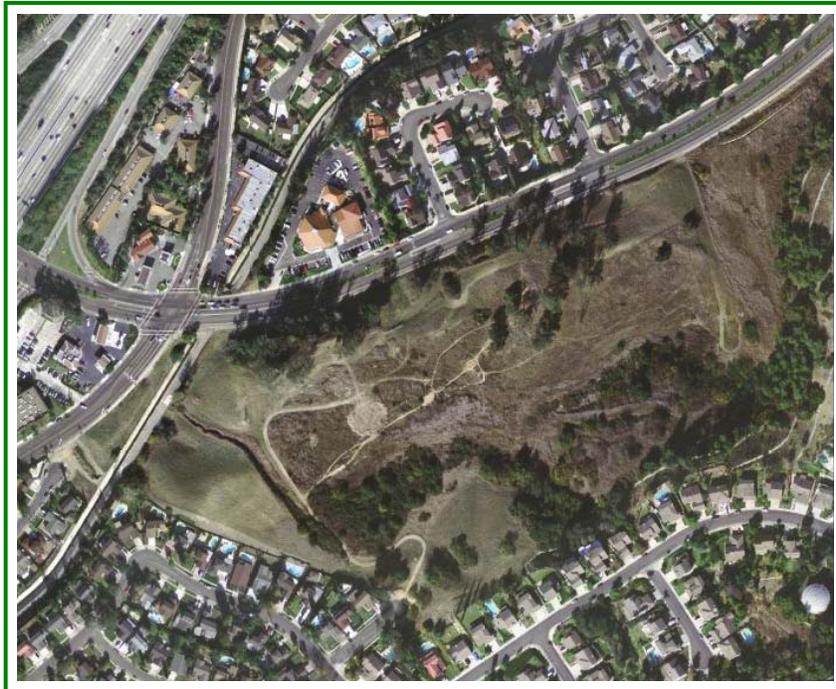


**Response to Comments on the
Draft Environmental Impact Report
“Site D” Specific Plan
SCH No. 2008021014**

**General Plan Amendment No. 2007-03
Specific Plan No. 2007-01
Tentative Map No. 70687**



Lead Agency:

City of Diamond Bar
Community Development Department
21825 Copley Drive
Diamond Bar, California 91765-4178

Applicants:

City of Diamond Bar
21825 Copley Drive
Diamond Bar, California 91765-4178

Walnut Valley Unified School District
880 South Lemon Avenue
Walnut, California 91789

March 2010

Environmental Impact Report 2007-02

**Response to Comments on the
Draft Environmental Impact Report
“Site D” Specific Plan
SCH No. 2008021014**

**General Plan Amendment No. 2007-03
Specific Plan No. 2007-01
Tentative Map No. 70687**

Lead Agency:

City of Diamond Bar
Community Development Department
21825 Copley Drive
Diamond Bar, California 91765-4178

Applicants:

City of Diamond Bar
21825 Copley Drive
Diamond Bar, California 91765-4178

Walnut Valley Unified School District
880 South Lemon Avenue
Walnut, California 91789

Prepared by:

Environmental Impact Sciences
26051 Via Concha
Mission Viejo, California 92691-5416

March 2010

This page intentionally left blank.

List of Sections

<u>Section</u>		<u>Page</u>
1.0 INTRODUCTION		1-1
1.1	Introduction	1-1
1.2	CEQA Requirements	1-1
1.3	DEIR Review Period	1-2
1.4	Incorporation of Written Comments	1-2
1.5	Incorporation of Oral Comments	1-6
1.6	Independent Judgment	1-7
2.0 CHANGES, REVISIONS, AND OTHER MODIFICATIONS		2-1
2.1	Introduction to Changes, Revisions, and Other Modifications	2-1
2.2	Changes, Revisions, and Other Modifications	2-1
2.2.1	Draft Environmental Impact Report	2-1
2.2.2	Draft “Site D” Specific Plan	2-6
3.0 RESPONSE TO COMMENTS		3-1
3.1	Introduction to Response to Comments	3-1
3.2	Response to Comments	3-1
3.2.1	Written Comments from Governmental Entities	3-1
3.2.2	Written Comments from Non-Governmental Entities	3-7
3.2.3	Oral Comments from Non-Governmental Entities	3-43

