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PUBLIC HEARING
BEFORE THE COUNTY OF VENTURA
PLANNING COMMISSION

Approval of the Master Tract Map)
for Phase A of the Ahmanson Ranch)
Specific Plan area, Tentative Tract)
Map Number TT5206,)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
VOLUME I
THURSDAY, NOVEMBER 21, 2002
8:39 A.M.

HALL OF ADMINISTRATION
800 SOUTH VICTORIA AVENUE
ROOM 256
VENTURA, CALIFORNIA

Reported by: M. PATRICIA WARD
CSR No. 7605

1 APPEARANCES:

2 PLANNING COMMISSION:

3 CHAIRMAN:

4 MICHAEL WESNER, District 4

5 COMMISSIONERS:

6 DARYL REYNOLDS, District 2

7 BILL BARTELS, District 3

8 SELMA DRESSLER, District 5

9 LEO MOLITOR, Ph.D., District 1

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VENTURA, CALIFORNIA

THURSDAY, NOVEMBER 21, 2002

8:39 A.M.

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CHAIRMAN WESNER: Before we go to item No. 4, since the previous speaker brought up the rules, let's go through the rules real quickly.

Based on a resolution by the Board of Supervisors in 1976, the Planning Commission is a quasi judicial body set underneath the California Government Code. We are to take testimony and receive evidence and render a decision, whether it's the final decision in some manner like we did last week with the Simi Valley Landfill CUP or make recommendations to the Board of Supervisors. The policy has been established, and it's -- the hearing will be held in this manner:

First, there will be a presentation by the staff. Then there will be questions of the staff by the Commission. Then the public hearing will be open. The applicant will be allowed to speak and present, with no time limitation. However, the Commission would hope that it will be succinct. Then there will be presentation of the persons in favor of the requested action, followed by the persons in opposition to the requested action. And

1 then rebuttal by the applicant, and then closing comments
2 by the staff, and then the chair will close the public
3 hearing or continue it or whatever's the wish of the
4 Commission.

5 Now, before we move forward, I have had a
6 request, due to certain individuals in our audience, that
7 they be allowed to be taken out of order. These
8 individuals are elected officials, et cetera. Due to time
9 constraints, the Commission does have a right to reorder
10 the agenda.

11 What is the pleasure of the Commission?
12 Commissioner Bartels.

13 COMMISSIONER BARTELS: Mr. Chair, given the
14 weight of this hearing and its longstanding movement to
15 now, I would be more comfortable maintaining our
16 longstanding rules, understanding that the public
17 officials have full calendars, but also understanding that
18 the public is here to speak. I would not support taking
19 reordering the agenda.

20 CHAIRMAN WESNER: Okay. Any other commissioner?

21 COMMISSIONER REYNOLDS: I would agree with
22 Commissioner Bartels.

23 CHAIRMAN WESNER: Any other commissioners?

24 All right, then, we will take it in the order in
25 which we normally take policy. That's the way the speaker

1 cards will be represented.

2 Before we go to the staff, I would like to
3 introduce your Planning Commission. These are women and
4 men of your community that have served up here for a
5 number of years.

6 From District 1, we have Dr. Leo Molitor on the
7 extreme left. No comments on his political leadings
8 whatsoever. On our extreme right, though, from District 2
9 is Ms. Daryl Reynolds. From District No. 3, Mr. Bill
10 Bartels, one of the better farmers in our county. And a
11 young lady that I've had the pleasure of serving with for
12 a number of years, from District No. 5, Ms. Selma
13 Dressler. And I am from District 4, Simi and Moorpark.
14 So that is your Planning Commission, ladies and gentlemen.

15 I understand there are a number of rules that
16 will be entertained. I understand that this chair will
17 enforce one specific one. Anybody who talks at that
18 podium is entitled to the right to be heard freely and
19 without harassment. If there's any snickering or any
20 intimidation or extortion of the individual speaking at
21 the podium, they will be removed from this body. If it
22 tends to be more than one, the body will be removed,
23 except for the members of the media. And you will be
24 asked one by one, according to the speaker cards. I will
25 enforce this rule.

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1 Okay. With that, getting back to the five
2 minutes, that is the policy of the Planning Commission as
3 given to us in resolution by the Board of Supervisors. We
4 have over a hundred cards. That means at five minutes,
5 that's 500 minutes. We're talking ten hours of testimony.
6 Now, I do have the authority to reduce it to three
7 minutes, but I do not want to do that because that is not
8 the policy of this body. Please keep your comments brief.
9 If you find yourself to be repetitive of the previous
10 speaker, I would appreciate, as with the Commission,
11 saying that you agree with the previous speaker or
12 whatever your decision is and move on. Otherwise,
13 unfortunately, we're going to have to start enforcing the
14 three-minute rule, and I don't want to do that.

15 Secondly, as a matter of the fire marshals, this
16 room seats 150 people. I know people are going to come
17 and go. They're going to sit, and they're going to stand,
18 but at some point if the room is completely full, the
19 seats are completely full, I'm going to have to ask those
20 standing to please wait outside. This is for your safety
21 as well as liability of the county.

22 All right. We are here today for item No. 4,
23 tentative tract map number TT5206. The applicant is
24 Ahmanson Land Company, a corporate subsidiary of
25 Washington Mutual, Inc. This is for a Supplemental EIR

1 and a master tract map for Phase A. It's getting to be a
2 long day already.

3 We have a presenter from the staff. That
4 gentleman's name is Mr. Dennis Hawkins. Dennis.

5 MR. HAWKINS: Thank you. Good morning,
6 Mr. Chairman, members of the Commission. For the record,
7 my name is Dennis Hawkins with the County Planning
8 Division.

9 The matter before you is tentative tract TT5206,
10 a 30-lot subdivision filed by Ahmanson Land Company. As
11 your Commission knows, the Ahmanson Ranch Specific Plan
12 Development is a master planned community of 3,050
13 dwelling units, 400,000 square feet of commercial and
14 office space, two golf courses and various public
15 community facilities necessary for the development of a
16 small town.

17 The Ahmanson Ranch Specific Plan Development was
18 approved by the Board of Supervisors in 1992. In
19 approving the Specific Plan, the Board of Supervisors also
20 approved a development agreement that gives the developer
21 certain legal rights with respect to the development of
22 this project, so long as a development is consistent with
23 the approved Specific Plan.

24 The Ahmanson Ranch is located in southeast
25 Ventura County and is adjacent to the Bell Canyon

1 community, which is a single-family estate community on
2 the north side of the Ahmanson Ranch. On the east side of
3 the Ahmanson Ranch is the City of Los Angeles and the City
4 of Hidden Hills, which is also single-family residential
5 communities. To the south is the unincorporated community
6 of Mountain View Estates and the City of Calabasas, which
7 is also primarily a single-family with some apartment
8 development within the City of Calabasas. To the west of
9 the Ahmanson Ranch is the Las Virgenes Canyon and Palo
10 Comado Canyon open space areas.

11 The Ahmanson Ranch Specific Plan will be
12 developed in four phases. As shown on Exhibit 3 of your
13 staff report -- if we can get the -- maybe not. At any
14 rate, the project is developed into four phases: A, B, C
15 and D. The project that's before you, tentative tract
16 5206, is a request for the master -- is the master
17 subdivision for the first phase of that development.

18 It's important to note that today's hearing is
19 not and should not be a referendum as to whether the
20 Ahmanson Ranch development should or should not have been
21 approved in 1992. Your Commission is asked to focus
22 solely on the merits on this 30-lot subdivision which must
23 be approved or not approved, based on how your Commission
24 deems the tract map comports with the findings required by
25 the county subdivision ordinance.

1 Tentative tract map 5206 is the first
2 discretionary entitlement that would begin to implement
3 the 1992 Specific Plan. I'm not sure why this isn't
4 coming on.

5 CHAIRMAN WESNER: Do you need some assistance,
6 Mr. Hawkins?

7 MR. HAWKINS: I think we'll just go without --

8 CHAIRMAN WESNER: See, now this is where the
9 Jeopardy theme song would really work out.

10 MR. HAWKINS: Let me just go on.

11 Your Commission has access to these exhibits.

12 The purpose of this particular entitlement is to
13 identify the -- you're looking at Exhibit -- as I said, I
14 think maybe we'll just --

15 CHAIRMAN WESNER: Who's our cable carrier here?
16 I want to know.

17 MR. HAWKINS: This is a map of the entire
18 Specific Plan that was approved in 1992. The area that is
19 currently under consideration -- the area currently under
20 consideration is Phase A in the southeast corner of the
21 specific planned area. The tract map itself consists of
22 30 lots, 18 parcels of which would be developed for future
23 private development of a golf course in the northern
24 portion of the property, a small commercial site for 5,000
25 square feet of commercial, a public housing property,

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1 several residential neighborhoods that would all together
2 allow up to 715 dwelling units, including second dwelling
3 units, an affordable housing site and a number of
4 community open space parcels.

5 The development is planned so that the lowest
6 density development is on the south and east portion of
7 the project, which is adjacent to the community of Hidden
8 Hills, which is a large rural estate community, and
9 Mountain View Estates, which is also similarly developed.

10 The Phase A portion of the Specific Plan area
11 also includes an Edison substation in this area, a
12 community recycling center in this area and a school and a
13 public park.

14 Topographically the site is dominated by -- is
15 dominated by a feature known as Laskey Mesa. This is a
16 200-acre grassland plateau located in the center of the
17 project. To the north, the project slopes down to East
18 Las Virgenes Creek, which is now famous for the red-legged
19 frog, and to the southeast towards Long Valley Drain to
20 the City of Hidden Hills. To the south, the property
21 slopes down towards Crummer Canyon and Gates Canyon in the
22 area of Mountain View Estates.

23 The property -- the proposed project would
24 include bulk grading in the amount of 12 to 14 million
25 cubic yards of earth movement. Grading is subject to the

1 Ahmanson Ranch Specific Plan requirements, which include
2 grading design standards which call for the employment of
3 contour or what's otherwise known as landformed grading
4 techniques, which are generally intended to result in --
5 in finished slopes that are designed to emulate more
6 natural landforms rather than traditional grading, which
7 uses more angular slope designs.

8 According to the preliminary geotechnical report
9 prepared by GeoSoils Consultants, the project does not
10 pose any particular safety difficulties in terms of
11 development of this project. This report has been
12 reviewed by the County Public Works Agency and has -- they
13 have agreed with that conclusion.

14 The proposed subdivision is estimated to impact
15 approximately 844 oak trees. Oak tree removals are
16 governed by this Specific Plan transplanting and
17 replacement requirements. Trees that will be removed must
18 be replaced essentially on a five-to-one basis, with
19 replacement oaks ranging from 15-gallon to 48-inch box oak
20 sizes, depending on the health and size of the tree being
21 removed.

22 Access to the site is via Victory Boulevard on
23 the east and Thousand Oaks Boulevard to the south.
24 Victory Boulevard is an existing facility constructed up
25 to the county line to four-lane standards, although it is

1 not striped or currently utilized as a four-lane facility.
2 Thousand Oaks Boulevard would need to be extended
3 approximately 2,000 feet north to the county line along an
4 existing easement within the Mountain View Estates
5 development.

6 The development of -- or the construction of
7 Thousand Oaks Boulevard is dependent upon an oak tree
8 permit which must be issued by the County of Los Angeles
9 for the removal of approximately nine oak trees along that
10 alignment. This particular permit has been on appeal in
11 the County of Los Angeles Planning Commission since 1994.

12 Internal circulation is directed off of an
13 existing four-lane facility -- planned four-lane facility,
14 which is described as A Street in your exhibit. And from
15 that, several roads extend off of it to create the
16 backbone circulation system for this project.

17 With regard to services -- oh, I'm sorry, one
18 other thing. The circulation system has been reviewed by
19 the Planning Director and has been determined to be
20 consistent with the specific plan, even though some
21 alterations have been made to accommodate the red-legged
22 frog and the spineflower issues.

23 With respect to services, potable water will be
24 the responsibility of the Ahmanson Ranch Community
25 Services District who will provide both potable and

1 recycled water supplies to the project. The Community
2 Services District will purchase its water from Calleguas
3 Municipal Water District who, in turn, receives its water
4 from the Metropolitan Water District.

5 The developer has a contract which requires the
6 delivery of 8.8 million gallons per day of potable water.
7 However, the project is only estimated to use 4.6 million
8 gallons per day under the worst case summer condition.
9 Metropolitan indicates that it has adequate supplies for
10 at least the next 20 years, even under drought conditions,
11 to provide the water necessary for this project.

