive Habitat Areas. To the south is the Goodell Property, and to the southwest is the Brightwater development. Located beyond the Brightwater development is Department-owned and managed Bolsa Chica Ecological Reserve (BCER). The project area itself is disturbed agricultural land that has the potential to support burrowing owl (*Athene cunicularia*) a California Species of Special Concern, and southern tarplant (*Centromadia parryi* ssp. *australis*; California Rare Plant Rank 1B.1).

DFW-2

The Department offers the following comments and recommendations to assist the City in avoiding or minimizing potential project impacts on biological resources.

1. Stormwater runoff from the project will be received in the Pocket Marsh area of BCER. In Attachment 5: Windward Specific Plan, section 2.6.3 states that, "Windward will utilize Brightwater's Coastal Commission-approved (CDP-5-05-20) storm drain system which uses a state of the art filtration system (STORMFILTER) to treat runoff before it is discharged into the Bolsa Chica Lowlands," and that, "an amendment to the Brightwater Water Quality Management Plan to incorporate the Windward project will be submitted to the City" (page 2-19). This discussion does not acknowledge that the Bolsa Chica Lowlands referenced are

DFW-3

a part of BCER, and that potentially significant impacts to biological resources may occur from stormwater runoff. In order to bring impacts to biological resources in BCER below a level of significance, the Department recommends the final MND include a discussion of these impacts. If stormwater impacts will be avoided or minimized through the amendment of Brightwater's Water Quality Management Plan, then this, including requirements for regular storm drain maintenance, should be included in a mitigation measure and incorporated into the final document's Summary of Mitigation Measures in Attachment 1.

DFW-3

2. The draft MND states that southern tarplant has a moderate to high probability of occurring within the project area, identifies that these impacts would remain significant without mitigation, and proposes mitigation measure BIO-1 to minimize impacts to this species. Preconstruction surveys for southern tarplant as described in BIO-1 may not be sufficient to reduce direct impacts to this species. Southern tarplant blooms from July to September. During other times of the year, it is often difficult to distinguish from Russian thistle (*Salso/a tragus*). As an annual, the population size of this species is a function of annual rainfall; 2017 has been a very wet year. Subsequently, the number of individuals of southern tarplant observed may be significantly different than initially observed prior to heavy rainfall. This reinforces the need for proper quality and timing of the proposed surveys; the Department strongly recommends pre-construction surveys for southern tarplant be done while it is in bloom to avoid unintentional impacts.

Mitigation measure BIO-1 also proposes preservation and/or relocation if southern tarplant is observed during pre-construction surveys. This mitigation measure is not adequate in avoiding or reducing significant impacts to southern tarplant because it does not furnish a commitment to whom will be implementing preservation or relocation, which criteria trigger relocation, and how preservation or relocation would be implemented. In order to reduce impacts such that they not significant, mitigation measure BIO-1 in the final MND should include the following elements:

DFW-4

- a. a specific commitment to whom will be implementing restoration/seed collection and how the restoration/seed collection would be approved and conducted;
  - b. a timeframe for transplantation is strongly recommended. It is proposed that salvage material would be used in transplantation. The removal of soil containing a significant population of California rare plants is likely to result in significant temporal and permanent habitat loss if conducted in the manner proposed. The restoration of native habitats is not always successful through passive restoration, and has to be implemented seasonally for best results;
  - c. a designated representative at the City or their designee to oversee restoration, commitment to a timeframe to when restoration would occur, and a proposed draft restoration plan for mitigating impacts to California rare plants; and
  - d. monitoring and reporting on the effectiveness of the measure at compensating for disturbance that may result in permanent habitat conversion to non-native plant habitat.
3. The proposed project is adjacent to conserved open space to the east and south west, and proposed conserved open space to the south. Based on information provided in the project design, it is unclear if long-term indirect impacts to wildlife inhabiting surrounding open

DFW-5

space could occur due to artificial lighting. Furthermore, it is not specified in the draft MND whether or not night work is anticipated during construction, which could add temporarily to indirect impacts to adjacent habitat. Because lighting impacts are potentially substantial and could alter wildlife patterns and behavior within the surrounding habitat, the final MND should include further discussion of exterior lighting features associated with the project (CEQA Guidelines §15064(d)). The final MND should require that all project-related temporary (e.g., night construction) and permanent lighting adjacent to native habitat is of the lowest illumination necessary for human safety, selectively placed, and shielded/directed away from adjacent natural habitats.

DFW-5

4. The Department requests clarification regarding whether the fuel modification zones are included within the project boundary. We consider all fuel modification zones to be part of the project's impacts, and as such it should be included in the calculation of the project's impacts to habitats and species. In the final MND, all fuel modification zones should be assessed as part of the project area and an assessment of biological resources and potential impacts should be discussed.

DFW-6

5. Further avoidance of direct impacts to birds, particularly migratory species, can be achieved through incorporation of "bird safe" elements in architectural design. Elements such as glazed windows, well-articulated building facades, and minimal nighttime lighting are encouraged to reduce collisions of migratory birds with buildings. Large flat windows, reflective glass, and transparent corners are strongly discouraged. We recommend that the City follow as many of these guidelines as appropriate when considering structure design, as described in San Francisco's Standards for Bird Safe Buildings (the document can be found online at: [www.sf-planning.org/ftp/files/publications\\_reports/bird\\_safe\\_bldgs/Standards\\_for\\_Bird-Safe\\_Buildings\\_8-11-11.pdf](http://www.sf-planning.org/ftp/files/publications_reports/bird_safe_bldgs/Standards_for_Bird-Safe_Buildings_8-11-11.pdf)).

DFW-7

6. To reduce the potential for the spread of non-native seeds, the Department recommends that all heavy equipment proposed for use on the project site be verified as cleaned (including wheels, tracks, undercarriages, and bumpers, as applicable) before delivery to the project site. The City should ensure that all equipment delivered to the initial staging area(s) is documented as being weed free, including: (1) vegetation clearing equipment; (2) earth moving equipment; and (3) all project-associated vehicles (including personal vehicles) that, upon inspection by the monitoring biologist, are deemed to present a risk for spreading weeds. Equipment should be cleaned at existing construction yards or at a wash station. The biological monitor shall document that all construction equipment (as described above) has been cleaned prior to working within the project site.

DFW-8

7. In addition, the use of native plants in landscaping discourages spread of invasive species. It also provides additional benefits such as the attraction of native pollinators and reduced water consumption. Therefore, it is recommended that appropriate native plants should be used to the greatest extent feasible in landscaped areas. The applicant should not plant, seed, or otherwise introduce invasive exotic plant species to landscaped areas. Exotic plant species not to be used include those species listed on the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory, which is available online at [www.cal-ipc.org](http://www.cal-ipc.org). This list includes (but is not limited to) the following: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom. In addition, landscaping should not contain plants that require extensive irrigation, fertilizers, or pesticides.

DFW-9

Ms. Tess Nguyen  
City of Huntington Beach  
April 6, 2017  
Page 4 of 4

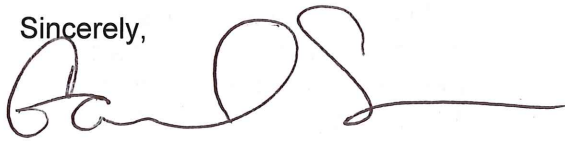
Therefore, the final MND should include a plant palette which does not contain non-native invasive species.

DFW-9

We appreciate the opportunity to comment on the draft MND for this project and to assist the City in further minimizing and mitigating project impacts to biological resources. The Department requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of the forthcoming hearing date for the project (CEQA Guidelines; §15073(e)). If you have any questions or comments regarding this letter, please contact Jennifer Turner at (858) 467-2717 or via email at [jennifer.turner@wildlife.ca.gov](mailto:jennifer.turner@wildlife.ca.gov).

DFW-10

Sincerely,

A handwritten signature in dark ink, appearing to read 'Gail K. Sevrens', with a long horizontal line extending to the right.

Gail K. Sevrens  
Environmental Program Manager  
South Coast Region

ec: Christine Medak (U.S. Fish and Wildlife Service)  
Scott Morgan (State Clearinghouse)

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



April 26, 2017

**RECEIVED**  
MAY 01 2017  
Dept. of Planning & Building

Tess Nguyen, Associate Planner  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648

Re: Draft Mitigated Negative Declaration No. 2016-003  
Windward Residential Development  
Huntington Beach, Orange County

Dear Ms. Nguyen:

Thank you for this opportunity to provide comments on draft Mitigated Negative Declaration (MND) No. 2016-003. I understand the MND comment period has passed, but I hope these comments will nevertheless prove useful as the City moves forward in considering the contemplated development and related entitlements, particularly with regard to the Local Coastal Program (LCP) Amendment, Development Agreement, and Coastal Development Permit. These comments are intended as guidance. Different and/or additional concerns may be raised once the Local Coastal Program Amendment (LCPA), Development Agreement, and, potentially, the Coastal Development Permit if appealed, are submitted for Commission review.