List of Appendices

Appendix

- III-A Notice of Completion and Notice of Availability
- III-B Comment Letters, Emails, and Comment Cards
- III-C Minutes of the City of Diamond Bar Neighborhood Forum of Site “D” Specific Plan Draft Environmental Impact Report (Heritage Park Community Center, 2900 S. Brea Canyon Road, Diamond Bar, August 3, 2009)
- III-D Site “D” Public Hearing Report and Resolution of the Diamond Bar Improvement Association

List of Tables

Tables

1	List of Commentors – Written Testimony	1-3
2	List of Commentors – Oral Testimony	1-6

This page intentionally left blank.

1.1 Introduction

This “Response to Comments on the Draft Environmental Impact Report – ‘Site D’ Specific Plan, State Clearinghouse No. 2008021014” (RTC), in combination with the two-volume “Draft Environmental Impact Report – ‘Site D’ Specific Plan, State Clearinghouse No. 2008021014” (DEIR) and such other documents as may be added by the City of Diamond Bar Planning Commission (Commission) and/or by the City of Diamond Bar City Council (Council), collectively serve as the “Final Environmental Impact Report – ‘Site D’ Specific Plan, State Clearinghouse No. 2008021014” (FEIR) for the “‘Site D’ Specific Plan” project.

This RTC presents the Community Development Department’s (Department) written responses to all written and oral comments received by the City of Diamond Bar (City or Lead Agency) following the City’s dissemination of the “Notice of Completion” (NOC), “Notice of Availability” (NOA), and the DEIR. The information and analysis provided in this RTC serves to augment the Lead Agency’s independent analysis of the “‘Site D’ Specific Plan” project, as presented in the DEIR. Although separately bound from the DEIR, this RTC is intended to be read in combination with the DEIR. Material presented in the DEIR is not again repeated herein, except to the extent necessary to provide a response to the issues that have been raised during the noticed comment period established under the NOC. Except where otherwise provided, the terminology, acronyms, and definitions used herein are intended to have the same meaning as presented in the DEIR.

1.2 CEQA Requirements

The State CEQA Guidelines require the City to consider all public and agency comments received on the DEIR in its decision-making process. As indicated in Section 15088 therein: “(a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments. (b) The written responses shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency’s position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted.”

As indicated in Section 15089 of the State CEQA Guidelines, without presupposing any particular project outcome, “[p]rior to approving a project the lead agency shall certify that: (1) The final EIR has been completed in compliance with CEQA; (2) The final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and (3) The final EIR reflects the lead agency’s independent judgment and analysis.”

In defining the minimum contents of the project’s final EIR, Section 15132 of the State CEQA Guidelines indicates that “[t]he final EIR shall consist of: (a) The draft EIR or a revision of the draft. (b) Comments and recommendations received on the draft EIR either verbatim or in summary. (c) A list of persons, organizations, and public agencies commenting on the draft EIR. (d) The responses of the lead agency to significant environmental points raised in the review and consultation process. (e) Any other information added by the lead agency.”

1.3 DEIR Review Period

As required under Section 21092 of the California Environmental Quality Act (CEQA), “[a]ny lead agency which is preparing an environmental impact report or negative declaration or making a determination pursuant to Section 21157 shall provide public notice of that fact within a reasonable time period prior to certification of the environmental impact report or adoption of the negative declaration.” In fulfillment of that obligation, the Lead Agency disseminated the NOC and/or forwarded printed or electronic copies of the DEIR to the Governor’s Office of Planning and Research, in that agency’s role as State Clearinghouse (SCH), to those responsible and trustee agencies identified in the DEIR, to County departments and districts, to other stakeholders, and to the local branch of the Los Angeles County Public Library. Both the DEIR and NOC were submitted to the SCH on June 25, 2009, commencing a 45-day comment period on the DEIR. The State agency comment period, as established by the SCH, concluded on August 10, 2009. The NOC was concurrently posted in the Office of the County Clerk. In addition, the NOA was published in the Inland Valley Daily Bulletin and San Gabriel Valley Tribune on June 25, 2009.