12 With respect to non-potable water, non-potable
13 water will be used for the golf course and landscape
14 irrigation and for construction dust control. Non-potable
15 water sources include reclaimed water received from the
16 Tapia Wastewater Treatment Plant and eventually from an
17 on-site wastewater treatment facility. In addition, the
18 reclaimed water will be augmented by water from Ahmanson
19 Ranch well number 1 and by potable water, if necessary.

20 Non-potable demand for this project is estimated
21 to be just under two million gallons per day during peak
22 summer periods. The Supplemental EIR indicates that
23 during those summer peak periods, additional either
24 non-potable or potable supplies would need to supplement
25 the reclaimed and well water.

1 With regard to sanitation, the project will be
2 served by Triunfo Sanitation District. Initially sewage
3 will be transported to the Tapia treatment facility, but
4 eventually, as I said earlier, a waste facility will be
5 constructed on site. However, solids will continue to be
6 transported to Tapia. Triunfo indicates that it can
7 adequately serve the site for sanitation purposes.

8 Fire services will be provided by the Ventura
9 County Fire Protection District. During the initial phase
10 of the project, interim fire protection will be provided
11 either by a contract with Los Angeles County, which
12 operates an existing station nearby in the City of
13 Calabasas, or the developer will be required to provide a
14 temporary fire station on site. The details of the
15 interim fire protection plan must be approved by the Fire
16 Protection District prior to recordation of the proposed
17 tract map. Long-term fire protection will be provided by
18 a permanent fire station constructed by the developer in
19 the Phase B portion of the project.

20 With respect to schools, the Oak Park Unified
21 School District will provide school service for the
22 students of this project. Initially all of the students
23 will be bussed to the Oak Park community. Ultimately
24 elementary and middle school students will attend schools
25 within the project area. As I mentioned earlier, there is

1 an elementary school site within the Phase A portion of
2 the project. However, even at build-out, the Oak Park
3 High School -- I'm sorry. The high school students from
4 this project will attend an expanded Oak Park facility.
5 The School District has signed an agreement with the
6 developer to provide the funds necessary to pay for both
7 the temporary and permanent construction on the site and
8 in Oak Park.

9 With regard to parks, Rancho Simi Recreation
10 Park District will provide park services. The project
11 will provide both neighborhood and community parks for
12 active recreation and will provide more than 900 acres of
13 community open space for passive recreation and resource
14 conservation purposes. The resource -- the Rancho Simi
15 Recreation Park District has entered into a contract with
16 the developer for the development of the parks on the
17 site.

18 Pursuant to both state law and county ordinance,
19 in order to approve the requested subdivision, your
20 Commission must make certain findings. First, with
21 respect to the California Environmental Quality Act.

22 In 1992, the Board of Supervisors certified a
23 comprehensive EIR for the Ahmanson Ranch Specific Plan.
24 This is Exhibit 5 in your package. This document was
25 challenged in court. It was ultimately upheld by the

1 California Court of Appeal as an adequate environmental
2 document.

3 Under the California Environmental Quality Act,
4 additional EIR analysis is prohibited, unless there is
5 substantial changes to the project which result in new
6 significant effects not previously analyzed or there are
7 substantial changes with respect to the circumstances
8 under which the project is reviewed or important new
9 information, either of which create or result in new
10 significant impacts not addressed by the EIR.

11 In the spring of 1999, it was discovered there
12 were two additional sensitive species that reside on the
13 Ahmanson Ranch. And, as I mentioned earlier, they are the
14 San Fernando Valley spineflower, a plant previously
15 thought to be extinct, and the California red-legged frog,
16 a species which is designated as federally threatened. As
17 a result of these discoveries, this was considered to be
18 significant new information that required supplemental
19 environmental review. As a result of this, the county
20 prepared a Supplemental Environmental Impact Report to
21 primary address the impacts of these species and secondary
22 effects associated with the applicant's proposed
23 mitigation program with regard to these species.

24 And while we're on that topic, as I mentioned
25 earlier, the circulation system within the project was

1 revised to try to protect both the red-legged frog and the
2 spineflower. In addition, adjustments were made to the
3 Master Grading Plan, the Master Drainage Plan, the Urban
4 Run-off Management Plan, the Wildlife Fuel Modification
5 Program in order to accommodate these sensitive species.
6 These adjustments were determined to be consistent with
7 the Specific Plan by the Planning Director and pursuant to
8 his authority under the Specific Plan.

9 It's noted that nearly all of the spineflower
10 habitat and all of the frog habitat would have been
11 destroyed without these adjustments. As it now stands,
12 approximately 97 percent of the spineflower plants would
13 be preserved under the proposed mitigation program, and
14 all of the frog ponds and upland habitat within 300 feet
15 of the frog ponds would be preserved. Additional
16 mitigation for these species include development of
17 habitat conservation plans, spineflower revegetation
18 program, captive frog-breeding program, a public education
19 program, monitoring and protection of water supply and
20 water quality for the frog preserve and an exotic species
21 removal program.

22 The SEIR concludes that with these mitigation
23 measures and others found in the EIR and those proposed by
24 the applicant, these sensitive -- impacts on these
25 sensitive species can be reduced to a

1 less-than-significant level.

2 Commenters on the Supplemental EIR have
3 submitted substantial written comments related to the
4 adequacy of the EIR. These comments and responses to
5 these comments submitted during the SEIR public review
6 period are included in Volume II and III of the SEIR.
7 Additional comments relating to the adequacy of the
8 preliminary Final Supplemental EIR were submitted after
9 the public comment period closed and are included in
10 Exhibit 14. While I cannot address all of the issues
11 raised, there were a few issues that stand out as being
12 particularly worthy of your Commission's consideration.

13 First is an argument over the type of
14 environmental document that should have been prepared.
15 Some individuals believe that a more comprehensive
16 subsequent environmental document should have been
17 prepared rather than a Supplemental EIR which attempts to
18 simply close the gaps in the 1992 EIR since that document
19 did not address those two sensitive species.

20 There are -- as I said, there's two types of
21 documents that can be prepared under CEQA. The standards
22 for deciding which one to prepare falls to one word, and
23 that is if major changes are needed to make the
24 original -- the previous environmental document adequate,
25 then you have to prepare an entirely new environmental

1 document called a subsequent environmental document.

2 If the lead agency determines that the changes
3 necessary to essentially fix the existing document are
4 relatively minor, then a supplement is prepared.

5 It was the recommendation of the Planning
6 Division staff that the lesser document be prepared, and
7 this was considered by the Board of Supervisors on
8 December 10th, 2000. And the Board upheld the Planning
9 Division's determination. However, some commenters
10 continue to believe that the changes and circumstances and
11 new information that have occurred since 1992 warranted
12 replacement of the 1992 EIR with a subsequent EIR.

13 At minimum, some commenters believe that the
14 SEIR should be expanded beyond the issues that it covers
15 now. They suggest that it be expanded to include
16 additional topics, including, but certainly not limited
17 to, a new traffic study and cultural resources analysis.

18 With respect to traffic, many individuals have
19 expressed concern with the traffic impacts of the project.
20 In fact, I'd say a majority of the comments that you've
21 received raise this issue in one way or another. The
22 County Transportation Department maintains traffic impacts
23 of this project were adequately addressed in the 1992 EIR.
24 The project itself -- the traffic impacts of the project
25 itself have not changed.

1 An argument has been made that the County should
2 not rely on a ten-year-old traffic study. However, there
3 is nothing under CEQA that provides a time limit on how
4 long studies are valid. Some individuals have indicated
5 that traffic on the U.S. 101 freeway is higher now than
6 would have been predicted by the 1992 EIR. The
7 Supplemental EIR in response to this comment has indicated
8 the traffic congestion on the 101 freeway as of the
9 current time is approximately six percent higher than if
10 you prorated the EIR's analysis to the current year.
11 However, the County Transportation Department indicates
12 that's well within their standards for a traffic
13 projection that's intended to extend for 20 years.

14 With regard to cultural resources, some
15 commenters have challenged the environmental analysis that
16 was conducted in the 1992 EIR because it was based, at
17 least in part, on a mule-back survey. In addition, the
18 City of Calabasas archeological consultant, Mr. Chester
19 King, disagrees with the conclusions of that EIR, which
20 said that the archeological sites within the Phase A
21 portion of the project are insignificant vegetation
22 processing stations. Mr. King believes that this was a
23 residential area and, as such, may include burial areas
24 and other important Native American resources. However,
25 preliminary archeological excavations have not supported

1 this particular theory. This issue was addressed in the
2 1992 EIR, including the concerns raised by Mr. King.

3 Again, some -- after the close of the public
4 comment period, the SEIR was revised at the direction of
5 the Environmental Report Review Committee to respond to
6 these extensive public comments. The changes to the
7 Supplemental EIR text are highlighted in legislative
8 format so you can see what changed from the draft to the
9 final.

10 Under CEQA requirements, recirculation of an EIR
11 is required when a significant new environmental effect
12 may result from the project or from a new mitigation
13 measure where a substantial increase in the severity of an
14 environmental impact occurs, unless mitigation measures
15 are adopted that reduce the level to a
16 less-than-significant -- or feasible project alternatives
17 or mitigation measures considerably different from others
18 previously analyzed but which the applicant declines to
19 adopt.

20 One issue has been raised as a rationale for
21 recirculation after the close of public hearing discussion
22 related to perchlorate found in Ahmanson well number 1
23 occurred. Perchlorate is a hazardous substance often
24 associated with rocket fuel, but also appears under both
25 natural and other manmade conditions. We do not know what

1 the source of the perchlorate is in the Ahmanson Ranch
2 well. Some have theorized that it may have come from the
3 Rocketdyne facility, but we simply don't know at this
4 point. The ERRC committee recommended --

5 CHAIRMAN WESNER: Ladies and gentlemen, I
6 cautioned you about snickering.

7 MR. HAWKINS: The ERRC committee recommended
8 that this issue be addressed by the addition of a
9 mitigation measure that would require testing of the well
10 to determine if, in fact, perchlorate is in the well. As
11 I said, we had one positive test with perchlorate. We do
12 not know if it was a false positive or not, but continuous
13 testing is necessary. If perchlorate is determined to be
14 in the well, then the requirement would be that it be
15 treated or the well be shut down.

16 In addition, some individuals expressed the
17 concern if there is a connection to the Rocketdyne
18 contamination plume that exists on that property to the
19 north, then drawing water from this well could potentially
20 draw that contaminated plume further away from that
21 project and perhaps impact other water wells.

22 To address this issue, the ERRC committee
23 required that quarterly and annual testing be conducted to
24 evaluate whether or not there was any connection to the
25 Rocketdyne plume. There are approximately 200 testing

1 wells around the Rocketdyne plume that currently do not
2 show perchlorate contamination. Thus -- and the
3 perchlorate -- I'm sorry, the contamination plume is
4 constantly monitored by these wells so that we'd have a
5 pretty clear idea if the contamination plume is expanding
6 in the direction of Ahmanson Ranch. Should that occur,
7 then the requirement would be that the well be shut down.
8 And, as I said, some people have indicated that this is a
9 significant new issue that should have required
10 recirculation.

11 County counsel indicated that since the -- if
12 the issue could be mitigated to a less-than-significant
13 level with the proposed mitigation and if the applicant
14 agreed to it, which they did, then recirculation would not
15 be required.

16 On October 30th, 2002, the Environmental Report
17 Review Committee recommended the certification of the
18 Environmental Impact Report. This occurred after six
19 lengthy public hearings and after having reviewed many
20 thousands of pages of public comments, which, as I said,
21 have been included in Volumes II and III of the EIR and
22 Exhibits 12, 13 and 14 of your staff report.

23 If your Commission proposes -- or chooses to
24 approve tentative tract 5206, the county subdivision
25 ordinance requires that your committee make certain

1 findings. These findings are outlined in Section C of
2 your staff report. In the interest of time, I won't go
3 through each specific finding except to say that staff has
4 provided your Commission with staff analysis regarding
5 each of these findings, and we believe your Commission can
6 make affirmative findings with regard to these subdivision
7 map requirements.

8 Of particular importance is a requirement that
9 the -- of the subdivision ordinance that requires the
10 finding that the subdivision and its design is consistent
11 with the county General Plan, the Ahmanson Ranch Area Plan
12 and the Ahmanson Ranch Specific Plan. Planning staff has
13 reviewed these documents as well as other applicable
14 landuse policy documents and finds that the proposed
15 subdivision is consistent with these documents, with the
16 one exception of the Santa Monica Mountains Comprehensive
17 Plan.