CCC-1

The subject 5-acre site is located at the southeast corner of the intersection of Los Patos Avenue and Bolsa Chica Street (17202 Bolsa Chica Street). The MND describes the project, generally known as the Windward Residential Development, as a request to establish the Windward Specific Plan for the subdivision, construction of 36 townhome units and associated development on the western 2.5 acres of the existing privately-owned 5 acre site, and to establish the eastern 2.5 acres of the site as permanent open space. The Windward Specific Plan would also incorporate a 0.3-acre City-owned public access parcel (immediately north of and adjacent to the project site) that currently provides a public trail link between the open space and trails of the Parkside site to the east, with the public open space and trails on the Bolsa Chica mesa.

CCC-2

The list of requested entitlements associated with MND 2016-003 includes: General Plan Amendment No. 16-002; Zoning Map Amendment No. 16-003; Zoning Text Amendment No. 16-004; Local Coastal Program Amendment No. 16-002; Tentative Tract Map No. 18060; Conditional Use Permit No. 16-035; Coastal Development Permit No. 16-018; Development Agreement No. 16-001. Of these entitlements, Local Coastal Program Amendment No. 16-002 and Development Agreement No. 16-001 require approval of the Coastal Commission in order to become effective. The Zoning Map Amendment and the Zoning Text Amendment would be included as part of the LCP Amendment. The requirement for Coastal Commission approval of the Development Agreement does not appear to be recognized/acknowledged in the MND. In addition, Tentative Tract Map No. 18060 is subject to approval of a coastal development permit, which may be incorporated into Coastal Development Permit No. 16-018. A Coastal Development Permit approved by the City at the subject site would be appealable to the Coastal Commission. The development proposed under Coastal Development Permit No. 16-018 is inconsistent with the currently certified LCP. Thus, the City should not take final action on the Coastal Development Permit unless and until the LCPA and the Development Agreement have been approved by the Coastal Commission.

CCC-3

Mitigated Negative Declaration No. 2016-003  
Windward Residential Development  
Page 2

Below are comments/concerns regarding the development described in the MND.

Goodell Site:

The MND states (page 3): "In addition, the terms of the proposed development agreement would require the developer to purchase the 6.2-acre Goodell property (undeveloped property immediately south of the Windward site located in unincorporated Orange County) and dedicate the property to a government agency or a qualified non-profit for passive open space purposes prior to beginning construction of the residential project." Potential approval of the contemplated entitlements will rely heavily on the adequacy of legal assurances that the adjacent Goodell property will be preserved in open space.

CCC-4

Cultural:

In the past, relative to an earlier development proposal at the site (known as the Ridge), the State Office of Historic Preservation provided comments regarding the significance of the subject site and surrounding area, particularly with regard to the site's historic and pre-historic use by Native American groups. Thus, written evidence that review and comments from the State Office of Historic Preservation and the Native American Heritage Commission were solicited for the project, will be required at the time an LCPA and/or Development Agreement are submitted for Coastal Commission review. Any comments received from either of these agencies regarding the subject project must be included with the LCPA and/or Development Agreement submittal to the Coastal Commission.

CCC-5

The MND (page 5) states: "The California Native American Tribes traditionally and culturally affiliated with the project area were invited to consult with the City. No consultation have [sic] been requested." Written evidence of attempts to include appropriate Native American groups to consult on the project will be required at the time an LCPA and/or Development Agreement is submitted for Coastal Commission review.

In the past, significant cultural resources were discovered on the site and removed without a valid Coastal Development Permit. This is addressed in Coastal Commission Consent Order No. CCC-13-CD-08/09 and Restoration Order No. CCC-13-RO-08/09. It is important that any project at the site accommodates the requirements of these Consent and Restoration Orders.

CCC-6

The MND (page 3) states: "Rough grading and infrastructure for the project would be accomplished in a single phase approximately one month in duration." With both rough grading and infrastructure construction expected to be completed in one month, does that allow adequate time to perform controlled archaeological grading? It is important that controlled archaeological grading is included with all earth movement associated with the proposed development (at a minimum until sterile soil is reached).

CCC-7

The MND (page 30) states "the proposed site grading operations will not extend below five feet ..." Also, regarding grading, the MND (page 31) states: "According to the Geotechnical Feasibility Study (LGC, 2008), over-excavation and recompaction of near surface soils is anticipated to occur during site preparation and grading. Based on other projects in the vicinity, it is anticipated that the

CCC-8

Mitigated Negative Declaration No. 2016-003  
Windward Residential Development  
Page 3

depth of over-excavation would not exceed five to 10 feet.” This seems to contradict the statement above that proposed site grading is not expected below five feet. This should be clarified.

CCC-8

The MND (page 31) states: “However, due to the proximity of the project site to a Seismic Hazard Zone for potential liquefaction, the geotechnical report recommends further subsurface testing on the project site prior to preparation of construction and grading plans.”

Will all earth movement/grading operations/subsurface testing be monitored by archaeological and Native American monitors? If so, this should be included as part of the project description. If not, why not? If the monitoring will be required until sterile soil is reached, this should be explicitly described. A definition of “sterile soil” should be provided. What methods will be employed to protect cultural resources during subsurface testing? Controlled archaeological grading?

CCC-9

The goal is to assure that all earth movement associated with development of the site that has the potential to uncover cultural resources is appropriately monitored and protected, and that, when monitoring and/or controlled archaeological grading is required, that it be explicitly described as part of the project proposal. All site grading/over excavation should be by controlled archaeological grading, at least until sterile soil is reached. Clarification of when and how controlled archaeological grading and archaeological and Native American monitoring will be employed should be provided.

CCC-10

MND (page 29) mitigation measure CR-1 requires: “An Archaeological Mitigation and Monitoring Plan (AMMP) shall be developed prior to initiating construction ...” An Archaeological Mitigation and Monitoring Plan must be developed and submitted with an application for a Coastal Development Permit, in order to allow review and, if appropriate, changes prior to approval of the Coastal Development Permit.

CCC-11

MND (page 29) CR-1 also requires “The plan shall include protocol for the mitigation of cultural resources through a research design and recovery/preservation plan, including significance testing of inadvertent archaeological finds; lab analysis, curatorial requirements, and reporting requirements; and identification of an acceptable repository for all recovered material with curatorial fees being paid by the Applicant.” “Recovery/preservation” suggests cultural resource(s) may be recovered and then preserved off site. The plan must also outline/describe preservation in place, not constrained by approved project development, as an option.

CCC-12

MND (page 29) CR-2 requires controlled archaeological grading in the “plowzone”. Controlled archaeological grading must be required in any area grading will occur, either to the depth of grading or until sterile soil is reached. If non-sterile soil exists beneath the “plowzone”, earth movement in that area must be appropriately monitored. The presence of midden, whether above or below the plowzone, constitutes a basis to stop work and implement appropriate measures, which would be outlined in an approved Archaeological Mitigation and Monitoring Plan (AMMP).

CCC-13

CR-4 (MND page 30) states: “In the event cultural resources are exposed in any overlying basal midden remnants during the controlled archaeological grading, the archaeologist shall prepare a research design ...” What if cultural resources are exposed outside of or not related to any overlying basal midden remnants? Would this also trigger stopping work and preparation and implementation

CCC-14

of an archaeological research design? “Preservation methods” must overtly state that that includes preservation in place not constrained by the approved project development.

CCC-14

The Archaeological Mitigation and Monitoring Plan should be subject to peer review.

CCC-15

Habitat:

Site Drainage

The MND (page 3) states: “Finished pads on the west side of the residential project site, adjacent to Bolsa Chica Street, will remain relatively the same as the existing elevation. The eastern portion of the residential project site adjacent to the open space area would be raised two to four feet over existing elevations requiring approximately 2,900 cubic yards of cut and 2,100 cubic yards of fill.” In addition, the MND (page 37) states: “The existing site is relatively flat and sheet flows from the west to east.” The MND (page 38) states that drainage from the subject site will be collected and directed to the Brightwater storm drain system.

One of the issues raised under a previously proposed project at the site (Ridge) involved drainage from the subject site. Drainage from the subject site currently flows east onto the property adjacent to the east, the Parkside site, including to the eucalyptus Environmentally Sensitive Habitat Area (ESHA). In reviewing the previously proposed project at the subject site, the Commission’s staff ecologist concurred that drainage from the subject (Ridge/Windward) site supplied water necessary to the health of the eucalyptus ESHA on the Parkside site. What impacts to the eucalyptus ESHA and other restored habitat areas on the Parkside site might result from the proposed changes in drainage patterns?

CCC-16

How will the proposed grading and site development affect site drainage? Would all site drainage/runoff be collected and directed to the Brightwater storm drain system?