Copies of the NOC and NOA are presented in Appendix III-A (Notice of Preparation and Notice of Availability), including a list of agencies and other parties receiving the DEIR, NOC, and/or NOA in printed and/or in electronic format.

In addition, pursuant to Section 21092.5(a) of CEQA, at least ten days prior to the City’s decision-making body’s consideration of certification of the FEIR, the Lead Agency provided its draft written responses to those public agencies which submitted written comments to the City concerning the DEIR. In compliance with that obligation, the Lead Agency provided all public agencies that submitted written comments on the DEIR with a minimum ten-day period to consider the Lead Agency’s draft responses prior to consideration of the FEIR by the City’s decision-making body. The provisions of Section 21092.5(a) of CEQA only apply to comments submitted by public agencies and do not equally apply to comments submitted to the Lead Agency by the general public or by other non-governmental entities.

1.4 Incorporation of Written Comments

All written comments submitted to the City in response to the dissemination of the NOC and the DEIR are included in Appendix III-B (Comment Letters, Emails, and Comment Cards). For ease of reference, all correspondence has been categorized according to the type of entity and the date each comment was received by the Lead Agency. In so categorizing the comments received on the NOC and DEIR, it has not been the City’s intent to suggest any prioritization as to those comments or to suggest, in any fashion, that one comment is provided more or less weight than any other comments. The intent of this categorization is merely to facilitate the review and consideration of written comments by the advisory and decision-making bodies of the Lead Agency, by other responsible agencies, and by the general public.

Each comment letter, email, and comment card has been assigned a number, denoting the sequence in which those communiqués are addressed herein. Individuals seeking to compare each comment with the Lead Agency’s draft response can, therefore, locate each correspondence by the number which has been assigned. The separate comments presented in each communiqué have also been numbered for ease of reference. For example, reference to Comment No. I-1-5 denotes Comment No. 5 in Letter No. I-1. Table 1 (List of Commentors - Written Testimony) provides a summary of all parties that submitted written comments to the Lead Agency with regards to the DEIR and indicates the corresponding reference number that has been assigned each communiqué.

Table 1
LIST OF COMMENTORS – WRITTEN TESTIMONY

No.	Commentor	Letter, Email, or Comment Card	
		Dated	Received
Written Comments from Governmental Entities			
I-1	Elmer Alvarez, IGR/CEQA Program Manager California Department of Transportation District 7, Regional Planning IGR/CEQA Branch 100 South Main Street Los Angeles, California 90012	July 13, 2009	July 16, 2009
I-2	Ruth I. Frazen, Customer Service Specialist County Sanitation Districts of Los Angeles County Facilities Planning Department 1955 Workman Mill Road Whittier, California 90601-1400	July 7, 2009	July 10, 2009
I-3	Sheryl L. Shaw, P.E. Walnut Valley Water District 271 South Brea Canyon Road Walnut, California 91789-3002	August 4, 2009	August 5, 2009
1-4 ¹	Terri Maguire, Chief Deputy County Librarian County of Los Angeles Public Library 7400 East Imperial Highway Downey, California 90242	August 17, 2009	August 18, 2009
1-5 ¹	Frank Vidalias, Acting Chief County of Los Angeles Fire Department Forestry Division, Prevention Services Bureau 1320 North Eastern Avenue Los Angeles, California 90063-3294	September 11, 2009	September 29, 2009
Written Comments from Non-Governmental Entities			
II-1	Siu's Family (sljleung@hotmail.com)	June 25, 2009	June 25, 2009
II-2	Christopher Chung 21470 Cold Spring Lane (cchung1263@roadrunner.com)	July 28, 2009	July 28, 2009
II-3	Rung Larn Duh 2752 Wagon Train Lane Diamond Bar, CA (lorraine@skywellnet.com)	August 4, 2008	August 4, 2008
II-4	Judy Leung (Scoping Meeting Comment Card)	August 3, 2009	August 3, 2009
II-5	Lee and Melony Paulson 21919 Santaquin Drive Diamond Bar, California	August 7, 2009	August 7, 2009
II-6	Kathy White (Scoping Meeting Comment Card)	August 7, 2009	August 7, 2009
II-7	Dr. Payam Beheshti (lorange@glu@gmail.com)	August 8, 2009	August 8, 2009
II-8	Dr. Alireza Azizi (alirezaari@gmail.com)	August 9, 2009	August 9, 2009
II-9	Jeff Layton (ridetheevents@yahoo.com)	August 9, 2009	August 9, 2009