18 As indicated in your staff report, the
19 Comprehensive Plan designates the Ahmanson Ranch for
20 20-acre parcels. The Board of Supervisors in 1992 waived
21 the requirements of this plan with respect to Ahmanson
22 Ranch, so that is no longer an issue effective -- or
23 applicable to this project.

24 Some project opponents have argued that the
25 project is inconsistent with one or more county General

1 Plans or other policy document policies. To the extent
2 that staff was aware of these disagreements, we have
3 provided for your Commission a summary of the
4 disagreement, along with staff analysis. This is found in
5 Exhibit 11 of your staff report.

6 Since the distribution of your Planning
7 Commission staff report, additional communications have
8 continued to pour in. Staff has reviewed correspondence
9 received at least as of yesterday afternoon. Most of the
10 correspondence is simply a restatement of issues that have
11 previously been raised in the environmental hearings.
12 However, there are two documents that I want to
13 particularly bring to your attention, not so much because
14 of what they say, but who wrote them.

15 Fish & Game -- California Department of Fish &
16 Game and the California Regional Water Quality Control
17 Board are both state agencies that have regulatory
18 authority over this project. They must issue subsequent
19 permits and rely upon the use of the Supplemental EIR.

20 The Fish & Game -- or the Fish & Game Department
21 submitted a letter indicating that that agency is likely
22 to require greater protections for the spineflower than
23 that described in the Specific Plan. In a telephone
24 communication with the author of that letter, Mr. Chuck
25 Resbrook, he indicated that he wanted to clarify for your

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1 Commission that that letter was not intended to be an
2 attack on the Supplemental EIR, which he finds acceptable
3 for the Department's purposes, but was simply intended to
4 convey that additional details would need to be worked out
5 as a part of the Fish & Game permit process.

6 The Regional Water Quality Control Board also
7 submitted a letter indicating that they continue to have
8 serious concerns with regard to the environmental
9 document. They are particularly concerned that the county
10 chose not to impose mitigation that would prohibit grading
11 for the entire five-month rainy season, and that the ERRC
12 Committee ignored the Regional Board's request to delay in
13 order to study the perchlorate issue further. As I've
14 already indicated, the perchlorate issue was addressed by
15 the ERRC Committee by the additional mitigation.

16 The need for a five-month prohibition on grading
17 is an extraordinary measure which was not supported by any
18 of the documentation submitted by Regional Board.
19 However, in response to this issue, the EIR has been
20 revised to include a measure that would require the
21 developer to demonstrate, to the satisfaction of the
22 County Public Works Department prior to the first rainy
23 season, that all of the sedimentation control facilities
24 are in place and designed to control erosion from the
25 project during storm event, up to a hundred-year storm

1 event.

2 Also, several of the letters have raised
3 concerns regarding the timeliness of the hearing notice
4 that was sent out to the public. The county subdivision
5 ordinance requires that a hearing notice be sent out at
6 least ten days prior to the public hearing. Notices were
7 mailed out on November 8th, well in advance of that
8 requirement, but apparently were returned for lack of
9 sufficient postage. The documents were remailed, but
10 because of an intervening holiday, the public received, at
11 most, nine days' notice of today's hearing. The matter
12 has been reviewed by county counsel who has advised that
13 the abbreviated public notice is not a bar to today's
14 hearing going forward.

15 We have submitted one additional exhibit for
16 your Commission's consideration. This is an errata
17 addressing minor changes to Exhibit 8, 10 and 14.72.

18 With regard to Exhibit 8, there is a
19 clarification regarding the criteria for evaluating
20 compliance with Air Quality Mitigation Measure 2, which
21 has to do with pref -- the developer requiring
22 preferential treatment for grading contractors who utilize
23 equipment designed to eliminate diesel particulate.

24 With respect to Exhibit 10, late yesterday the
25 Public Works Department requested modifications to several

1 of their proposed conditions. They have proposed deletion
2 of condition T-2 and revised text be provided for
3 conditions T-7 and M-2. These changes all relate to
4 clarification of the Public Works Agency's requirements
5 with respect to improvements of the backbone circulation
6 system and requirements for surety to ensure that if
7 there's any damage to the public road system, the
8 developer will be able to repair them. Apparently public
9 roads are sensitive to the use of heavy vehicles. The
10 applicant has reviewed the proposed conditions, including
11 the revisions proposed by Public Works, and has agreed to
12 accept them.

13 And, finally, Exhibit 14.72 would provide a
14 replacement page, which simply clarifies some of the
15 responses to Mark Sotelo's letter dated 10/30/02 regarding
16 the need -- or the perceived need to amend the Specific
17 Plan.

18 Staff recommendation: The staff recommends that
19 your Commission recommend to the Board of Supervisors with
20 regard to the environmental document the certification of
21 the Supplemental EIR, which is Exhibit 6 of your staff
22 report, adoption of the proposed CEQA findings for
23 tentative tract 5206, which is Exhibit 7 of your staff
24 report package, which, among other things, indicates that
25 the 1992 final EIR and the current Supplemental EIR

1 together constitute the required environmental
2 documentation necessary for the Board's discretionary
3 approval of tentative tract 5206 and adoption of the
4 Mitigation Monitoring and Reporting Program, which is
5 Exhibit 8 in your staff report package.

6 Additionally, staff recommends that the Board of
7 Supervisors -- that you recommend to the Board of
8 Supervisors adoption of the proposed subdivision ordinance
9 findings, which are provided in Section C of the staff
10 report.

11 And, finally, recommend that the Board of
12 Supervisors approve tentative tract 5206 subject to
13 staff-recommended conditions, Exhibit 10 as revised, and
14 incorporating the Mitigation Monitoring Program,
15 Exhibit 8, as revised by the errata.

16 This concludes the staff's presentation, unless
17 there are questions from your Commission.

18 CHAIRMAN WESNER: Any questions for staff at
19 this time?

20 Commissioner Molitor.

21 COMMISSIONER MOLITOR: Thank you, Mr. Hawkins,
22 for a comprehensive report.

23 I have a couple questions. One had to do with
24 the Metropolitan Water District's guarantee of sufficient
25 water, even in time of drought. If there is a serious

1 drought and we've just completed one of the phases, does
2 the contract provide for the Metropolitan Water District
3 or for the applicant to stop the phasing until more water
4 is available, or are they completely contracted for the
5 entire phasing?

6 MR. HAWKINS: The contract goes to the entire
7 project. If there was a drought and Metropolitan, despite
8 its assurances to the contrary, was not able to provide
9 sufficient water, then water would be reduced as it would
10 be for any other project in Ventura County. There would
11 be a cutback, and people probably would not be allowed to
12 water their lawns, and the golf courses may go dry.

13 COMMISSIONER MOLITOR: My second question:
14 Approximately how many wells are on this site?

15 MR. HAWKINS: Water wells?

16 COMMISSIONER MOLITOR: Water wells.

17 MR. HAWKINS: There are three water wells on the
18 site that would be closed down as a part of this project
19 and abandoned. There are, I think, four or five that have
20 already been abandoned. And then water well number 1,
21 which I mentioned earlier, which is actually not located
22 on site but just off site.

23 COMMISSIONER MOLITOR: Have all these wells been
24 tested for contaminants, even the ones that are going to
25 be closed to see what effect it might have on ground

1 water?

2 MR. HAWKINS: No. The only well that was tested
3 for contaminants is the well that was proposed to be used.

4 COMMISSIONER MOLITOR: Thank you.

5 CHAIRMAN WESNER: Any other questions of staff?
6 Commissioner Reynolds.

7 COMMISSIONER REYNOLDS: I just first wanted to
8 state that I have been out on the property. I went on a
9 tour provided by the Planning Department, and during that
10 tour, I was shown oak trees that have been grown by the
11 developers. And are you -- you said that the trees would
12 be placed five to one. Where -- the trees that have
13 already been planted on the property that were grown, were
14 those part of the five to one, or will there -- will those
15 not be counted in the total?

16 MR. HAWKINS: The applicant proposes that they
17 be included in the five-to-one plantings, and that would
18 happen, assuming that the Planning Director can make a
19 determination that they were planted in accordance with
20 the requirements of the tree replacement requirements. In
21 other words, they have to have been planted in the
22 community open space areas. They have to have been
23 monitored for at least five years, and they have to be in
24 good health condition.

25 COMMISSIONER REYNOLDS: Do you know how many

1 trees they have grown in there planted?

2 MR. HAWKINS: I believe it's in the neighborhood
3 of 2,000. Is that correct? 2000.

4 COMMISSIONER REYNOLDS: And one other question.
5 There's talk of the topsoil when the grading
6 takes place. As the grading takes place, will the topsoil
7 from that area be stockpiled on that property, or will all
8 the topsoil be taken and put in one particular place and
9 then put back?

10 MR. HAWKINS: I don't know the answer to that
11 question. You're asking if the topsoil itself will be
12 preserved for some purpose?

13 COMMISSIONER REYNOLDS: Yes.

14 Well, it says in the EIR, in one of the things
15 that I read, that they will be using the topsoil. And I
16 just wonder where it's going to be stockpiled. Will it be
17 one general area, or will it be stockpiled within the area
18 that they are just grading?

19 MR. HAWKINS: I would suggest that question be
20 forwarded to the applicant when they get their
21 opportunity. I'm not sure.

22 COMMISSIONER REYNOLDS: Thank you.

23 CHAIRMAN WESNER: Any other questions of staff?

24 Okay. Since we've had one disclosure of
25 visiting the property, are there any other disclosures?

1 COMMISSIONER DRESSLER: Yes. Mr. Chairman, I,
2 too, visited the property.

3 CHAIRMAN WESNER: Any significant evidence that
4 you observed that you wish to declare at this time?

5 Commissioner Molitor.

6 COMMISSIONER MOLITOR: I also went with
7 Commissioner Dressler to the property, and I have no
8 comments about what I saw. No problem.

9 CHAIRMAN WESNER: Commissioner Bartels.

10 COMMISSIONER BARTELS: I also toured the
11 property and had significant discussions with Dennis
12 Hawkins, as we've been reviewing this large pile of paper.

13 CHAIRMAN WESNER: The chair has, also, which was
14 his third visit in the last eight years. Those related --
15 previously related to other matters, lot line adjustments,
16 et cetera. The chair did observe the area set aside for
17 the red-legged frog, as well as the spineflower and the
18 proposed grading. And I did receive one cookie. I think
19 that qualifies under the \$25 limit of influence.

20 COMMISSIONER REYNOLDS: I got a bottle of water.

21 CHAIRMAN WESNER: Just for the public's
22 information, that's under our rules as provided by the
23 County Board of Supervisors, as long as we did not attend
24 it as a body, but individually. Then as long as a
25 disclosure is made at the hearing, that that's sufficient,

1 as far as the Brown Act is concerned.

2 Does the county counsel concur with that?

3 COUNTY COUNSEL: Yes.

4 I also concur with the timing as pointed out in
5 the letter that objected to it. And in the rules, that
6 the information should be disclosed at this time,
7 including any evidence and observations and familiarity
8 with the property that any of you have so that the public
9 can comment on it during their comment period. And there
10 is -- the request on the letter was to have a meeting held
11 at the property. First of all, that can't be required of
12 the applicant. And, second, that isn't a required remedy
13 in their own rules. The remedy is that you disclose it.

14 CHAIRMAN WESNER: And, also, it's my
15 understanding under the Brown Act, the Government Code,
16 since obviously the evidence, which is the property,
17 cannot be brought into the hearing, it is our duty to go
18 investigate it at the site. So I feel comfortable with
19 that, also.

20 I do have a question of counsel before we
21 proceed to the applicant in opening the public hearing.
22 First, Counselor, is the fact that -- is there any
23 specified statute of limitations on an EIR that has been
24 finalized under CEQA?

25 COUNTY COUNSEL: Well, there's a statute of

1 limitations for filing a challenge in court to it, but
2 there's no limitation on the effectiveness of the EIR,
3 other than the data needing to be supplemented by a
4 supplemental or subsequent EIR. There is one case
5 published, I'm aware of, on the point that held that.
6 It's a San Francisco case, which I can get on a break if
7 you'd like. But as staff pointed out, there's no limit on
8 the effectiveness of the EIR approved in 1992 under CEQA
9 or its guidelines in court cases.