Southern Tarplant

The MND proposes the following mitigation measure: “BIO-1: Prior to construction-related ground disturbing activity, a qualified biologist shall survey the project site for presence of Southern tarplant during the appropriate blooming period, May – November. If feasible, the survey shall be conducted during the peak blooming period for the year. Any substantial occurrence (at least 500 mature individuals) shall be preserved on-site or relocated to open space areas in the Bolsa Chica area. If relocation is required, a Southern tarplant relocation program shall be prepared by a qualified biologist and implemented prior to the onset of construction.” If re-location is deemed appropriate, why not re-locate it on the subject site?

CCC-17

Burrowing Owl

The MND (page 26) states: “... focused burrowing owl surveys were conducted in accordance with the California Burrowing Owl Consortium (CBOC) protocol.” Mitigation measure BIO-2 requires burrowing owl surveys to be conducted in accordance with the CBOC and California Department of Fish and Wildlife (CDFW) established protocols on the project site. Are the CBOC and the CDFW protocols different? If so, why were CDFW protocol burrowing owl surveys not conducted as part of the subject site LSA biological assessments? If not, why does the mitigation measure BIO-2 require both protocols?

CCC-18

#### Raptor Foraging

The MND (page 25) states: "Although regular use of the surrounding area by raptors is well documented, little activity within the project site itself has been documented." The MND also states (page 25) "It has been observed that very little use of either parcel by foraging raptors has been observed over the years." Yet, the MND (also on page 25) recognizes the presence of squirrels, gophers, and rabbits on-site. Given the presence of these small mammals on-site, why would there be little foraging activity on this site, when it is recognized as commonly occurring on all the surrounding sites?

CCC-19

#### Miscellaneous

MND (page 26) states: "Given that the project site does not contain any environmentally sensitive habitat area, wetlands or habitat of significant value, impacts to special status species would be considered less than significant." A recent (no more than one year old) biological assessment of the subject site must be included with the LCPA submittal.

CCC-20

Was restoration of native habitat on any part of the eastern, open space portion of the Windward site considered in conjunction with the proposed residential development?

No fuel modification vegetation removal should be necessitated in any open space areas (including, but not limited to, the eastern 2.5 open space acres on-site, the Parkside open space, and the Goodell site) by proposed development.

#### Public Access and Recreation:

The provision of signage advising the public of the availability of public trails at the subject site, perhaps near the Los Patos Avenue/Bolsa Chica Street intersection, should be given consideration.

The City's certified Land Use Plan portion of the certified LCP contains the following policy.  
Policy C 2.4.7

*The streets of new residential subdivisions between the sea and the first public road shall be constructed and maintained as open to the general public for vehicular, bicycle, and pedestrian access. General public parking shall be provided on all streets throughout the entire subdivision. Private entrance gates and private streets shall be prohibited. All public entry controls (e.g. gates, gate/guard houses, guards, signage, etc.) and restriction on use by the general public (e.g. preferential parking districts, resident-only parking periods/permits, etc.) associated with any streets or parking areas shall be prohibited.*

CCC-21

A discussion of how the proposed development will comply with the requirements of this policy should be included with the LCPA submittal.

#### Water Quality/Drainage:

See questions/comments related to site drainage discussed previously under the heading Habitat.

A Water Quality Management Plan must be prepared and submitted as part of the Coastal Development Permit process. Site design and source control BMPs are preferred to mechanical treatment BMPs.

CCC-22

Mitigated Negative Declaration No. 2016-003  
Windward Residential Development  
Page 6

Miscellaneous:

Consideration should be given as to whether tie-in to the Brightwater storm water and sewer systems would require an amendment to the Brightwater Coastal Development Permit (5-05-020).

Why is there more cut (2,900 cubic yards) than fill (2,100 cubic yards) if the eastern side's site elevations will remain "relatively the same" and the western side's site elevations will be "raised two to four feet"?

Please explain the proposed one lot subdivision. It seems the subdivision would result in at least two lots – one designated residential and one designated coastal conservation.

The Development Agreement must be approved by the Coastal Commission in order to be effective in the coastal zone. The Development Agreement should be submitted prior to or concurrently with the LCPA for the subject site.

Please note, that once the LCPA, Development Agreement and/or coastal development permit application (if appealed) are received in this office, additional questions/issues may arise. Also, due to time constraints, these comments do not include review of the draft Windward Specific Plan or draft Development Agreement. Again, thank you for the opportunity to comment and please do not hesitate to contact me with any questions regarding these comments.

Sincerely,



Meg Vaughn  
Staff Analyst

Sent via electronic mail to [tnguyen@surfcity-hb.org](mailto:tnguyen@surfcity-hb.org)

April 10, 2017

Tess Nguyen  
Associate Planner  
City of Huntington Beach Department of Community Development  
2000 Main Street  
Huntington Beach CA 92648

RE: Windward Residential Development Draft Mitigated Negative Declaration No. 16-003

Dear Ms. Nguyen:

Southern California Edison (SCE) is pleased to submit the following comments on the Notice of Public Availability for the Windward Residential Development (No. 16-003) for the subdivision and construction of a 36-unit townhome development with open space and associated improvements.

#### **SCE's Electrical Facilities**

SCE provides electric service to the City of Huntington Beach and maintains electrical transmission and distribution facilities, as well as substations and supporting appurtenances in the City.

On page 41 of the Draft Mitigated Negative Declaration, it states that the Project "can be accommodated by existing infrastructure." However, we do not see any discussion of providing new electrical service to the proposed development. New utility infrastructure construction should be included in the project description and its impacts analyzed under CEQA, specifically as related to aesthetics, noise, traffic and transportation, greenhouse gasses and biological resources to facilitate permitting with the California Public Utilities Commission.

#### **General Order 95**

SCE must comply with General Order (GO) 95, which establishes rules and regulations for the overhead line design, construction, and maintenance. GO 95 also includes vertical clearance requirements from thoroughfares, ground, and railroads, as well as specific minimum clearances from tree branches and vegetation around overhead wires. The project's landscaping should not conflict with SCE's existing and proposed transmission line designs.

#### **SCE's Right-of-Way and Access Roads**

If the Project's proposed actions impact SCE's utility corridors in the area, please note that these proposed actions shall not cause General Order 95 non-compliances and should not unreasonably interfere with SCE's ability to access, maintain, and operate its current and future facilities. Any proposed temporary or permanent development (including grading activities, landscaping, bike and/or pedestrian pathways, parkways, sidewalks, etc.) within the SCE Right-of-Way requires a written consent agreement signed between the developer and SCE.

SCE's rights-of-way and fee-owned properties are used by SCE to operate and maintain its present and future facilities. SCE will review any proposed use on a case-by-case basis. Approvals or denials will be in writing based upon review of the maps provided by the developer and compatibility with SCE right-of-way constraints and rights. Please forward five (5) sets of plans depicting SCE's facilities and associated land rights to the following location:

SCE-1

Real Properties Department  
Southern California Edison Company  
2 Innovation Way  
Pomona, CA 91768

**Method of Service**

In order to determine electrical infrastructure necessary to support the proposed project, the project proponent must submit a signed Method of Service agreement to SCE and pay engineering fees for an electric service study to be completed. Infrastructure necessary to support this project is subject to licensing and permitting authority of the CPUC.

**General Order 131-D**

The construction, modification, and relocation of transmission lines, or electrical facilities that are designed to operate at or above 50 kilovolts (kV) may be subject to the California Public Utilities Commission's (CPUC) General Order 131-D<sup>1</sup>. If the construction, modification, or relocation of transmission lines results in significant environmental impacts, they should be identified and discussed in the Final Mitigated Negative Declaration. If not, SCE may be required to pursue a separate, mandatory CEQA review through the CPUC, which could delay approval of the SCE portion of the project for two years or longer.

SCE-1

SCE appreciates the opportunity to comment on the Windward Residential Development Project.

SCE looks forward to working and collaborating with the City.

If you have any questions regarding this letter, please contact me at [heather.neely@sce.com](mailto:heather.neely@sce.com) or 626.476.7839.

Regards,

Heather Neely  
Third Party Environmental Reviews  
Environmental Services  
Southern California Edison  
6040B N Irwindale Ave  
Irwindale CA 91702

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<sup>1</sup> <http://docs.cpuc.ca.gov/PUBLISHED/Graphics/589.PDF>

**General Order 95**

SCE must comply with General Order (GO) 95, which establishes rules and regulations for the overhead line design, construction, and maintenance. GO 95 also includes vertical clearance requirements from thoroughfares, ground, and railroads, as well as specific minimum clearances from tree branches and vegetation around overhead wires. The project's landscaping should not conflict with SCE's existing and proposed transmission line designs.