Table RTC-1 (Continued)
LIST OF COMMENTORS – WRITTEN TESTIMONY

No.	Commentor	Letter, Email, or Comment Card	
		Dated	Received
Written Comments from Non-Governmental Entities (Continued)			
II-10	Shahdad Shakibai 3301 Falcon Ridge Road Diamond Bar, California (ahkib@aol.com)	August 10, 2009	August 10, 2009
II-11	Cynthia Moeder 20937 Ambushers Street Diamond Bar, California 91765 (Cmoeder4@aol.com)	August 10, 2009	August 10, 2009
II-12	Adrian Castro 21357 Ambushers Street Diamond Bar, California 91765	August 10, 2009	August 10, 2009
II-13	Gregory Shockley 3711 Crooked Creek Drive Diamond Bar, California 91765 (fortshockley@earthlink.net)	August 10, 2009	August 10, 2009
II-14	Toshiko Ishijima 20806 Rocky Point Lane Diamond Bar, California 91789) (Scoping meeting comment card)	Undated	August 10, 2009
11-15	Masumi Izawa 21004 Ambushers Street Diamond Bar, California (Scoping meeting comment card)	Undated	August 10, 2009
II-16	John Martin 1249 S. Diamond Bar Blvd., Suite 438 Diamond Bar, California 91765	Undated	August 10, 2009
II-17	Mary Rodriquez 3419 Pasado Drive Diamond Bar, California 91765	August 10, 2009	August 10, 2009
II-18	Greg J Ogonowski 21492 Cold Springs Lane Diamond Bar, California 91765-3813	August 10, 2009	August 10, 2009
II-19	Horst Franz Abt 3414 Castle Rock Rd. Diamond Bar, California 91765 (Scoping meeting comment card)	Undated	August 10, 2009
II-20	Su Fann 21484 Cold Springs Lane Diamond Bar, California 91765 (Scoping meeting comment card)	Undated	August 10, 2009
II-21 ¹	Mary Hasegawa 21502 Cold Springs Lane Mhasegawa88@verizon.net	August 10, 2009 (9:53 PM)	August 11, 2009
II-22 ¹	Solaiman Budiman 2928 Crooked Creek Drive Diamond Bar, California 91765 (sbn21@aol.com)	August 11, 2009 (6:19 PM)	August 12, 2009

Table RTC-1 (Continued)
LIST OF COMMENTORS – WRITTEN TESTIMONY

No.	Commentor	Letter, Email, or Comment Card	
		Dated	Received
Written Comments from Non-Governmental Entities (Continued)			
II-23 ¹	Jennie Quan 2962 Crooked Creek Diamond Bar, California 91765 (Scoping meeting comment card)	Undated	August 13, 2009
II-24 ¹	Susan Ito 3815 Castle Rock Road Diamond Bar, California (Scoping meeting comment card)	Undated	August 13, 2009
II-25 ¹	Derek Roh 20931 Ambusher Street Diamond Bar, California 91765 (Scoping meeting comment card)	Undated	August 13, 2009
II-26 ¹	Derek Roh 20931 Ambusher Street Diamond Bar, California 91765 (Scoping meeting comment card)	Undated	August 14, 2009
II-27 ¹	Jane Johnson 2982 Crooked Creek Drive Diamond Bar, California (Scoping meeting comment card)	Undated	August 24, 2009
Notes: 1. Late comments received after the published closure date of the noticed comment period.			

Source: Environmental Impact Sciences

The Department’s draft response to each of these letters, emails, and comment cards is presented in Section 3.2 (Response to Comments) herein. Any recommended revisions or other modifications to the information and analysis presented in the DEIR are identified under each written response. Revisions to the DEIR are identified through the use of ~~cross-outs~~ (denoting deletions) and underlining (denoting additions). For ease of reference, underlining is also used throughout this document to identify specific chapter, section, comment, and response numbers. In that latter context, use of underlining is not intended to represent revisions to the DEIR. Unless otherwise noted, all page references herein are to the DEIR.