10 The only thing that has to be analyzed, as was
11 done for the example given in traffic, is that the agency
12 has to evaluate whether the data is still adequate for
13 CEQA analysis.

14 CHAIRMAN WESNER: Thank you.

15 Any other questions of county counsel at this
16 time?

17 Okay. Before opening the public hearing, I want
18 to caution people again, we're getting close to the limit
19 as far as the fire marshal. As long as I see empty seats,
20 I don't have any problem with people moving around in
21 back.

22 I would request, as you see in the front, that
23 all beepers and pagers get turned off. The only remedy I
24 have found effective in court was when the judge would put
25 me at the end of the agenda. Your client tends not to

1 like that. So please turn them off because we want to
2 hear what everybody has to say up here, without the
3 distraction.

4 So without any further ado, I'm --

5 COMMISSIONER MOLITOR: Is it possible if this
6 room fills up, that any speakers in the lobby or --
7 there's another room downstairs, that people could go to
8 hear the proceedings? There's no --

9 CHAIRMAN WESNER: Staff will address that.

10 PLANNING DIRECTOR: Yes, there is, our
11 understanding, a room set up, an additional room, where
12 they can have access to the hearing, and at the time we
13 start inviting speakers, the chairman may identify those
14 that are coming up on a list. If they are in the other
15 room, can come in and join us. That will be up to the
16 chairman, but there is a location set up in the event that
17 we get full here.

18 COMMISSIONER MOLITOR: And they will be able to
19 hear the proceedings in those rooms?

20 PLANNING DIRECTOR: Yes.

21 COMMISSIONER MOLITOR: Thank you. Thank you.

22 CHAIRMAN WESNER: It will be the chair's
23 protocol to announce the two following speakers to
24 obviously allow them enough time. If I'm informed that
25 they have -- unfortunately have done the Academy Awards

1 thing and gone to the rest room, the chair will allow a
2 little leeway in that regard, so we'll make every attempt.

3 Just so you know, if a commissioner should leave
4 the dais, because there are some medical conditions up
5 here, there are speakers in the back so that they can
6 continue to hear the public testimony, so your comments
7 will be heard by the entire body.

8 All right. At this time, then -- just some
9 housekeeping. It is the chair's intention at the
10 appropriate time to take a break as close to 10:00,
11 probably right after the applicant's presentation. We
12 will keep that to a short ten minutes. I will keep this
13 tight to the schedule, as long as the boss down in front
14 of me tells me I can. So, actually -- here we go.

15 Okay. I've been advised by the boss that the
16 overflow room is on either side of the Board of
17 Supervisors. And I understand there's speakers also in
18 the lobby.

19 All right. With that, we will now open the
20 public hearing. As is per our protocol, the presentation
21 of the applicant is first. They are under no time
22 limitation, but I think they would be sensitive to the
23 fact that the public wishes to speak, and the number of
24 cards continue to grow. So on behalf of the applicant,
25 who would like to speak first?

1 MR. WESTON: Good morning, Mr. Chair, members of
2 the Planning Commission. My name is Steve Weston. I
3 represent the Ahmanson Land Company and Washington Mutual.
4 It's been ten years since we were last before the Planning
5 Commission. It's good to be back.

6 Before beginning the applicant's presentation,
7 which we will try to keep to a half an hour, I wanted to
8 note that also in addition to me speaking this morning,
9 Mr. Guy Gniadek, the president of Ahmanson Land Company,
10 will be speaking. We have some Power Point slides that we
11 will be presenting as part of our presentation and, also,
12 a short video, which is part of the Power Point.

13 As you know, this project was approved by the
14 Board of Supervisors of the County of Ventura in 1992. As
15 staff has already mentioned, and as I'm sure you're aware,
16 we're not here today to reconsider that project approval.
17 We are here for the limited purpose of looking at the
18 adequacy of the Phase A tract map, the conditions and
19 findings and the adequacy of the Supplemental
20 Environmental Impact Report.

21 As to the Supplemental Environmental Impact
22 Report, that looks at new issues, and as staff has
23 reminded the Planning Commission and the public, those new
24 issues relate to things that were not fully analyzed in
25 the 1992 EIR -- I'm getting some technical assistance

1 here. And that is what indeed the Supplemental EIR has
2 done.

3 You will recall the reference to the discovery
4 of the spineflower and the red-legged frog. Those are the
5 principal issues that take up the bulk of the Supplemental
6 EIR. There are other discrete issues analyzed as well.

7 One issue, as staff has noted, that is not
8 restudied or analyzed in the supplemental impact report is
9 traffic, and that is because it has been determined that
10 the 1992 EIR fully analyzed all of the traffic impacts of
11 this project. That EIR made certain predictions about
12 traffic, which have proven to be true still today, and
13 that is with respect to the growth along the 101 corridor,
14 as well as on surface streets.

15 We have also been told and it is a fact that
16 this has been an extensive and comprehensive environmental
17 review process. The normal review period for a project of
18 this type, an EIR, is 45 days. Your county kept the
19 public review period open for 120 days. Already before
20 appearing here today, we have six public hearings before
21 the Environmental Review Report Committee, and staff and
22 staff's consultants have responded to over 6,000 pages of
23 public comments.

24 When this project was first approved in 1992,
25 Ahmanson made several promises to the county and to the

1 public. The last ten years have not been wasted.
2 Ahmanson has kept those promises. We promised, among
3 other things, to deliver private lands in private
4 ownership, totaling 10,000 acres to permanent public
5 ownership as part of the conditions of the project
6 approval. We have done that.

7 We promised to develop a comprehensive and
8 innovative environmental protection program for the ranch,
9 one that could demonstrate that people can live in harmony
10 with our natural resources in the environment and with the
11 Resources Management Program, which is a summarized topic
12 on this slide. We have done just that.

13 We promised to create a mechanism to guarantee
14 that these environmental protections would remain in place
15 long after this development is completed, and the
16 development -- the developer has left. And we have done
17 that with the creation of Las Virgenes Institute.

18 Finally, we made some promise to ourselves. And
19 that was to see this project through. This project will
20 provide not only comprehensive environmental protections,
21 it will serve as an economic engine for the county and for
22 the region. And, more importantly, it will respond in
23 some small way to the terrible housing crisis that we
24 currently face. We made those promises, and we intend to
25 carry those out as well.

1 With that, I'll turn the podium over to Mr. Guy
2 Gniadek. Thank you.

3 CHAIRMAN WESNER: Mr. Gniadek, if you'd state
4 your name and address for the record, please, sir.

5 MR. GNIADEK: Thank you very much.

6 My name is Guy Gniadek. I'm at 25343 West
7 Mureau Road in Calabasas, California. I'm the president
8 of the Ahmanson Land Company, and I'd like to thank the
9 commissioners for allowing this hearing to move forward
10 today. I do appreciate the importance of today and the
11 efforts of the county and its staff and what they put
12 forth for the Ahmanson Ranch and the SEIR for the Phase A
13 tract map.

14 As you can see from the map, Phase A is located
15 in the southeastern portion of the specific plan area,
16 with the southerly and easterly borders being the county
17 line. This portion of the project is surrounded by
18 development in the City of Los Angeles, the County of Los
19 Angeles and the City of Hidden Hills.

20 The primary access for Phase A will be the
21 extension of Thousand Oaks Boulevard to Victory Boulevard,
22 both of which have been on the master plan of highways for
23 the County of Los Angeles for more than 50 years.

24 This portion of the project is also the
25 beginning of a town plan, which is designed to be

1 pedestrian-friendly. It consists of 871 acres, and the
2 program includes market rate homes and a wide variety of
3 densities from small lot residential to estate lots.
4 Additionally, 167 units will be for affordable housing,
5 with rental or purchase prices based upon 50 to 120
6 percent of Ventura County's median income.

7 Also included is the project's first school, a
8 golf course, which we use recycled water, a neighborhood
9 center, a park and nearly 250 acres of community open
10 space.

11 The SEIR for the project has identified and
12 analyzed all new significant impacts. These were
13 identified as part of the Supplemental EIR's notice of
14 preparation created nearly two years ago and have been
15 responded to in great detail in the SEIR document
16 presented to the Commission. At this time, I would like
17 to highlight the specific topics which have been a part of
18 this review process.

19 The San Fernando Valley spineflower and the
20 California red-legged frog are both new issues addressed
21 in the SEIR. We have worked with the Department of Fish &
22 Game, Fish and Wildlife Service, the Army Corps of
23 Engineers and the county over the past three years on
24 these issues. We have also worked with numerous experts
25 to identify conservation programs for these species. And,

1 additionally, we have fully analyzed related issues to the
2 species, including fuel modification zones, pipeline
3 relocation and urban runoff.

4 Specifically the mitigation programs for the
5 frog and spineflower have resulted in both on-site
6 conservation for the species, as well as the framework for
7 habitat conservation plans, which will include long-term
8 off-project reintroduction programs. With these
9 science-based plans, the species will remain protected on
10 the project, the spineflower with its 330-acre preserve
11 and the red-legged frog with its existing habitat
12 untouched. The plans and programs will also result in
13 significant population increases to the species, as they
14 are reintroduced into their historic ranges.

15 At this time, I'd like to show a brief video
16 which provides an overview for a portion of the
17 environmental programs and efforts currently underway at
18 the ranch.

19 (Video presentation.)

20 MR. GNIADK: Additionally, as a part of the
21 SEIR for the ranch, the analysis included the -- there was
22 an analysis of the project's water balance program. The
23 reclaimed water use at the ranch will result in a net
24 reduction and benefit to the Tapia plant through its use
25 of surplus reclaimed water.

1 We have also updated our water quality and
2 hydrology reports to include a modified storm water
3 drainage design to prevent any increase in flows at the
4 red-legged frog habitat and design water quality and
5 detention basins for all storm events to ensure that the
6 project will not have any downstream effects. The design
7 of these systems meet or exceeds all regulatory
8 requirements.

9 At well number 1 in the dedicated open space now
10 owned by the MRCA, one 55-foot deep well sample detected
11 perchlorate. As a result, we will monitor the well, which
12 is not intended to be used until phase III of the project,
13 and clean all water from the well to drinking water
14 standards, even though the water is for irrigation
15 purposes only. In the event that this is not practical,
16 the well, which represents less than five percent of the
17 project's irrigation water, will be abandoned.

18 I should also note, though, in numerous
19 jurisdictions in the region, that they do clean their
20 water perchlorate or blend it to a less-than-significant
21 level. In the case of La Puente, the levels treated are
22 significantly higher than the one sample indicated at the
23 ranch.

24 Additional issues addressed in the SEIR include
25 air quality, which will require the project to comply with

1 new construction equipment emission guidelines and an
2 increase of fees to more than five million dollars, which
3 will provide for a variety of TDM programs, including the
4 increased use of alternative fuel vehicles.

5 For education, the project will adjust school
6 site areas to respond to class size reduction programs and
7 for visual impacts, an analysis was required to ensure
8 that bou sheds are maintained.

9 The review of this project is an important step
10 in moving closer to building homes for people in the area.
11 We have provided unprecedented amounts of open space and
12 maintain the highest standards in all of our environmental
13 programs. Ventura County has and continues to maintain a
14 comprehensive approach to this process, which has resulted
15 in an extremely thorough Phase A review.

16 The Ahmanson Ranch Project is an award-winning
17 project on both a local and national level. The
18 supporters you will hear from today, along with the
19 letters recently submitted, are from organizations, groups
20 and individuals that represent tens of thousands of
21 Southern Californians who understand and recognize the
22 type of model for growth the ranch represents and its
23 response to community environmental issues.

24 I would like to thank the Commission for the
25 opportunity to provide a brief overview of the SEIR. Many

1 of the project's consultants are attending the hearing
2 today and are available for any questions the Commission
3 may have. Once again, thank you for your consideration
4 and review of the SEIR for the Phase A portion of the
5 Ahmanson Ranch project.

6 CHAIRMAN WESNER: Are there any questions of
7 Mr. Gniadek at this point?

8 You say you have other people available to
9 testify. I have other speaker cards. Do they want to
10 testify now or they just want to remain available?

11 MR. GNIADEK: Three of them will testify at the
12 beginning of the supporter presentations, and then they'll
13 stay on though to be available at the end of the hearing.