**Method of Service**

In order to determine electrical infrastructure necessary to support the proposed project, the project proponent must submit a signed Method of Service agreement to SCE and pay engineering fees for an electric service study to be completed. Infrastructure necessary to support this project is subject to licensing and permitting authority of the CPUC.

**Permit to Construct (PTC) & Certificate of Public Convenience and Necessity (CPCN)**

In addition, please note that SCE is subject to California Public Utilities Commission General Order 131-D (GO 131-D). Electric facilities between 50kV and 200kV are subject to the CPUC's Permit to Construct (PTC) review. For facilities subject to PTC review, or for over 200kV electric facilities subject to Certificate of Public Convenience and Necessity (CPCN) requirements, the CPUC reviews utility PTC or CPCN applications pursuant to CEQA and serves as Lead Agency under CEQA.

**Catenary Wires**

Existing heights of the 66kV and subsequently the 220kV above any overhead catenary wires used to power trains will also likely not meet GO 95 vertical clearance standards and will require SCE to increase the height of several towers along the adjacent right-of-way as well as possibly several towers down-line. Further, based on drawings and plans provided to SCE it is not clear if there is sufficient horizontal clearance for the 220kV towers. Accordingly, this may require the relocation of 66kV or 220kV towers or realignment of the proposed track. As a separate but no less significant issue to SCE, 24-hour access must be provided to SCE employees to repair and maintain all structures and facilities.

SCE-1

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APR 03 2017

27 MAR 17

Dept. of Planning & Building

Dear Ms. Nguyen,

I appreciate the opportunity to submit my comment on the draft Mitigated Negative Declaration on the proposed Windward Residential Development.

My comment concerns the means of public access to the trailhead for the open space portion of the project at the southeast corner of Bolsa Chica Street and Los Patos Avenue. My concern is that this public access point may become problematic to the surrounding community if it is poorly designed. The access point established at the Southernmost point of Bolsa Chica Street when by the Brightwater development was poorly designed and adding another access point, could further complicate the area.

Specifically, at the Brightwater access point cars park along the eastern side of Bolsa Chica Street and a bike line begins just after the parking. Which means that the bike lane does not extend to the public access. There is also very little space for pedestrians (i.e. the drivers of the cars) to walk from their vehicles (or bikes) to the trail without being hit or nearly hit by traffic turning left out of Brightwater onto Bolsa Chica Street. Adding another access point without safely accommodating bicycle and pedestrian traffic would complicate this safety issue. It is a shame that we value vehicular traffic over bicycle and pedestrian (neighborhood traffic); there is not even a bike rack at the trail head! Bikes are not permitted on the trails, but there is no place to leave a bike at the trail head, which encourages people to drive vehicles to the trail.

I simply request that the governing bodies ensure that pedestrians have adequate and safe access and that bikers have adequate and safe access as well as ample bike racks. I also request that the site and various public facing websites would encourage pedestrian and bike access and discourage vehicular traffic.

Thank you for considering my concern and request. I am available should you need clarification or have any questions about my comment.

Veronica Fallon

17172 Abalone Lane #106  
Huntington Beach, 92649  
veronica2017@live.com

FALL-1

March 31, 2017

Attn: Tess Nguyen  
Associate Planner, City of Huntington Beach,  
Community Development Department  
2000 Main Street  
Huntington Beach, CA 92648

RECEIVED  
APR 03 2017  
Dept. of Planning & Building

Subject: Comments against the proposed Windward Residential Development in Bolsa Chica

Dear Ms. Nguyen,

I am writing in opposition to the proposed plan to the build condos at the Windward Residential Development in Bolsa Chica. Having lived in West Los Angeles for 30 years and then having moved to Huntington Beach 17 years ago what I appreciated most about this area is that not every piece of land in sight is developed.

I think to develop this beautiful bluff area of Bolsa Chica will detract from the beauty and views of the Pacific in this area. It will detract from a big part of what makes this city a nice place to live in. I jog through this area in the mornings and my son and I use it on the weekends as do many other residents. I always think when I am there, Isn't it great these type of places still exist here and are so easily accessed because they surely didn't exist in West L.A when I lived their as a kid. To develop it will take something valuable away from Huntington Beaches residents and the beauty of this dwindling natural area that still exists here. Best regards,

  
Phil Van Herle

VANH-1



*Doctor Masha*  
NATUROPATHY

Sacred Roots Holistic Healing Center  
316 Redondo Ave, Long Beach, CA 90814

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APR 07 2017

Dept. of Planning & Building

Harbour Health Center  
Huntington Harbour Mall  
16831 1/2 Algonquin St  
Huntington Beach, CA 92649

Phone number: 714-924-5592  
Email: drmashand@gmail.com  
Fax number: 213-896-7369

April 7, 2017

Dear Tess Nguyen, Associate Planner

Please consider our plea **not TO have any development over Bolsa Chica wetlands.**

Bolsa Chica is a natural treasure! Though it does not seem there is a lot going on there when you look at wild bushes, trees, rock formations, water bodies but, in reality, there are so many different species of birds, lizards, rodents, snakes, plants, insects! Building another housing project or even developing a park would destroy the natural diversity.

Huntington Beach area does NOT need more houses. They are already building more than 100 homes just less than 1 mile from the wilderness of Bolsa Chica. This area has been fought for years and, unfortunately, the builders, contractors and investors won and animals/birds and plants lost again. It is so unfair and horrific how we keep destroying our own land. Building a new living facility would require so many natural resources: water, gas, electricity. People living in facilities produce trash, waste, etc. So many species of animals and plants will be needlessly destroyed!

Maintaining wilderness allows natural flora and fauna to flourish. We need nature. We cannot live without clean air, clean water and natural diversity.

**Please, please, please STOP the development of projects that will threaten very fragile but such gorgeous and valuable area as Bolsa Chica wetlands!!!**

If you are going to hold town hall meetings, please, let us know!

We, residents of Huntington Beach, would come and defend the beautiful area that is always under attacks for more money and profits!

Sincerely,

Dr. Masha Rechkunova-Goodson

Local Naturopathic Doctor

**Address:** 16831 1/2 Algonquin St, Huntington Beach, CA – 92649

**Tel :** 714-924-5592 **Fax :** 213-896-7369

REGO-1

To

Tess Nguyen, Associate Planner,  
City of Huntington beach,  
Community Development Dept,  
2000 Main St, Huntington beach,  
CA, 92648

RECEIVED

APR 07 2017

Dept. of Planning & Building

Date: April 4, 2017

**Re: Strong Opposition against MND 16-003 for Windward Residential Development**

Dear Tess,

We are residents of Brightwater, Huntington beach, CA and wish to advise the City Council that we and many other residents of Brightwater community are **strongly opposed** to the Draft Mitigated Negative Declaration No 16-003 for Windward residential development in Bolsa Chica Wetlands.

As you know, The Wetlands are an ecological preserve and are slowly being eroded by more encroaching residential development which doesn't augur well for nature, society and the current community, in general.


No matter what the mitigation plan is, we are opposed to any more development being approved in this area by City council. We strongly would request the city to uphold the current zoning land designations in place and not allow ANY amendments. This is impacting the wild life preserve, increased traffic, lower real estate values and a nuisance for all. It only helps the builders make more profit and is not the way the community should be headed.

We have many other Brightwater resident that are in agreement with this view point and also strongly oppose MND 16-003. If you need a list in opposition, please let us know.

We hope you will consider our viewpoint and put a stop to further residential development in the Bolsa Chica wetlands.

If you have any questions or need more information, feel free to reach us at 862-812-2016.

Yours truly,

  
Vikas J. Sareen and Dr. Ruchi Sareen

17301 Bristol Lane, Huntington Beach, CA, 92649.

SARE-1

RECEIVED  
APR 10 2017  
Dept. of Planning & Building

April 7, 2017

Dear Ms. Nguyen,

I am writing this letter to express my opposition to the proposed Windward Residential Development project. I believe the General Plan Amendment and zoning land use designations should not be granted.

I have been a resident of Huntington Beach for 36 years and a homeowner for 25 years. I am writing this letter as a private citizen. I am not a member of a group or a letter-writing campaign. I care deeply about our community and the quality of life we enjoy here. Another housing development on our precious open spaces does not in any way enhance the quality of life in Huntington Beach.

The ethos and culture of our community does not mean that a housing developer who is in the business of making money can supersede the desire of the citizens who treasure our open spaces. As citizens, we feel an obligation to be stewards of the land and the animals that inhabit it. A new development of 36 townhomes would have a very negative impact on the ecosystem of the Bolsa Chica Wetlands, which have already been encroached upon by the Brightwater development and will be affected by the Parkside Residential project which will begin construction soon. The builders and developers of the Windward Residential Development feel no obligation to preserve our quality of life. It is all about making a profit in our city and then moving on.

In Huntington Beach, we already have many high density housing projects. The traffic is getting worse which creates more problems for residents and visitors.