The City acknowledges that, for many people, emails have replaced more traditional forms of written correspondence. As such, as part of this project, the Lead Agency has accepted electronically filed comments submitted to or received by the Department Director which are clearly noted “DEIR” and/or “Site D’ Specific Plan,” and which were received during the noticed comment period established under the NOC and/or NOA. To ensure that no more or less weight is assigned, electronically filed comments are not specifically noted as such. Where no residency or business street addresses is provided, the email address is, however, presented for the Lead Agency’s and responsible agencies’ consideration. From the email address alone, unless otherwise provided in the electronic filing, it is not possible to ascertain the street address of the party or parties submitting the email comment(s).

Based on the Departments evaluation of the comments received and its continuing independent analysis of the proposed project, the Department’s recommended changes, revisions, and other

modifications to the DEIR are presented in Section 2.2 (Changes, Revisions, and Other Modifications).

1.5 Incorporation of Oral Comments

On August 3, 2009, the Lead Agency conducted a noticed neighborhood forum to solicit comments concerning both the “Site D’ Specific Plan” and the DEIR. At that meeting, parties in attendance were encouraged to ask the Lead Agency relevant questions and/or comment on the preliminary environmental findings presented in the DEIR. To the extent that the information was readily available, the Lead Agency attempted to respond to the oral comments which were received at that time. Greg Gubman, Community Development Director, conducted the meeting and Mark Rogers (TRG Land) and Peter Lewandowski (Environmental Impact Sciences) lent assistance. Those parties that elected not to submit oral comments were encouraged to submit comment cards. Comment cards received by the Lead Agency at or subsequent to that meeting are included in Appendix III-B (Comment Letters, Emails, and Comment Cards).

Individuals presenting oral testimony are listed in Table 2 (List of Commentors – Oral Testimony). The minutes of the neighborhood forum are presented in Appendix III-C (Minutes of the City of Diamond Bar Neighborhood Forum of Site “D” Specific Plan Draft Environmental Impact Report [Heritage Park Community Center, 2900 S. Brea Canyon Road, Diamond Bar, August 3, 2009]).

Table RTC-2
LIST OF COMMENTORS – ORAL TESTIMONY

No.	Commentor	Date Received
III-1	Gale Eastman	August 3, 2009
III-2	Allen Wilson	August 3, 2009
III-3	Mary Rodriquez	August 3, 2009
III-4	Christopher Chung	August 3, 2009
III-5	John Martin	August 3, 2009
III-6	Mary McCormick-Busse	August 3, 2009
III-7	Jeff Layton	August 3, 2009
III-8	Gregory Shockley	August 3, 2009
III-9	Natalia Porche	August 3, 2009
III-10	Eric Everhart	August 3, 2009
III-11	David Busse	August 3, 2009
III-12	Mark Hopper	August 3, 2009
III-13	Nancy Koziara-Clark	August 3, 2009
III-14	Cindy Moeder	August 3, 2009
III-15	Greg Ogonowski	August 3, 2009
III-16	Greg Margolese	August 3, 2009
III-17	Su Fann	August 3, 2009
III-18	Lee Paulson	August 3, 2009
III-19	Judy Leung	August 3, 2009
III-20	Frank Abt	August 3, 2009

Source: Environmental Impact Sciences

“Site D” Specific Plan

City of Diamond Bar, California

As noted in Table 1 (List of Commentors – Written Testimony) and Table 2 (List of Commentors – Oral Testimony), a number of parties submitted both written and oral comments. Both oral and written comments are addressed herein.

1.6 Independent Judgment

The Lead Agency has thoroughly considered each of the comments received and has formulated a technical response to each of the issues, concerns, and inquiries raised in written correspondence submitted to the Lead Agency with regards to the proposed project. The information and analysis presented in this RTC, in combination with that presented in the DEIR, reflects the independent judgment of the Lead Agency relative to the direct, indirect, and cumulative environmental impacts attributable to the proposed project.

This page intentionally left blank.