14 CHAIRMAN WESNER: And those are Mr. Kaku,
15 Ms. Campbell and Mr. Barker?

16 MR. GNIADEK: Yes. And there are additional
17 experts here as well.

18 CHAIRMAN WESNER: But these are the three that
19 will be speaking?

20 MR. GNIADEK: Yes.

21 CHAIRMAN WESNER: Okay. Thank you.

22 The next speaker I have is Mr. Dick Kaku, to be
23 followed by Ms. Marie Campbell.

24 MR. KAKU: Mr. Chairman, members of the
25 Commission, my name is Dick Kaku, 1453 Third Street in

1 Santa Monica.

2 I'd just like to talk about a couple of points
3 regarding the traffic study that was done in 1992. The
4 traffic study that was included in the approved FEIR was
5 prepared and felt to be totally compliant with all CEQA
6 requirements. It was prepared in a manner that -- in
7 which the scope of work was adjusted several times to
8 ensure that all of the comments received during the notice
9 of preparation were satisfied. It was -- the scope of the
10 work, the techniques, the assumptions, the methodologies
11 that were used were fully coordinated with each of the
12 relevant agencies in the area, including the county, the
13 City of Ventura, County of Los Angeles, the City of Los
14 Angeles, Caltrans, SCAG, et cetera.

15 The traffic projections that were developed as
16 part of that scope of work and the traffic study were
17 conducted as conservatively as possible in such a manner
18 that the projections would not understate the potential
19 growth in traffic that would occur. And it was determined
20 in 1992 that all potential impacts of the project were
21 identified. All potential impacts were mitigated and that
22 the traffic study was fully compliant with all
23 requirements.

24 When consideration was given a few years back to
25 conducting of the Supplemental EIR, traffic was one of the

1 issues that was reviewed. It was determined at that time
2 that the 1992 traffic study was adequately -- that the
3 1992 traffic study adequately addressed all of the issues
4 and that no additional traffic studies would be necessary
5 as part of the SEIR. In addressing that issue, recognize
6 that CEQA requires that several issues be addressed, and
7 this traffic study does address that, the issue being, Is
8 there any evidence that suggests that the original traffic
9 study was inadequate in any way in terms of the data that
10 was used, the assumptions that were made, the
11 methodologies that were used and its comprehensiveness?
12 And no evidence has been produced that shows that.

13 Secondly, is there evidence that illustrates
14 that additional or new impacts are likely to occur as a
15 result of changes that have occurred in the environment
16 since their completion and the acceptance of the EIR? No
17 such evidence has been produced of any kind that suggests
18 that any new impacts are likely to occur. Now, I
19 recognize that there have been multiple comments,
20 speculative comments, regarding the ability of the 1992
21 traffic study to adequately project traffic up to 2002 and
22 into the future, 2010. And as Mr. Hawkins as indicated, a
23 comparison of the traffic projections included in the
24 traffic study with current counts indicates that it is
25 very consistent with current counts that you would find in

1 the Caltrans files for U.S. 101.

2 I recognize that there have been several
3 comments regarding the fact that the growth since 1992 has
4 exceeded that which we have projected. The fact of the
5 matter is most of those comments are made using data that
6 is very limited. I can go back to the ten years since
7 1992 when the traffic study was completed and find one or
8 two years' worth of data that would show anything that you
9 would like for me to show, meaning I can show that the
10 traffic is going to decrease. I can show that it will
11 increase by 20 percent, or I can show over the ten-year
12 span if you take the data that covers that ten-year span
13 and look at it from a ten-year perspective, that our
14 projections are relatively consistent with what has
15 happened.

16 We have also compared our projections for year
17 2010 with projections at the regional agencies in the
18 area, regional agencies meaning SCAG and Caltrans, for the
19 year 2020. They don't make 2010 projections, so we've
20 compared our 2010 projections to the 2020 projections that
21 these regional agencies have made, and we have found in
22 all cases, our projections are either consistent with or
23 exceed those projected by these regional agencies for
24 2020. So we feel very confident that there is absolutely
25 no evidence that our projections have understated the

1 potential impact of the project. Thank you.

2 CHAIRMAN WESNER: Any questions of Mr. Kaku.

3 Thank you, sir.

4 Ms. Campbell, to be followed by Mr. Barker.

5 Name and address for the record, please.

6 MS. CAMPBELL: I am Marie Campbell, and I'm the
7 president of Sapphos Environmental, Incorporated. We're
8 located at 133 Martin Alley in Pasadena, California.

9 Good morning. And thank you for providing us
10 with this opportunity to share some specific technical
11 comments related to the Supplemental EIR which has been
12 prepared by the county to address the federally-threatened
13 California red-legged frog and the state-endangered San
14 Fernando spineflower.

15 I'm an environmental compliant specialist with
16 over 20 years of experience, including five years as an
17 environmental compliant specialist for the U.S. Army Corps
18 of Engineers.

19 Consistent with the requirements of the specific
20 plan, Sapphos Environmental was retained to prepare the
21 Resource Management Program and process the regulatory
22 permits for the Ahmanson Ranch specific plan. In
23 requiring the preparation of the Resource Management
24 Program, the County of Ventura provided a level of
25 protection for resources that is, in my experience,

1 unparalleled in California. I'd like to speak
2 specifically with respect to the wetlands and permit
3 issues.

4 Pursuant to the adopted 1992 EIR, the Corps, in
5 1997, authorized Ahmanson to use nationwide permit number
6 26 for the proposed permanent fill of jurisdiction
7 wetlands and other waters of the United States.
8 Subsequent to this approval, nationwide permit number 26
9 expired, thereby requiring the applicant to submit for an
10 individual permit.

11 On April 8th of this year, the Corps verified
12 the accuracy of the jurisdictional delineation that serves
13 as the base for analysis for the Supplemental EIR. This
14 is before you for consideration today. The 24.42 acres
15 subject to the jurisdiction of the Corps constitute less
16 than one percent of the 2,800 Ahmanson Ranch specific plan
17 area.

18 The modifications to the project have reduced
19 impacts from the permanent fill of 7.72 acres in the 1992
20 EIR to 4.22 acres.

21 The applicant's recommended mitigation program
22 provided as an appendix to the Supplemental EIR provides
23 for habitat enhancement and restoration at a mitigation
24 ratio of five to one. So for every acre of impact, there
25 are five acres of restoration or enhancement being

1 undertaken, thus ensuring compliance with the Corps'
2 requirement for no net loss of habitat functions or
3 values.

4 Implementation of wetland mitigation is required
5 to be initiated in conjunction with Phase A, thus the SEIR
6 correctly finds that the impacts to wetlands are reduced
7 to below the level of significance.

8 In addition, the Resource Management Program
9 provides for long-term conservation of 68 additional acres
10 within the 10,000 acres of regional public open space
11 dedication area.

12 As with the 44 permit, the applicant previously
13 secured a streambed alteration agreement, and as of the 44
14 permit, the impacts to areas subject to the California
15 Department of Fish & Game jurisdiction under section 1600
16 of Fish & Game Code has been reduced and the mitigation
17 has been increased.

18 The applicant's recommended mitigation measures
19 focus -- I'm going to move down to the endangered species
20 issues with respect to the habitat conservation plan for
21 the California red-legged frog.

22 The applicant's recommended mitigation measures
23 focuses on conservation of the on-site population of the
24 California red-legged frog, including the requirement to
25 prepare a habitat conservation plan pursuant to section

1 10(a) of the Federal Endangered Species Act. By
2 definition, the performance standard for issuance of the
3 10(a) permit requires that the HCP ensure that impacts to
4 the California red-legged frog will be reduced below the
5 level of significance. Specifically, approval of the
6 10(a) permit cannot be done until the applicant
7 demonstrates that an incidental take permit is both -- an
8 incidental take is both minimized and fully mitigated;
9 that adequate funding for the HCP has been assured; and
10 that the HCP conforms to all related regulatory standards.

11 The detailed measures specified in the
12 applicant's recommended mitigation measures demonstrate
13 the feasibility of meeting the subsurface standard for
14 issuance of the section 10(a) permit, thus the
15 Supplemental EIR before you correctly concludes that the
16 impacts of the California red-legged frog can feasibly be
17 mitigated below the level of significance.

18 With respect to the 2081 permit for the San
19 Fernando spineflower, the San Fernando spineflower
20 currently occupies approximately 13 acres, less than one
21 percent of the 2,800-acre Ahmanson Ranch specific plan
22 area. During the course of the preparation of the SEIR,
23 the applicant sponsored four directed surveys for the San
24 Fernando spineflower that resulted in a population census
25 ranging from 26,000 plants to 1.8 million plants. The

1 latter three surveys were conducted in accordance with the
2 survey protocol prepared for the City of San Diego, the
3 California Department of Fish & Game and the U.S. Fish &
4 Wildlife Service. The data has all been subjected to
5 independent review by the county's in-house staff and
6 their consultants.

7 The applicant's recommended mitigation measures
8 are directed towards on-site conservation of the San
9 Fernando spineflower, including the requirement to obtain
10 a 2081 permit pursuant to the California Endangered
11 Species Act.

12 By definition, the performance standard for
13 issuance of the section 2081 permit under the California
14 Endangered Species Act ensures that impacts to the San
15 Fernando spineflower will be reduced to below the level of
16 significance. Specifically, approval of the 2081 permit
17 requires the applicant to demonstrate that an incidental
18 take is both minimized and fully mitigated; that adequate
19 funding is provided to implement the specified measures
20 and to cover monitoring compliance of -- monitoring of
21 compliance and effectiveness.

22 The detailed measures specified in the
23 applicant's recommended mitigation measures demonstrate,
24 again, the feasibility of meeting the department standards
25 for issuance of the 2081 permit. The final specifications

1 of the preserve design in relation to areas 7, 14-1, 14-2
2 and 16-1 are most appropriately resolved pursuant to the
3 2081 process.

4 In addition to the specified opportunity for
5 conservation of the on-site population, the 10,000 acres
6 of regional open space dedication land provide numerous
7 opportunities to support regional recovery efforts to be
8 undertaken by the department.

9 There are just other few brief benefits of the
10 RMP that I think are relevant to your consideration today.

11 With respect to the oak tree mitigation program,
12 on-site -- the program includes on-site conservation of
13 over 1,800 mature oak trees, on-site relocation of 240 oak
14 trees and on-site planting of over 5,000 oak trees, of
15 which the applicant has voluntarily already initiated
16 planting of 2,000 of these trees, to answer your question
17 from earlier. The regional conservation within the 10,000
18 acres of regional public open space resulted in
19 conservation of 15,216 mature oak trees.

20 With respect to the grassland issues, the
21 on-site conservation includes a hundred acres of native
22 grasslands and on-site restoration of an additional
23 hundred acres of native grasslands. The regional
24 conservation within the 10,000 acres of public open case
25 resulted in 694 acres of native grasslands and provides

1 for the opportunity to restore an additional 200 acres
2 within these areas.

3 Finally, with respect to the archeological
4 resources, the on-site plan includes the on-site
5 conservation of six sites, including the Bat Cave for
6 which there's been extensive public testimony. The RMP
7 provides for the establishment of a cultural Resource
8 Management Program, for the management of the Bat Cave and
9 requires that the Las Virgenes Institute undertake
10 substantial coordination with the Native American Heritage
11 Commission to ensure the appropriate acts pursuant to that
12 plan.

13 In addition, the 10,000 acres of regional public
14 open space, only a third of which has been subject to
15 directed surveys results in conservation of an additional
16 30 cultural resource sites.

17 I just want to close by answering the question
18 relating to the topsoil. All the revegetation areas
19 specified pursuant to the Resource Management Program do
20 require stockpiling of on-site topsoil and use of that
21 topsoil in conjunction with revegetation areas.

22 I'll be here throughout the time that you're
23 hearing testimony and will be happy to answer any
24 questions that you may have.

25 CHAIRMAN WESNER: Any questions of Ms. Campbell

1 at this time?

2 Thank you.

3 COMMISSIONER DRESSLER: I'd like to follow up on
4 Commissioner Reynolds' question.

5 Will the topsoil be stored phase by phase, or
6 will it be stockpiled in the initial grading in one
7 specific location?

8 MS. CAMPBELL: No.

9 For the revegetation areas, the Resource
10 Management Program requires that the revegetation be done
11 in sync with the phase construction. Therefore, the
12 topsoils required for Phase A will be stockpiled in
13 conjunction with construction of Phase A.

14 When Phase B is initiated, the materials will be
15 stockpiled, so you would not have materials stockpiled,
16 say, over an eight- to ten-year period of time.