I strongly urge those who are making the decision on this project to deny the request to amend the General Plan and zoning use designations. Please listen to the citizens who truly want what is best for our city.

Sincerely,



Ann Dewey  
5096 Tortuga Dr. #203  
Huntington Beach, CA 92649

DEWE-1

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APR 10 2017

Dept. of Planning & Building

To  
Tess Nguyen, Associate Planner,  
City of Huntington beach,  
Community Development Dept,  
2000 Main St, Huntington beach,  
CA, 92648

Date: April 4, 2017

**Re: Strong Opposition against MND 16-003 for Windward Residential Development**

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We have many other Brightwater resident that are in agreement with this view point and also strongly oppose MND 16-003. If you need a list in opposition, please let us know.

We hope you will consider our viewpoint and put a stop to

MOHA-1

further residential development in the Bolsa Chica wetlands.  
If you have any questions or need more information, feel free to  
reach us at [862-812-2016](tel:862-812-2016).

Yours truly,

RANBIR & VINOD MOHAN

Name: *Ranbir Mohan*

Address: *Vinod Mohan*

17371 GREAT POINT CIRCLE  
HUNTINGTON BEACH  
CA 92649

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APR 10 2017

Dept. of Planning & Building

Beth Simmons

17142 Harbor Bluffs Cir  
Huntington Beach, CA 92649

April 4, 2017

Tess Nguyen  
Associate Planner  
City of Huntington Beach Community Development Dept  
2000 Main Street  
Huntington Beach, CA 92648

Dear Ms Nguyen,

I am writing in reference to the Draft Mitigated Negative Declaration (MND) for the proposed Windward Residential Development.

I have been a resident of Huntington Beach for the past 7 years. I am very fond of Bolsa Chica Wetlands and the surrounding area, having run and walked hundreds of miles on the trails. It is a unique place of natural beauty and wildlife that has a biodiversity not found anywhere else within the city limits.

I am strongly opposed to the development and re-zoning delineated in the proposed project. Huntington Beach is not lacking in new residential developments; rather the city is lacking in wild, uninhabited land where nature is allowed to flourish.

I believe that the area does not need more residential units, rather citizens are in need of more natural areas, and more places to connect with creation. There is a shortage of areas where HB citizens can unplug and be free from the barrage of social media and consumerism. I think we would see a significant reduction in recreation due to the development, for I observe a great deal of people using that area to their enjoyment.

Most importantly, I am very concerned about the environmental impact upon the habitat of Bolsa Chica. The fallow field, upon which the project is proposed, is an area where birds, animals and flowers are free to thrive, and where local residents can come to breathe. I am not convinced that the destruction of native habitat is worth the cost of establishing a new subdivision.

Additionally, aesthetically speaking, I believe the construction of a new subdivision would cause the area to lose not only the ambience of the tree lined street but also the stretching view of the Santa Ana Mountains would be obstructed by housing units. The proposed "open space" is hardly open and appears to be a sliver of land contained mostly on a hillside squished between 3 residential areas. The new trails are minimal compared to what has already been established naturally.

Finally, I am untrusting of the developer Windward. I have witnessed their recent spraying of pesticide on the property of Bolsa Chica Wetlands, killing not only all the vegetation, but also at least 2 burrowing owls. They must be held accountable for their shameful and harmful actions.

Orange County has a well-deserved reputation of preserving her wild spaces and biological resources. Is this not another opportunity to do so? I challenge the Community Development Department to think creatively in how they will utilize this space while being good stewards of the land they have been entrusted with on behalf of the citizenry. Is planting more trees or planning something counter cultural not a viable option? I would be more than happy to participate in discussions.

Based on the aforementioned negative impacts, I ask that the proposal be denied. I hope we can preserve what precious little wild space remains within the city, encourage citizens and nature to thrive, and enhance our unique area of natural beauty.

Sincerely yours,



Beth Simmons

SIMM-1

RECEIVED  
APR 10 2017  
Dept. of Planning & Building

April 5, 2017

Dear Ms. Nguyen,

For many years, the Bolsa Chica Wetlands have been threatened by developers who wish to turn the land into housing developments. Much of this area has been preserved as open space and a refuge for wildlife. Unfortunately, there is still some land available, as was outlined in the recent public notice regarding the proposed Windward Residential Development.

I am deeply opposed to any development around remaining land in this area. As a frequent visitor to the wetlands (I live just down the street near Bolsa Chica and Edinger), I truly appreciate having as much open space as possible, not only for my family's personal enjoyment, but to support the wildlife that frequents this area. The wetlands are a vital resting stop for many species of migrating birds, and this fact brings many people from around the country, and the world, out visiting this important refuge.

But it is the local public that will be the most affected by this proposed housing development. Not only will more open space be lost that residents currently enjoy for recreation and bird-watching, but the resultant increased traffic and congestion in this area will be felt by all who live nearby. We have seen this happen with other recent developments in the area and elsewhere in Huntington Beach.

And even though the developers are proposing (as they often do) that a portion of this area will be kept as "open space", with trails and "interpretive signs", this has not proven to be a worthwhile option in the past. We have learned this lesson many, many times in Huntington Beach and elsewhere in Orange County: Keeping these spaces completely open is always better than developing a portion and dedicating a part of it to trail use. A trail is not a reward for losing land that is vital for recreation and wildlife, and trails and interpretive information can be installed in other ways without losing vital and disappearing open land to developers.

I propose that we keep this area of the wetlands free from any further development at all. I know that many others share this same viewpoint and I truly hope our opinions will be taken into consideration. Our city officials need to recognize the value of keeping open spaces free from further dense housing development that will negatively affect the quality of life of the residents of our city, as well as the wildlife that frequents this area.

Thank you.

Sincerely,



Eileen Smith

The Smiths  
15871 Oriole Lane  
Huntington Beach, CA 92649

SMIT-1

April 10, 2017

RECEIVED

APR 10 2017

Dept. of Planning  
& Building

To whom it may concern,

This letter is to address the proposed building of the Windward Residential Development. Besides being a concerned citizen, I am also the Manager of the Los Patos Apartments which is located adjacent north of the proposed site.

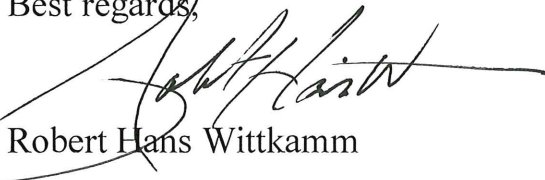
Simply put, this proposal will directly and irrevocably affect the Bolsa Chica Wetland Conservancy wildlife and further encroach upon its ecosystem. On a regular basis I see: Raccoon's, Squirrel's, Skunk's, Coyote's, and of course a multitude of Bird's. In any given week I witness hundreds of people use the easement between our property and the open land to the south. Families, dog walker's, birdwatcher's, & various recreation seekers are utilizing this area from sun up to sundown.

There are multiple reasons why this should not be built. Primarily, this is a raw piece of land, it has been in its current state for tens of thousands of years. Once disturbed, it cannot be undone. Further, it will serve a very small amount of people verses an array of citizens. This development isn't going to enhance this area, it will only take away from the natural beauty.

I would like to take a turn to speak at the public hearing scheduled for June 2017. Please let me know if it is possible. I can be contacted at: 17172 Bolsa Chica St. #34, Huntington Beach, 92649 or [robbyissurfing@gmail.com](mailto:robbyissurfing@gmail.com) or 714-328-6100

Sincere thanks for any consideration.

Best regards,



Robert Hans Wittkamm

WITT-1

## **APPENDIX B**

### **RESPONSES TO COMMENTS ON THE DRAFT MND**

#### **STATE DEPARTMENTS**

▪ **DEPARTMENT OF FISH AND WILDLIFE (DFW), APRIL 10, 2017**

- DFW-1        This comment describes the California Department of Fish and Wildlife's jurisdictional and management authority. The comment is not a direct comment on the content or adequacy of the Draft MND, and does not raise any specific environmental issue.
- DFW-2        This comment provides introductory or general information regarding the project and its location, and is not a direct comment on the content or adequacy of the Draft MND, and does not raise any specific environmental issue.
- DFW-3        The comment relates to stormwater runoff from the proposed project and the potential to impact the Bolsa Chica Ecological Reserve. The potential impacts attributed to project-related stormwater runoff were addressed on page 38 of the MND. To reiterate, the stormwater runoff from the site will be captured and treated via an existing filtration system before the water is conveyed to the Bolsa Chica Wetlands located in the Bolsa Chica Ecological Reserve. It is also important to note that this stormwater drainage and treatment system was previously analyzed and approved by the California Coastal Commission and certified as part of EIR No. 551 for the Brightwater Development Project. Therefore, although the project has the potential to contribute additional stormwater runoff to the Bolsa Chica Wetlands, impacts to those wetlands would not be considered significant as indicated on page 38 of the MND. Furthermore, the proposed storm drain system would reduce the potential impact of uncontrolled storm flows into adjacent open space areas where sensitive resources are present. Consequently, since the potential impacts of stormwater runoff would be less than significant, no mitigation measures would be required.
- DFW-4        The comment relates to the presence of southern tarplant and the need to preserve the plant if encountered during ground-disturbing activities. Although southern tarplant is known to occur on the adjacent Goodell property, this plant species has never been previously found to occur on the Windward property. However, as indicated in Mitigation Measure BIO-1 on page 26 of the MND, a qualified biologist will conduct a focused survey for southern tarplant on site during the appropriate blooming period (i.e., May – November [CNPS 2017]) prior to the start of construction-related ground disturbance activities. In addition, a qualified biologist will be one who has the necessary skills and ability to definitively distinguish southern tarplant from other similar-appearing plant species.