17 COMMISSIONER DRESSLER: Thank you.

18 CHAIRMAN WESNER: Mr. Barker. Now -- please,
19 come forward.

20 My only question of the applicant is, is this
21 your last designated speaker?

22 Then following Mr. Barker, what we will do is we
23 will take -- as soon as he completes, a break. I'll give
24 the return time, and the two speakers after that for the
25 public will be George Kalemkarian. I apologize. And then

1 Mr. Robert Braitman.

2 Okay. Mr. Barker.

3 MR. BARKER: Mr. Chairman, members of the
4 Commission, my name is Ross Barker. I'm with Psomas.
5 Address is 21800 Oxnard Street, Woodland Hills. I'm a
6 vice president with Psomas. We are the civil engineers
7 for the project. I have approximately 28 years land
8 development experience and have been with -- is this
9 better?

10 I have 23 years experience with Psomas working
11 on land development projects such as Ahmanson Ranch within
12 Southern California regional, much of that within Ventura
13 County here.

14 My comments really relate to the project as a
15 whole and as it relates to other developments I've been
16 involved in. It's a well-planned project. It's not the
17 usual. By that, I mean, it creates a sense of place. It
18 creates a community. It is not just the provision of a
19 number of residential units for people to live in. The
20 program itself provides a wide variety of housing. That's
21 important I think to me, to all of us. We all have people
22 looking for housing at all levels.

23 The important thing to me on Ahmanson is their
24 proactive approach and the direction they've asked us to
25 take in the design of this project. They want to do a

1 good job. They want to go beyond the normal. They want
2 to think outside the box, and that's what we have done on
3 this project.

4 We started in 1992 on the storm water element.
5 We integrated at that time storm water management
6 practices and techniques that were adopted in the Ventura
7 County general permit in July of 2000. We're well ahead
8 of the curve on that matter. We continue to stay ahead of
9 the curve in looking at additional measures to the extent
10 of looking at design measures on the water quality program
11 so that the project results in a no net increase in
12 pollutant loading discharging from the project. We always
13 seek to go above and beyond the development of the work
14 out there.

15 With respect to storm flow management, that
16 issue has been raised in discussion. Traditional design
17 always looked at just managing peak flows from a hundred
18 year storm event. The current project looks at a wide
19 range of storm events, including the low flow storm
20 events. To that effect, we have for management of storm
21 water quality and storm water flow over 300-acre feet of
22 storage integrated in a number of locations throughout the
23 project to manage flow and to manage quality.

24 The discovery of the red-legged frog and San
25 Fernando spineflower really created an opportunity to

1 again introduce innovative ways to adapt a design and to
2 to provide management and preservation of those species.
3 There has been a lot of discussion on that. The amount of
4 community open space that was originally programmed into
5 the project has allowed that to occur and has provided the
6 ability to integrate preserve areas for these.

7 The question was raised about the topsoil. I
8 would just like to clarify that. Not only will the
9 topsoil be stockpiled only on a phase-by-phase basis, but
10 within that phase, the construction would be staged. We
11 would not be opening up the entire Phase A for grading at
12 one time, but we will be staging construction, so topsoil
13 would be removed, stockpiled and then as a grading area is
14 completed, put back in that area as part of the
15 revegetation program.

16 With respect to some comments on well number 1,
17 I think Dennis Hawkins addressed most of those issues in
18 his presentation. I just wanted to confirm, though, that
19 the well is used only for irrigation purposes. It is only
20 to provide supplemental water during the peak summer
21 months. There was -- out of four samples taken out of the
22 well, only one hit on perchlorate. There needs to be
23 during the development program additional investigation
24 and monitoring, but that perchlorate can be treated, is
25 being treated successfully from levels in excess of a

1 hundred parts per billion down to drinking water
2 standards, and that is through a process that has been
3 approved by the State Department of Health Services.

4 And with that, I have no other comments to
5 address. I'd just like to thank you for the opportunity
6 to clarify some of these points. If you have any
7 questions, I'd be pleased to answer them.

8 CHAIRMAN WESNER: Any questions of Mr. Barker at
9 this time? Hearing none, thank you.

10 Is that the last speaker for the applicant's
11 presentation?

12 It is now nine minutes -- I will use this clock
13 behind us. It is now nine minutes after ten. We will
14 take a recess until 10:20. And, again, Mr. George
15 Kalemkarian and Mr. Braitman will be the speakers at that
16 time.

17 Thank you, ladies and gentlemen.

18 (Break.)

19 CHAIRMAN WESNER: All right. I'll reconvene the
20 Ventura County Planning Commission.

21 The applicant has finished their presentation.
22 We are now into the presentation of the public that have
23 indicated they are in support. The first speaker is
24 George Kalemkarian. I understand his wife is going to be
25 speaking in his place.

1 If you'll please approach the podium, give your
2 name and address. And following the speaker will be Bob
3 Braitman, to be followed by Marc Charney.

4 MRS. KALEMKARIAN: I am Mrs. George Kalemkarian,
5 2344 Graceland Street, Simi Valley, California.

6 Chairman Michael Wesner and members of the
7 Ventura County Planning Commission, in 1968, I tried to
8 buy a home on Parkmor Road in the Las Virgenes area. When
9 the sale could not be completed, we tried to find another
10 house in the area. We finally bought one in Simi Valley
11 where new, affordable houses were being built.

12 Young families that grow up in Ventura County
13 cannot afford to buy a house here. The houses being built
14 in Ventura County at the present time start at around
15 650,000 and go up to over one million dollars. I just
16 heard yesterday that housing starts had dropped another
17 ten percent for the month of October, which will increase
18 prices even more.

19 I do not know the details of the specific models
20 and floor plans of the homes in this project, but from
21 what I've read, the planning and design is patterned
22 similar to the Pacific Gas and Electric design project
23 being studied at the University of California at Davis.

24 Davis Village Homes is known as the nation's
25 oldest green neighborhood. This development is now one of

1 the most desirable places to live in Davis. The houses
2 are energy-efficient, and the community layout is
3 conducive to a pleasant life-style and encourages
4 community interaction.

5 The key element of the development is central
6 common land that is graded to permit storm water runoff
7 from the roofs and paved areas to be returned to ground
8 water. These catch basins are not deep ponds but
9 low-lying swales that are planted with many trees, shrubs
10 and vines that produce shade, food and beauty to enhance
11 the human habitat. The residents may have little gardens
12 in the neighborhood's common area or pick fruit for
13 breakfast from the trees and vines.

14 Ahmanson Ranch is a master plan similar to the
15 Davis community and is designed to provide for needed
16 housing while preserving the water and protecting the
17 environment. There's plenty of open space in this project
18 for golfers, hikers and nature enthusiasts.

19 The Supplemental Environmental Impact Report
20 concludes that both the red-legged frog and the San
21 Fernando spineflower and their habitats can be preserved
22 and protected while moving forward with building the
23 much-needed homes.

24 The use of this mountain meadow as a residential
25 property is responsible management. This property would

1 be marginally profitable if converted to agricultural use
2 and planted into orchards or truck farming. This project
3 should relieve some of the pressure being imposed by the
4 housing shortage for building on the agricultural land in
5 the Oxnard plains.

6 I recently heard a radio advertisement stating
7 that Palmdale is a very desirable place to live and has
8 excellent services and plenty of new housing at affordable
9 prices, but no mention of the heavy traffic on Highway 14.
10 Why should we grandparents that raised our children in
11 Ventura County have to drive more than a hundred miles to
12 see our grandchildren when they could be living in Ventura
13 County? Let's go with the project. Thank you.

14 CHAIRMAN WESNER: Any questions of the speaker.
15 Thank you very much, ma'am.

16 Mr. Braitman, to be followed by Marc Charney, to
17 be followed by Jeff Farber.

18 Please state your name and address.

19 MR. BRAITMAN: Thank you, Mr. Chair, members of
20 the Commission. My name is Bob Braitman. I reside at
21 8277 Chester Street in Ventura, California. My comments
22 are mine, not on behalf of anyone else this morning.

23 Without a sense of history and contiguity,
24 government decisions become arbitrary and capricious. The
25 issue before you today is a logical conclusion of many

1 decisions that have come before.

2 As you know, Ventura County is a recognized
3 leader in California in terms of orderly boundaries,
4 separation between our communities and adequate
5 governmental services. The Ahmanson Ranch project I would
6 suggest to you is part of and consistent with those
7 governmental policies.

8 There are really three points I wish to make
9 this morning, all within your five-minute limit. These
10 points relate to the decision before you regarding tract
11 map 5206.

12 First, compared to other locations, Ahmanson
13 Ranch is where people ought to live. The topography is
14 similar or superior to existing developments in the cities
15 of Hidden Hills, Calabasas, Thousand Oaks, Los Angeles and
16 so forth, and there's a good plan for development and
17 stewardship of the land.

18 The development's consistent with the
19 county-wide population, housing and employment projections
20 that provides a variety of housing needed for a growing
21 population, and it is not convert, prime agricultural
22 land.

23 Ventura County's ability to preserve
24 agricultural land has always been built on homes -- build
25 homes and businesses on land, which is not agricultural,

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1 and this project does that.

2 The second point I'd make is that Ahmanson
3 Ranch's governing structure is designed to be
4 self-supporting. The development's consistent with the
5 county-wide guidelines for orderly development that
6 basically say urban uses ought to be in cities, but
7 Ahmanson Ranch is not inexplorable to either Simi Valley or
8 Thousand Oaks. So the fiscal study that was done for the
9 project originally projected the fact that upon build-out,
10 it would be feasible to be an incorporated city. In
11 California, you can't incorporate a city, but there are
12 500 registered voters living there. So development has to
13 occur first, and recognizing that, the Ahmanson Ranch
14 Community Services District has been formed and has an
15 authorized special tax that would insulate the county
16 general fund from the cost of local municipal-type
17 services.

18 That's interesting. In the project, jobs
19 housing balance has not been spoken about, but it's
20 integrated into the project, extending even so far as to
21 having a wing of the hotel of single occupancy rooms where
22 the kitchen workers, groundskeepers and other low-paid
23 employees will have a place to live. The project's
24 obviously superior to a lot of those which have been built
25 elsewhere.

1 The last point I want to make for you is that a
2 deal is a deal. Honor and fair place in our dealings with
3 each other is a valued trait in our society, and the same
4 must be true of government agencies and their decisions.
5 The Ahmanson Ranch Project has caused the dedication
6 already of almost 10,000 acres of regional open space, as
7 was mentioned earlier, and more than 15,000 mature oak
8 trees, and that's not counting the permanent open space
9 that will be part of the project itself. We're talking
10 about Coral Canyon. In fact, there's a map on the wall
11 there I noticed that shows the open space owned by the
12 public, available to the public, dedicated to the public,
13 which would not be that way today were it not for this
14 project. So, it's a good deal for the general public if
15 you value open space.

16 Now it's time for government to live up to its
17 side of the bargain that resulted in that open space being
18 developed. As I said, a deal is a deal. Government needs
19 to be honorable in its dealings with the citizens or
20 government loses its legitimacy.

21 In conclusion, I would recommend, as your county
22 staff professionally recommends, that you give approval to
23 the tentative tract map before you today. If there are
24 any questions, I would be happy to respond to those.

25 CHAIRMAN WESNER: Any questions of Mr. Braitman?

1 Thank you for your time today, sir.

2 Our next speaker is Marc Charney, followed by
3 Jeff Farber and Victor Franco.

4 MR. CHARNEY: Mr. Chairman, members of the
5 Planning Commission, my name is Marc Charney. I'm
6 appearing today on behalf of the Oxnard Chamber of
7 Commerce.

8 Because housing open space and quality of life
9 are paramount to everyone in Ventura County, the Oxnard
10 Chamber of Commerce has voted to support the approval of
11 the Ahmanson project. When I conclude my remarks, I will
12 give you a copy of the letter dated November 15th, 2002,
13 from the Chamber of Commerce to the Board of Supervisors
14 that details some of the reasons that the Chamber of
15 Commerce has chosen to support the Ahmanson Ranch Project,
16 and I'd like to briefly discuss those with you this
17 morning.

18 The Chamber supports the project because of its
19 beneficial regional and county-wide financial fiscal
20 impacts: The 3.3 billion dollars that you heard about in
21 total financial benefit that it will bring to the region,
22 the 1,700 permanent jobs, the 500 construction jobs over
23 the ten-year build-out of the project, the 4 to \$5 million
24 a year in surplus revenue to the county over cost to the
25 county of the project. All of those have a county-wide or

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1 regional benefit as a result of this project.