Mitigation Measure BIO-1 also acknowledges the need to either preserve on site or relocate to off-site open space in the Bolsa Chica area any southern tarplant occurrence of at least 500 mature individuals on the Windward project site. It should be noted that if there should be 500 or more mature southern tarplant individuals occurring on site that cannot be preserved on site, the applicant will prepare a detailed southern tarplant relocation plan, which will be provided to the California Department of Fish and Wildlife for review and then subject to approval by the City of Huntington Beach. This relocation plan would include: identification of the party or parties responsible for the plans implementation and success; the proposed method of relocation (e.g., topsoil salvage and installation, seed collection and installation); timeframes and schedules; maintenance and monitoring activities; documentation and reporting; and performance standards or success criteria.

DFW-5 The comment relates to potential impacts to wildlife inhabiting the surrounding open space due to artificial lighting (night construction) and permanent lighting. Construction activities associated with the project will occur only during daylight hours. In addition, the potential project-related impacts from sources of light and glare are addressed primarily in the last paragraph on page 20 of the MND. Essentially, artificial light sources from the project site would be similar to the existing light sources associated with adjacent development. Moreover, various project design measures would reduce or eliminate potential lighting impacts to surrounding open space. For instance, as stated in the MND, "... all lighting will be shielded to minimize light cast onto adjacent properties. In addition, the project site lighting will include 'dark sky' features that were implemented in the adjacent Brightwater residential project and have already been determined to be appropriate for and sensitive to the Bolsa Chica area." Furthermore, residents of the proposed development will be restricted on the type of exterior lighting that they may use in the future, as indicated on page 27 of the MND.

DFW-6 The comment relates to fuel modification zones for the project's landscaping plans. In this particular case, a fuel modification zone is not a requirement and is not needed, since the project as proposed will include the establishment of a 2.49-acre native landscape area in the eastern half of the project area, as described in more detail in the Windward Specific Plan. This native landscape area will be composed of various native plant species that are suitable and appropriate for fuel modification zones. These plant species are similar to those that the Huntington Beach Fire Department approved for use in the buffer zones of the adjacent Parkside Estates Development. Furthermore, they are consistent with the Orange County Fire Authority's Vegetation Management – Technical Design for New Construction, Fuel Modification Plans, and Maintenance Program dated January 1, 2011 (Guidelines), which were developed by a committee for the purpose of identifying native vegetation that is acceptable for use in fuel modification zones. The native landscape area will also function as

a buffer between the proposed development and the adjacent open space. Since the proposed native landscape area will displace existing disturbed habitat dominated by ruderal, non-native, invasive plant species, the impact would be considered an environmentally beneficial component of the project.

DFW-7        The comment relates to avoidance of direct impacts to birds through incorporation of “bird safe” elements in architectural design. This particular issue was applicable to the neighboring Brightwater Development Project but only applied to the large, glass walls installed along coastal-facing backyards. This specific issue does not apply to this particular project, since there are no large, glass walls to be installed as part of the proposed project’s structural design. However, articulated building facades and minimal artificial nighttime lighting will be used in the project’s structural designs. Furthermore, transparent corners and mirrored or highly reflective glass will not be installed as part of the proposed project.

DFW-8        The comment relates to potential for the spread of non-native seeds during construction. Given the current, disturbed conditions of the project site and the immediate adjoining open space, the recommended measures for ensuring that all construction vehicles and equipment are clean and free of weedy, non-native seed before entering the project site would not be considered warranted. In this particular case, weedy, non-native plant species are already dominant on the project site and in immediate adjoining areas.

DFW-9        The comment relates to the use of native plants in landscaping. As indicated in Response to Comment No. DFW-6 above, the proposed 2.49 acre native landscape area will be composed of an assortment of native plant species that will provide an effective buffer of native habitat between the adjacent open space preservation areas and the proposed residential development. This will provide the very benefits identified by the commenter. In addition, the landscape palette proposed for this project was taken from the California Coastal Commission-approved landscape plant palette used for the Brightwater Development Project and consists of various drought-tolerant, non-invasive plant species.

DFW-10       The comment contains concluding or general information. It is not a direct comment on the content or adequacy of the Draft MND, and does not raise any specific environmental issue.

▪ **CALIFORNIA COASTAL COMMISSION (CCC), MAY 1, 2017**

CCC-1        This comment acknowledges that the comment period has passed and the comments are intended as guidance as the City moves forward with its review of the proposed development and related entitlements. In addition, the comment indicates that there might be different and/or additional concerns once the Local Coastal Program Amendment, Development Agreement, and

potentially, Coastal Development Permit, if appealed, are submitted for Coastal Commission review.

- CCC-2      This comment provides introductory or general information regarding the project and its location, and is not a direct comment on the content or adequacy of the Draft MND, and does not raise any specific environmental issue.
- CCC-3      The comment relates to the entitlements associated with the proposed project and the processing requirements for the Development Agreement, Coastal Development Permit, and Local Coastal Program Amendment. The comment is not a direct comment on the content or adequacy of the Draft MND, and does not raise any specific environmental issue.
- CCC-4      The comment pertains to the potential approval of the proposed entitlements and how the approval relies on the adequacy of legal assurances that the adjacent Goodell property will be preserved as open space. The Development Agreement is proposed as part of the project to ensure the dedication of 8.7 acres of land (2.5 acres on the eastern half of the Windward site and 6.2 acres of the Goodell property) for public open space.
- CCC-5      The comment relates to the need to provide written evidence of the State Office of Historic Preservation and Native American Heritage Commission comment on the significance of the site's historic use by Native American groups for the Coastal Commission review of the Local Coastal Program Amendment and Development Agreement. In addition, written evidence of Native American tribal consultation on the project would need to be provided when submitting for the Coastal Commission review of the Local Coastal Program Amendment and Development Agreement. It is not a direct comment on the content or adequacy of the Draft MND, and does not raise any specific environmental issue.
- CCC-6      The comment relates to the removal of significant cultural resources without a valid Coastal Development Permit. The Coastal Commission addressed the removal of cultural resources through Coastal Commission Consent Order No. CCC-13-CD-08/09 and Restoration Order No. CCC-13-RO-08/09. The comment pertains to importance for the project to accommodate the requirements of the Consent and Restoration Orders. The comment is not a direct comment on the content or adequacy of the Draft MND, and does not raise any specific environmental issue. The comment will be forwarded to the applicant for their information.
- CCC-7      Refer to Response CCC-9 for information regarding controlled archaeological grading.
- CCC-8      The comment relates to site grading and over-excavation of the site. According to the preliminary Geotechnical Feasibility Study (LGC, 2008), over-excavation and recompaction of near surface soils is anticipated to occur during site preparation and

grading. Based on other projects in the vicinity, it is anticipated that the depth of over-excavation would not exceed five to 10 feet. The over-excavation at the Brightwater development was a maximum of five feet. Therefore, the proposed site grading operations for the Windward development will not extend below five feet.

CCC-9

The comment relates to the grading activities and subsurface testing of the project site. All earth-moving activities/subsurface testing for the Windward Residential Development will be monitored by the appropriate number of archaeologists and Native American Monitors. The Juaneno Band of Mission Indians previously submitted an application to the Native American Heritage Commission [NAHC] for archaeological site CA-ORA-83, the Cogged Stone Site, and its associated sites to be placed on the NAHC Sacred Lands Inventory. The Bolsa Chica site application was accepted and as such now comes under the protection of the Juaneno Band. Native monitors from the Juaneno and Gabrielino tribes will monitor all site activities as has been traditional for decades on Bolsa Chica. The Native monitoring will be under the auspices of the Juaneno Band. The Project Archaeologist will assign a site supervisor and field archaeologists qualified according to the Secretary of the Interior Standards for Archaeology. The number of archaeological and Native monitors will depend on the amount of equipment operating at one time and will be adjusted appropriately in order to err on the side of protection of the resource.