2 The project is a model project in the terms --
3 in terms of the fact that it is a balanced project. As
4 Mr. Braitman alluded to, not only jobs, housing balance,
5 but the public service balance has been taken into account
6 in the planning of this project, schools, fire stations,
7 police stations, libraries are going to be provided as
8 part of the project at no additional cost to the County of
9 Ventura. The project will pay for those services.

10 And the project, as the first speaker mentioned,
11 provides much needed housing for the County of Ventura.
12 There are 770 affordable homes, affordable to very low
13 income, low income and moderate income households that are
14 planned for this project, and that's important. It's
15 important to the Oxnard Chamber of Commerce because it
16 will help to relieve the pressure on the City of Oxnard to
17 provide affordable housing for the county.

18 But more than that, bigger than that, on a
19 county-wide regional basis, the latest UCSB economic
20 survey for the County of Ventura showed that of the
21 existing households that make up Ventura County, the
22 people who live here, less than 70 percent of those
23 households can afford to buy the current median house,
24 median-priced house in Ventura County. More than 70
25 percent of our population can't afford to buy the median

1 house in this county. That is a housing crisis. That's a
2 crisis that exists now, for the present generation, and it
3 will become worse for future generations unless
4 well-planned, well-balanced projects are permitted to be
5 developed in the County of Ventura. The Oxnard Chamber of
6 Commerce believes that the Ahmanson Ranch Project is such
7 a project.

8 After the years of study that have gone on
9 before the county agencies with the staff, with ERRC,
10 before the Planning Commission, the supervisors and
11 previous approvals and now this current go-around of
12 approvals, after the debate and studies that have gone on
13 in other forums, no reasonable person could honestly say
14 that the County of Ventura has rushed this project to
15 judgment. The Chamber of Commerce believes that there is
16 adequate information before you to allow you to make a
17 decision with respect to this project. We believe that
18 your staff recommendation for approval of the Supplemental
19 Environmental Impact Report and recommendation of approval
20 for the tentative map is the appropriate determination,
21 and we very strongly -- respectfully urge you to follow
22 the staff recommendation and approve the Environmental
23 Impact Report and the tentative map.

24 I'll be happy to address any questions that you
25 might have for me.

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1 CHAIRMAN WESNER: Any questions?

2 Thank you, Mr. Charney.

3 Before the next speaker, Mr. Farber, comes up,
4 to be followed by Mr. Franco, remember, anything that you
5 present to the Commission becomes a matter of the public
6 record and will not be returned to you, so just please be
7 aware of that. If at the time that you're speaking, if
8 you're reading from something and you're not completing
9 within five minutes, please hand it to the secretary. We
10 will receive it up here and enter it into the record,
11 also.

12 So Mr. Jeff Farber, followed by Victor Franco.
13 And then Carolyn Casavan will follow.

14 Name and address, sir.

15 MR. FARBER: Good morning, members of the
16 Commission. My name is Jeff Farber, and I'm here with
17 L.A. Family Housing located at 7843 Lankershim Boulevard
18 in North Hollywood.

19 As a concerned citizen, a policy expert on
20 homelessness and housing availability, and as a chief
21 operating officer of L.A. Family Housing, which is the
22 single largest and most successful homelessness
23 organization in the Los Angeles area, I want to express my
24 strong support for Ahmanson Ranch and the approval of the
25 tentative tract map and the SEIR.

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1 The bottom line is that we desperately need
2 housing. Ahmanson Ranch serves as a model. It shows how
3 housing and jobs mix, how community concerns are dealt
4 with, how environmental issues are handled. Every new
5 additional housing unit serves to offset demand, stabilize
6 price and foster additional housing opportunities for
7 people.

8 L.A. Family Housing, our organization, works
9 with homeless and low-income to moderate-income
10 households. We provide them with a place to live, counsel
11 them, provide them life skills training and then move them
12 back into permanent shelter, including affordable home
13 ownership. Unfortunately, permanent shelter is the item
14 that we are most certainly lacking in this entire region.

15 Our mission is frustrated because
16 well-intentioned people are not cognizant of the
17 incredible need for housing. It is time that a
18 development -- positive impact on housing be considered as
19 a factor in looking at environmental issues. In fact,
20 it's a social imperative for public officials to look at
21 the positive good of a project and the social good that
22 that project brings when it considers moving the project
23 for approval.

24 Recent Supplemental Environmental Impact Report
25 concludes that environmental issues can be mitigated.

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1 Ahmanson Ranch has gone and taken public -- has taken land
2 and given it to the public parkland to mitigate the
3 environmental issues raised in the EIR.

4 Ahmanson Land Ranch offers an opportunity for
5 people to move into housing, gives them an opportunity to
6 stay in their community and afford to live in housing that
7 they otherwise would not be able to live in and secure.

8 Our agency is located in North Hollywood. We're
9 located in the San Fernando Valley. We see families from
10 Ventura County. We see people in need of housing. We see
11 people that have no place to live. Ahmanson Ranch will
12 give them opportunities. It serves as a model to show how
13 you can mix housing types, how you can combine jobs, how
14 you can create a community that meets the needs of all
15 people, the environment and the public good at the same
16 time. Thank you.

17 CHAIRMAN WESNER: Any questions?

18 Thank you.

19 Mr. Victor Franco, followed by Carolyn Casavan
20 and Maribel De la Torre.

21 MR. FRANCO: Good morning, members of the
22 Commission. My name is Victor Franco, Jr. I'm the vice
23 president of government affairs for the Central City
24 Association of Los Angeles. CCA is a 78-year-old business
25 advocacy association whose 300 members employ over 250,000

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1 people here in the Los Angeles region.

2 CHAIRMAN WESNER: Mr. Franco, what is the street
3 address?

4 MR. FRANCO: I'm sorry. 606 South Olive Street,
5 Suite 1000, Los Angeles, California.

6 CCA is here in support of the Ahmanson Ranch
7 development located in Ventura County. The Los Angeles
8 region continues to experience a housing crisis of immense
9 proportions. The current supply, or lack thereof, has
10 become a major business issue for CCA members and
11 businesses throughout Southern California.

12 While the Ahmanson Ranch project is in Ventura
13 County, every new housing unit serves to offset demands,
14 stabilize price and foster additional housing
15 opportunities throughout the region. These new homes
16 delivered by Ahmanson Ranch, including those set aside for
17 low- and moderate-income families, will be of great
18 benefit to all people in Southern California.

19 The Ahmanson Ranch not only delivers needed
20 housing, but it will be a major economic stimulus that the
21 region surely needs, economic benefits such as over three
22 billions dollars in construction and development
23 expenditures and related activity over the next ten years.
24 Furthermore, the development will create hundreds of
25 construction jobs, plus even a great number of permanent

1 jobs. Both Ventura and Los Angeles Counties will
2 experience these significant economic benefits.

3 Ahmanson Ranch not only balances housing and
4 jobs with environmental protection, but it has also made a
5 significant contribution to the creation of parks and open
6 space. The Ahmanson Ranch Project is already one of the
7 largest land transfers of open space to permanent public
8 parkland in over a century. Thousands of acres have been
9 transferred from private ownership to the public as a
10 result of the Ahmanson Ranch Project.

11 As we understand the current SEIR, it indicates
12 that the development project can be built, its myriad of
13 benefits realized and the environment protected. It is
14 time to move the SEIR forward for approval. We endorse
15 the Ahmanson Ranch Project and respectfully request your
16 approval today. Thank you.

17 CHAIRMAN WESNER: Thank you, Mr. Franco.

18 Any questions?

19 Thank you.

20 Carolyn Casavan, followed by Maribel De la
21 Torre, by Victor Griego.

22 MS. CASAVAN: Hello.

23 CHAIRMAN WESNER: Good morning.

24 MS. CASAVAN: Good morning. My name is Carolyn
25 Casavan, and I am co-chair of the Environment

1 Infrastructure and Water Committee with VICA. The address
2 for VICA is 5121 Van Nuys Boulevard, Suite 203, Sherman
3 Oaks, California.

4 VICA is known as the Valley Industry and
5 Commerce Association. It is a nonprofit, nonpartisan
6 business and advocacy organization founded in 1949, and
7 VICA continues to support the Ahmanson Ranch development
8 project.

9 The San Fernando Valley and the entire region is
10 experiencing a significant housing crisis that has become
11 a major issue of concern for VICA members, as well as
12 other businesses throughout the Los Angeles region when
13 contemplating where their employees will live. The
14 Ahmanson Ranch Project positively addresses this by
15 providing 3,050 homes adjacent to Los Angeles, including
16 25 percent of which will be set aside for low- and
17 moderate-income individuals and families.

18 I'm going to just quickly say that we also agree
19 with the comments made previously about the economic
20 advantages of the project, and that is one of the reasons
21 we also support the project.

22 I'd like to put just a little phase of the
23 housing issue. I'm also a business owner. I have an
24 office in Ventura County, an office in Los Angeles County.
25 Over the past years -- we have 30 employees. Over the

1 past year, we lost two employees specifically because of
2 the cost of housing. One was a young man. He had been
3 working with us for five years, and he got married, and
4 his wife wanted to be a stay-at-home mom. They could not
5 afford to live in Southern California and her be a
6 stay-at-home mom, so they moved to Pennsylvania.

7 Another one is a young couple whose husband got
8 laid off and could not find another job that would pay him
9 enough for them to be able to meet their mortgage payment
10 in Southern California. They had to leave both of their
11 families here in California, move their children to North
12 Carolina. So those are some of the real impacts of what
13 happens in this housing crisis. It's not just numbers.
14 This hurts us. It hurts our employees. And we now have
15 three new engineers, and I wonder how long we're going to
16 be able to keep them until they run into the same problem
17 where they reach the age where they want to own a house.

18 And, lastly, then, I would like to say that VICA
19 believes strongly that the project has been delayed long
20 enough. Ventura County certified the original EIR over
21 ten years ago. The current SEIR concludes that the
22 development can be built, its benefits realized and the
23 environment protected. Specifically the SEIR indicates
24 that sensitive species and their habitat can be protected,
25 as well as water quality.

1 We recommend that the SEIR be approved and the
2 project move forward so that we can balance our housing
3 and the preservation of the environment. We strongly
4 endorse the Ahmanson Ranch Project development and urge
5 you to approve the project. Thank you.

6 CHAIRMAN WESNER: Thank you.

7 Any questions?

8 Okay. I want to thank Ms. Casavan for
9 emphasizing the fact she's going to reiterate what the
10 speaker in front of her said. I encourage everybody to do
11 that.

12 Also, to remind you, and I will continue to
13 remind you, the purpose of the Commission today is to
14 determine a recommendation to the Board of Supervisors on
15 the SEIR and the master tract A. So please keep your
16 comments to that as best as possible, along with whether
17 you support or don't support.

18 Ms. Maribel De la Torre, to be followed by
19 Victor Griego, followed by Brendan Huffman.

20 MS. DE LA TORRE: Good morning, Chair and
21 Commissioners. Thank you for having us here this morning.
22 I am a council member with the City of San Fernando. My
23 name is Maribel De la Torre, and my address is 117 North
24 MacNeil Street in the City of San Fernando.

25 I am here on behalf of 25 additional elected

1 officials throughout the Los Angeles County. I am here to
2 read a letter into the record, and then also after that,
3 to make some statements of my own.

4 So I will begin by saying, Dear Chair, as
5 community leaders and local elected officials involved in
6 community development and affordable housing, we, the
7 undersigned, believe it has become time to express support
8 for the approval and construction of housing throughout
9 the Los Angeles County region. The entire region
10 desperately needs more housing, and quite simply, every
11 unit counts. Our greatest asset is our people, and we
12 cannot allow a worsening housing shortage to dim their
13 hopes and optimism.

14 In a recent survey, an overwhelming 80 percent
15 of residents indicated that it is difficult for
16 middle-class people to find housing for rent or purchase
17 in their communities. When responsible housing
18 development is impeded, the dream of home ownership slips
19 further out of reach for more and more residents, while
20 communities like ours become increasingly overcrowded.

21 It is our experience that every additional
22 housing unit serves to offset demand, stabilize price and
23 foster additional housing opportunities throughout the
24 regions. Housing projects that are environmentally sound
25 and deliver affordable housing must be supported. That is

1 why we support the Ahmanson Ranch Project in Eastern
2 Ventura County. Ahmanson Ranch delivers 3,050 new housing
3 units, 25 percent which are affordable and important and
4 significant set aside for affordable housing.