During subsurface testing, all work within 50 feet of the find will stop. Archaeological/ cultural resources will be examined in place by the archaeologist and Native monitors and mapped using survey grade GPS equipment. All archaeological material exposed during grading monitoring will be treated with dignity and respect as it is uncovered and studied in the field. In the event significant cultural resources are exposed, the archaeologist shall prepare a research design and recovery/preservation plan for the resources as outlined in the Archaeological Mitigation and Monitoring Plan prepared prior to grading. Specifically, because of their cultural significance, if any of the following cultural resources are discovered in situ, i.e., they have not been moved or relocated to the site of discovery, they shall be preserved in place: human remains, house pits, hearths, artifact caches, and intact midden deposits. Prehistoric ceremonial or religious artifacts such as cogged stones, pipes, crystals, pigments, incised stone, beads and bone or shell ornaments shall be preserved in place if associated with human remains. Upon discovery of any of the above resources, all construction will stop and the archaeologists shall consult with Native American monitors to determine preservation methods. Whenever possible resources will be documented and preserved in place as the preferred protection measure.

Previous investigations have shown that once below the plowzone, soils consist of: 1) basal midden remnants (brown and beige-yellow in color) or 2) Pleistocene terrace deposits (red in color). The basal midden remnants are cultural deposits whereas the Pleistocene terrace deposits represent episodes of natural deposition thousands of years before the onset of human occupation.

These natural soils are by definition, sterile or void of cultural resources unless incidentally penetrated by animal krotvina or historic mechanical excavations. Culturally-sterile Pleistocene terrace deposits are shallow at this location, reached at a maximum depth of 150cm below the surface. In the event, cultural resources are exposed in any overlying basal midden remnants, the archaeologist shall prepare a research design and recovery/preservation plan for the resources as outlined within the Archaeological Mitigation and Monitoring Plan. Specific protocol for uncovering the resource and analyzing its significance will be detailed within this plan. However, Because of their cultural significance, if any of the following cultural resources are discovered in situ, i.e., they have not been moved or relocated to the site of discovery, they shall be preserved in place: human remains, house pits, hearths, artifact caches, and intact midden deposits. Prehistoric ceremonial or religious artifacts such as cogged stones, pipes, crystals, pigments, incised stone, beads and bone or shell ornaments shall be preserved in place if associated with human remains. Upon discovery of any of the above resources, all construction will stop and the archaeologists shall consult with Native American monitors to determine preservation methods.

Controlled archaeological grading shall occur prior to the issuance of a grading permit for project development. Controlled archaeological grading consists of using mechanized equipment where the subsurface soils are removed in approximate 2 centimeter depth increments by a mechanical scraper, as part of the controlled grading effort and under the supervision of the archaeological site supervisor. The grading process shall be limited to slow excavation in small horizontal areas providing ultimate control. The archaeologist(s) and Native American Monitor(s) shall examine the soils as they are exposed. Grading efforts will continue until sterile soils are encountered.

CCC-10      The comment relates to monitoring and protection of cultural resources associated with the development of the site. Controlled archaeological grading shall occur prior to the issuance of a grading permit for project development. In this manner the archaeologists control the extent and speed of the excavations. The controlled grading effort shall be coordinated with the applicant to ensure that all areas of excavation designated for project development are covered by archaeological controlled grading into sterile soils before project grading occurs. In addition to qualified archaeologists, the entire process shall be monitored by both Gabrielino and Juaneno Native American monitors as has been the standard for all previous work on the Bolsa Chica Mesa. Monitoring will occur with at least one archaeologist and one Native American monitor per equipment array that is operating.

CCC-11      The comment relates to the submittal of an Archaeological Mitigation and Monitoring Plan (AMMP) for review by the Coastal Commission prior to approval of the Coastal Development Permit. The Archaeological Mitigation

and Monitoring Plan will be submitted to the Coastal Commission for approval by the Executive Director.

CCC-12

The comment relates to the location of cultural resources preservation as laid out in the Archaeological Mitigation and Monitoring Plan. In general, in the event grading exposes archaeological/cultural resources, the archaeologist and/or Native American monitor(s) shall stop all grading activity on site and establish a minimum 50 foot buffer within which no grading or other construction activities may occur. Archaeological/cultural resources will be examined in place by the archaeologist and Native monitors and mapped using survey grade GPS equipment. All archaeological material exposed during grading monitoring will be treated with dignity and respect. In the event cultural resources are exposed, the archaeologist shall prepare a research design and recovery/preservation plan for the resources as outlined within the AMMP. If through consultation with Coastal Commission staff and the Most Likely Descendent it is determined that exposed material should be left in-situ, then, the archaeologist will follow the outline for preservation in place, not constrained by the approved project development, which will be addressed in the AMMP. Because of their cultural significance, however, if any of the following cultural resources are discovered in situ, i.e., they have not been moved or relocated to the site of discovery, they shall be preserved in place: human remains, house pits, hearths, artifact caches, and intact midden deposits. Prehistoric ceremonial or religious artifacts such as cogged stones, pipes, crystals, pigments, incised stone, beads and bone or shell ornaments shall be preserved in place if associated with human remains. Upon discovery of any of the above resources, all construction will stop and the archaeologists shall consult with Native American monitors to determine preservation methods. If the materials are determined to not be located within their original deposit, not a religious or ceremonial artifact associated with human remains, and through consultation are determined to be removed, laboratory analysis and curation will occur on-site. Subsequently the materials will either be reburied or placed with all other Bolsa Chica site materials at the John D. Cooper Center, the official repository for fossils and artifacts recovered from Orange County. Upon completion of archaeological grading a report will be prepared describing all archaeological activities, monitors and their efforts, and monitoring results in accordance with the Secretary of the Interior's Guidelines for Archeological Documentation.

CCC-13

The comment relates to controlled archaeological grading in the plowzone. Over the past few decades Scientific Resource Survey, Inc. has conducted numerous subsurface investigations on Bolsa Chica Mesa and is very familiar with the soils sequences on different parts of the archaeological sites. In addition, the two tribal entities that will work on the project have employed the same monitors who worked for many years with the SRS archaeologists at these same sites, including the archaeological deposit situated on the Windward Residential Development area. It is known that soils on site consist of: 1) basal

midden remnants (brown or beige-yellow in color) or 2) Pleistocene terrace deposits (red in color). Natural culturally-sterile Pleistocene terrace deposits are shallow at this location, reached at a maximum depth of 150cm below the surface. Archaeological grading will continue until these soils are penetrated. In the event that cultural resources are exposed in any overlying basal midden remnants, in or below the plow zone, the discovery would constitute a basis to stop work and implement appropriate measures. The discovery of cultural resources in all situations and soil horizons will be outlined in the AMMP and approved prior to archaeological grading efforts.

- CCC-14      The comment relates to the recovery and preservation of cultural resources. Cultural resources exposed outside of, or not related to, overlying basal midden would also trigger the stoppage of work as described above and the establishment of a minimum 50 foot buffer within which no grading or other construction activities may occur. In the event cultural resources are exposed, the archaeologist shall prepare a research design and recovery/preservation plan for the resources as outlined in the AMMP. If through consultation with Coastal Commission staff and the Most Likely Descendent it is determined that exposed material should be left in place, then, the archaeologist will follow the outline for in-situ preservation, not constrained by the approved project development. Again, because of their cultural significance if any of the following cultural resources are discovered in situ, i.e., they have not been moved or relocated to the site of discovery, they shall be preserved in place: human remains, house pits, hearths, artifact caches, and intact midden deposits. Prehistoric ceremonial or religious artifacts such as cogged stones, pipes, crystals, pigments, incised stone, beads and bone or shell ornaments shall be preserved in place if associated with human remains. Upon discovery of any of the above resources, all construction will stop and the archaeologists shall consult with Native American monitors to determine preservation methods. This situation as well as several others for uncovering unexpected cultural resources in areas related to the development project will be addressed in the AMMP.
- CCC-15      The comment relates the need for peer review of the Archaeological Mitigation and Monitoring Plan. The AMMP and appropriate research designs and recovery/preservation plans will be subject to the same rigorous peer review process as all past work on Bolsa Chica Mesa. As with past peer reviewers, names and qualifications of Peer Reviewers will be approved by the Executive Director prior to any archaeological work and submitted as a notification to the Native American Heritage Commission (NAHC) and the California Office of Historic Preservation (OHP). Several of the past peer reviewers have committed to continue archaeological review for additional projects on Bolsa Chica Mesa and specifically for the Windward Residential Development providing continuity within the review process.
- CCC-16      This comment relates to the drainage of the site as a result of the proposed grading and site development. The western half of the Windward site is

relatively flat while the eastern half slopes down toward the Parkside site. The footprint of the residential development is entirely on the western half of the property. Only the western half of the property would be graded so the drainage would be directed to Bolsa Chica Street and the Brightwater Best Management Practices (BMPs). The eastern half of the property will continue to sheet flow to the east in the vicinity of the eucalyptus ESHA as it does today.

Since the eucalyptus trees are located on the side of the existing slope, the westerly runoff that includes the Windward property flows past the trees to the adjacent lowland area. Due to this topography, it appears that the water supply for the trees is not from surface water but from groundwater. The tributary areas to the lowland adjacent to the trees include a portion of the Windward property, a portion of the Goodell property, as well as the area bounded by the north Shea property boundary, Graham Street and the East Garden Grove – Wintersburg Channel. The tributary area is approximately 55 acres. The easterly half of the Windward property will be designated as open space and will have no impact on the drainage pattern. The residential development will occur on the westerly half of the Windward property and will redirect an area of approximately 0.7 acres to the Bolsa Chica Street and Brightwater storm drain/BMP as part of the development. The topography of the 0.7 acres is relatively flat and is on the upstream end of the tributary area. With the existing vegetative surface covering, there is minimal runoff that would reach the adjacent lowland area. Also, with an overall tributary area of 55 acres, a reduction of 0.7 acres will have little or no impact to the groundwater level that serves as water supply for the eucalyptus trees. Therefore, it is expected that there will be insignificant to no impacts to the eucalyptus ESHA.

CCC-17      This comment relates to the re-location of the southern tarplant. If, during the preconstruction survey identified in mitigation measure BIO-1, no southern tarplant are found on site or, if present, southern tarplant consist of less than 500 mature individuals, then relocation would not be required. However, if there should be 500 or more mature southern tarplant individuals occurring on site that cannot be preserved on site, the applicant will prepare a detailed southern tarplant relocation plan, which will be provided to the California Department of Fish and Wildlife for review and then subject to approval by the City of Huntington Beach. This relocation plan would include the identification of an available and suitable relocation site in the Bolsa Chica area, which could potentially include the project site.

CCC-18      This comment relates to the survey protocols of the burrowing owl. In March 2012, the California Department of Fish and Game (now known as the California Department of Fish and Wildlife) published the *Staff Report on Burrowing Owl Mitigation*, which replaced/superseded the 1995 *Staff Report on Burrowing Owl Mitigation*. This 2012 report takes into account the California Burrowing Owl Consortium's (CBOC) Survey Protocol and Mitigation Guidelines (CBOC 1993, 1997), which was the appropriate protocol

to use prior to 2012. Surveys for burrowing owl on the Windward property were conducted in 2010 and followed the CBOC survey protocol. However, to further clarify mitigation measure BIO-2 in the MND, any future burrowing owl surveys, such as the preconstruction burrowing owl surveys identified in BIO-2, will be conducted in accordance with the survey protocol identified in the 2012 Staff Report.

- CCC-19 This comment relates to foraging activity of the raptors. The mammal species (i.e., ground squirrels, gophers, and rabbits) identified as occurring on site are also commonly found throughout the surrounding open space areas closer to more advantageous perching locations. The biological resources assessment pertaining to the Windward property (LSA 2010) indicates, “. . . it is likely that there is at least occasional raptor foraging. However, within the study area, raptor activity is essentially limited to foraging from the air, as there are no structures or vegetation for perching or nesting within or adjacent to the ruderal study area.” This may account for the less frequent raptor foraging on site.
- CCC-20 This comment relates to the need to submit an updated biological assessment of the subject site for the Coastal Commission review of the Local Coastal Program Amendment application. In addition, there is an inquiry regarding the restoration of native habitat on the open space portion of the Windward site. The Windward Specific Plan requires that the remaining open space area on the Windward property be planted with native landscaping along with the installation of a trail for public access. A list of the approved plants can be found in Table 6-1 of the Windward Specific Plan.
- CCC-21 This comment relates to provision of signage near the Los Patos Avenue / Bolsa Chica Street intersection to inform the public of the availability of public trails on the Windward site. Developments within the Coastal Zone Overlay are required to provide signs identifying the public access and public use areas. This requirement would be incorporated into the conditions of approval for the project.
- CCC-22 This comment relates to the drainage of the site as a result of the proposed development. Refer to CCC-16 for more information.
- CCC-23 This comment relates to cut and fill of the site. There is more cut (2,900 cubic yards) than fill (2,100 cubic yards) because the earthwork quantities takes into account the pavement section, assumed to be 1-foot. The cut and fill quantities were computed to the street gut section, instead of to the finished pavement elevation. There was a reduction of 1-foot taken over the street pavement area that has an approximate volume of 1,200 cubic yards.

The Tentative Tract Map request is for the subdivision of the 5-acre lot into one 2.5-acre numbered lot (residential development of 36 townhome units) and one 2.5-acre letter lot (open space area).

The comment relates to the need to have the Development Agreement approved by the Coastal Commission in order to be effective in the coastal zone and the Development Agreement should be submitted prior to or concurrently with the Local Coastal Program Amendment for the site.

The letter concludes by indicating that there might be different and/or additional concerns once the Local Coastal Program Amendment, Development Agreement, and Coastal Development Permit, if appealed, are submitted for Coastal Commission review. The comments in this letter does not include review of the Windward Specific Plan or Development Agreement.

## **REGIONAL AGENCY**

### **▪ SOUTHERN CALIFORNIA EDISON (SCE), APRIL 10, 2017**

SCE-1        The comment relates to Southern California Edison's ability to provide new electrical infrastructure to the proposed project and the applicant's requirement for requesting new service. The comment does not raise any specific environmental issues. The comment will be forwarded to the applicant.

## **INDIVIDUALS**

### **▪ VERONICA FALLON (FALL), APRIL 3, 2017**

FALL-1        The comment relates to the location of the public access to the open space portion of the proposed project. The comment does not raise any specific environmental issues. The comment will be forwarded to the Planning Commission and City Council for consideration.

### **▪ PHIL VAN HERLE (VANF), APRIL 3, 2017**

VANH-1        The comment states opposition to the proposed project and discusses the need to preserve the beauty of Bolsa Chica area. The comment does not bring up any specific environmental issues. The comment will be forwarded to the Planning Commission and City Council for consideration.

### **▪ DR. MARSHA RECHKUNOVA-GOODSON (REGO), APRIL 7, 2017**

REGO-1        The comment states opposition to the proposed project and discusses the need to preserve the wilderness of Bolsa Chica. The comment does not bring up any specific environmental issues. The comment will be forwarded to the Planning Commission and City Council for consideration.

- **VIKAS AND RUCHI SAREEN (SARE), APRIL 7, 2017**

SARE-1        The comment states opposition to the proposed project and discusses the need to preserve the Bolsa Chica Wetlands against more development. The comment does not raise any specific environmental issues. The comment will be forwarded to the Planning Commission and City Council for consideration.

- **ANN DEWEY (DEWE), APRIL 10, 2017**

DEWE-1        The comment states opposition to the proposed project and discusses the need to preserve the Bolsa Chica Wetlands. The comment does not raise any specific environmental issues. Refer to Section 5.10 of draft MND No. 16-003 for an analysis of potential impacts to land use and planning, which includes the proposed change in land use designation from Open Space – Park to Residential Medium Density for the western half of the project site and concludes less than significant impacts. The comment is expressing opposition to the proposed change and will be forwarded to the Planning Commission and City Council for consideration.

- **RANBIR AND VINOD MOHAN (MOHA), APRIL 10, 2017**

MOHA-1        The comment states opposition to the proposed project and discusses the need to preserve the Bolsa Chica Wetlands against more development. The comment does not raise any specific environmental issues. The comment will be forwarded to the Planning Commission and City Council for consideration.

- **BETH SIMMONS (SIMM), APRIL 10, 2017**

SIMM-1        The comment states opposition to the proposed project and discusses the need to preserve the Bolsa Chica Wetlands. The comment does not raise any specific environmental issues. Refer to Section 5.10 of draft MND No. 16-003 for an analysis of potential impacts to land use and planning, which includes the proposed change in land use designation from Open Space – Park to Residential Medium Density for the western half of the project site and concludes less than significant impacts. The comment is expressing opposition to the proposed change and will be forwarded to the Planning Commission and City Council for consideration.

- **EILEEN SMITH (SMIT), APRIL 10, 2017**

SMIT-1        The comment states opposition to the proposed project and discusses the need to preserve the Bolsa Chica Wetlands against more development. The comment does not raise any specific environmental issues. Refer to Section 5.16 of draft MND No. 16-003 for an analysis of potential impacts to transportation and traffic, which concludes less than significant impacts. The comment will be forwarded to the Planning Commission and City Council for consideration.

▪ **ROBERT HANS WITTKAMM (WITT), APRIL 10, 2017**

WITT-1        The comment states opposition to the proposed project and discusses the need to preserve the Bolsa Chica Wetlands wildlife and ecosystem and against more development. The comment does not raise any specific environmental issues. The comment will be forwarded to the Planning Commission and City Council for consideration.