5 We believe that Ahmanson Ranch is a mixed-use
6 project which responsibly balances our need for housing
7 with environmental protections. The recent environmental
8 review demonstrates that environmental impacts this
9 project may have upon recently discovered species and
10 their habitat can be effectively mitigated. The project
11 can be built, and the environment can be protected.

12 We believe the Ahmanson Ranch Project should
13 move forward towards approval. Sincerely, Manny Lozano,
14 mayor of the City of Baldwin Park; Philip Bayer, mayor of
15 the City of Duarte; Mark Bruceta, mayor of the City of
16 Irwindale; Arturo Reyes, mayor of the City of Lynwood; Ed
17 Vasquez, mayor of the City of Montebello; Fred Baleroma,
18 mayor of the City of Monterey Park; Luis Gonzales, mayor
19 of the City of Santa Fe Springs; Mike Tuey, mayor of the
20 City of West Covina; Tony Fellows, vice mayor of the City
21 of El Monte; Rudy Bermutes, vice mayor of the City of
22 Norwalk and soon-to-be assembly member; Paul Talbot,
23 council member, City of Alhambra; Tony Mendoza, counsel
24 member, City of Artesia; George Cole, council member, City
25 of Bell; Blanca Figuerora, council member of the City of

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1 El Monte; Edward Escareno, council member of the City of
2 Huntington Park; Jessica Maez, council member of the City
3 of Huntington Park; Jose Fernandez, council member of the
4 City of Inglewood; Luey Luhon, council member, City of La
5 Puente; George Martinez, council member of the City of
6 Maywood; Victor Franco, council member of the City of
7 Monrovia; Sharon Martinez, council member of the City of
8 Monterey Park; Frank Venty, council member of Monterey
9 Park; David Armenta, council member of the City of Pico
10 Rivera; Marco Robles, council member of the City of
11 Pomona; and myself, Maribel De la Torre, council member of
12 the City of San Fernando.

13 And I would just like to make a couple of
14 additional statements. And I was taking some notes, and I
15 would like to say that we as -- as Planning Commissioners
16 yourselves and as council members, we are always looking
17 for sustainable communities, and there's this concept out
18 there of smart growth, smart communities. And it is a
19 travesty when I hear up here that this is not the usual,
20 because this development should be the usual. It is the
21 ideal, and we should work towards those ideals. It is
22 well-planned.

23 Quality developers are hard to come by. We
24 don't support all development, but we do support quality,
25 smart community development, development which

1 incorporates schools, libraries and public safety, open
2 park space and environmental mitigation for the
3 environmental concerns. As Ms. Campbell said, Ahmanson
4 Ranch has provided mitigation efforts that are
5 unparalleled in California. This is a model which we
6 elected officials strive to bring into our communities and
7 to emulate.

8 I believe that it is the responsibility of the
9 Planning Commission to support the efforts of Ahmanson
10 Ranch and to approve the tentative tract map and the SEIR.
11 Thank you very much.

12 CHAIRMAN WESNER: Any questions of the speaker?

13 Thank you very much.

14 Victor Griego, followed by Brendan Huffman,
15 followed by Scott Tepper.

16 MR. GRIEGO: Good morning, Mr. Chair, member of
17 the Commission. My name's Victor Griego, 930 Colorado
18 Boulevard, Los Angeles.

19 I am going to be reading a letter to the Board
20 of Supervisors from the Latin Business Association dated
21 November 11th from our president, Ruth Lopez Williams.

22 Dear Chair, the Latin Business Association
23 continues to support the Ahmanson Ranch because the
24 project is important to local economic development. It
25 will make a substantial contribution to alleviate the

1 region's critical housing shortage.

2 Accordingly to a report by Ernst & Young,
3 Ahmanson Ranch is expected to generate over three billion
4 in economic activity, including 2.2 billion in direct
5 purchases of goods and services, much of it within Los
6 Angeles.

7 The project will provide more than 3,000 homes,
8 25 percent which will be set aside as affordable housing,
9 a significant set-aside that we do not often see in
10 development projects.

11 We also believe that protecting our environment
12 is important. The fact of the project has already set
13 aside half of the original Ahmanson Ranch acreage for open
14 space, as well as purchase and then donate it to the
15 public's significant additional acreage, demonstrates
16 great sensitivity to the environment, as well as social
17 needs.

18 The Draft Supplemental Environmental Impact
19 Report that has been thoroughly reviewed over the last
20 couple of months by Ventura County concludes that
21 potential significant environmental impacts can be
22 mitigated and the project can be built. We strongly
23 believe that it is time to move forward on the Ahmanson
24 Ranch development project and urge that it be approved.
25 Sincerely, Ruth Lopez Williams, chair of Latin Business

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1 Association. Thank you.

2 CHAIRMAN WESNER: Any questions?

3 Thank you for coming.

4 Brendan Huffman, followed by Scott Tepper, then
5 Tom Coulter.

6 MR. HUFFMAN: Good morning. I'm Brendan Huffman
7 within the Los Angeles Area Chamber of Commerce. That's
8 at 350 South Bixel Avenue, Los Angeles, California.

9 I'm here to read a brief statement which goes to
10 many of the sentiments that have been expressed so far
11 this morning.

12 The Los Angeles Area Chamber of Commerce
13 continues to support the Ahmanson Ranch Development
14 Project. The Ahmanson Ranch will provide more than 3,000
15 homes for people of all income levels. These new homes
16 include apartments, condominiums, town homes and
17 single-family homes. Additionally, 25 percent of the
18 housing has been set aside for low- and moderate-income
19 individuals and families as defined by federal guidelines.

20 Provision of housing at all income levels has
21 become an important business issue throughout Southern
22 California. That is a reason why business does not come
23 to California. We do not have enough housing to provide
24 adequate housing for their employees to live here.

25 Importantly, the Ahmanson Ranch will be a major

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1 distributor to economic development that the chamber of
2 this region in Ventura County and Los Angeles County
3 desperately need. Ahmanson Ranch is projected to deliver
4 over \$3 billion in construction development expenditures
5 and related activity over the next ten years.

6 Furthermore, the development will create more
7 than 500 construction jobs each year, plus 1,700 permit
8 jobs. And both Ventura County and Los Angeles County will
9 experience these significant economic benefits.

10 Ahmanson Ranch will not only provide housing and
11 jobs, but also committed to preserving open space. This
12 commitment has resulted in the transfer of nearly 10,000
13 acres of open space to permanent public parkland.
14 Therefore, it is appropriate the remaining 2,800 acres be
15 developed in an environmentally sensitive manner as
16 demonstrated by Ahmanson Ranch.

17 The Ahmanson Ranch is considered a model project
18 based on conclusions of the Supplemental EIR. There will
19 be no significant impacts upon the environment that cannot
20 be mitigated. There's no basis to conclude anything but
21 that the Supplemental EIR must be approved.

22 The L.A. Chamber believes that the Ahmanson
23 Ranch Project sets the standard of how communities should
24 be developed: Environmentally responsible and
25 economically sound so that working families can afford and

1 want to live in this region.

2 Again, the L.A. Chamber strongly endorses the
3 Ahmanson Ranch Development Project and ask that you
4 support it as well. Thank you for your consideration this
5 morning.

6 CHAIRMAN WESNER: Thank you, sir.

7 Any questions?

8 Mr. Scott Tepper, followed by Tom Coulter and
9 then Tressa Koehrer or Christine Weber. We have two
10 there.

11 MR. TEPPER: Good morning. My name is Scott
12 Tepper. I live on Paradise Valley Road in Hidden Hills.
13 I've been a resident of Hidden Hills for 15 years. And as
14 I'm sure the Commission knows, it's an incorporated city
15 in Los Angeles County of about 2,000 residents.

16 I've followed the Ahmanson Ranch Project very
17 closely because in 1977, I was first invited onto the
18 Ahmanson Ranch by Bill Ahmanson, who then lived in the
19 ranch house. And since 1977, I've been on the ranch
20 approximately 2,000 times, and most of those times on
21 horseback. I keep horses on my property near the ranch,
22 and I ride the property several times a week. Because I
23 live so close to the property, I've been very concerned
24 about the development, and I followed it very closely.

25 I spoke out in 1992 in favor of the project

1 before the Ventura county Board of Supervisors, and I rise
2 today to support the conclusions of the staff report and
3 the recommendations of staff and the ERRC.

4 I believe that the SEIR has unprecedented
5 comprehensiveness. I believe that the 6,000 pages of
6 comments that have been responded to and the response to
7 every conceivable environmental issue which has been
8 raised, analyzed and discussed is unprecedented. In my 31
9 years of practice as a lawyer, I've never seen an SEIR so
10 lengthy and so comprehensive.

11 We've had six public hearings. We've had a
12 45-day public review period extended to 120 days. And I
13 reviewed the documents myself very carefully. I'm
14 satisfied that all the issues have been properly treated.

15 I have several impacts myself from this project
16 and from the community itself. My law office is in
17 Century City, which means I drive the 101 freeway every
18 day and the 405 freeway into Century City, so I'm affected
19 by the traffic concerns, but the traffic concerns are
20 clearly regional, and they were caused to a very great
21 extent by the infil housing in Agoura Hills, Calabasas and
22 Los Angeles and the West Hills and Woodland Hills areas
23 during the ten years that those communities had this
24 project in court in what turned out to be a frivolous and
25 fruitless litigation. The infil housing is the wrong way

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1 to proceed, and those communities have proceeded in that
2 way.

3 This project, as I have written to this
4 Commission and to the Board of Supervisors, is a
5 comprehensive project which deals with traffic problems.
6 It won't deal with those regional problems, but those are
7 regional problems that have to be addressed regionally.

8 I recently built a new barn and arena, and eight
9 feet down, I struck water, and it turns out that the water
10 I struck was a stream, a tributary of a long valley stream
11 running off of the Ahmanson Ranch Project, so one of my
12 concerns clearly was the water issues.

13 I've read the treatment of the water issues in
14 the Supplemental EIR, and I believe that they're
15 well-founded. I believe, from what I've seen and from my
16 tests on my own property, that the perchlorate that was
17 found in one of the wells is an isolated incident. I'm
18 almost certain from what I've seen that it's not a
19 migration from the plume at Rocketdyne.

20 In summary, I believe that this project is long
21 overdue. As a previous speaker said, a deal is a deal.
22 We have thousands and thousands of areas of open space
23 that have been dedicated by and through the efforts of
24 Washington Mutual and its predecessor Home Savings to make
25 this project a go. And I believe that you should approve

1 the project and recommend its approval to the Board of
2 Supervisors.

3 I'm happy to answer any questions if you have
4 any.

5 CHAIRMAN WESNER: No. Thank you for your time,
6 Mr. Tepper.

7 Mr. Tom Coulter, followed by Tressa or
8 Christine. And then Debbie Aronson.

9 MR. COULTER: Good morning. Thanks for allowing
10 me here. Tom Coulter, 1701 Solar Drive, Oxnard.

11 I'm here supporting the certification of the
12 SEIR for Phase A tract map for the Ahmanson Ranch. I was
13 here ten years ago urging the Ventura County Board of
14 Supervisors to approve the Ahmanson Ranch Project. I've
15 always followed this project closely and believe that it
16 meets all the criteria expressed by land use experts and
17 urban planners for the best future development.

18 Since the passage of Proposition 50 in the last
19 election, opponents to building the Ahmanson Ranch Project
20 to advance the idea of using these funds passed by the
21 voters as a water bond issue for the purchase of the
22 Ahmanson Ranch. What a waste of taxpayers' money that
23 would be. Just how much money do you think would be
24 available for this purchase?

25 According to experts, including Mike Spear,

1 deputy secretary for land conservation and stewardship at
2 the California Resources Agency, many factors enter the
3 acquisition with Proposition 50 funds. He would
4 acknowledged that it would cancel out the purchase of
5 other properties. It would cost hundreds of millions of
6 dollars. Not only was that not the intent of the
7 proposition, but if land is to be preserved with these
8 funds, there's certainly many more land acquisitions that
9 could be made in true wilderness areas.

10 The Ahmanson Ranch is bordered on three sides by
11 urbanization. Never mind that half the Ahmanson Ranch is
12 already in permanent open space, along with several
13 thousand acres, which was part of the 1992 development
14 agreement that brought the entire land dedication to over
15 10,000 acres. All the developer's asking is to develop
16 1,800 acres.

17 Opponents try to justify the misuse of these
18 funds for Ahmanson based on the erroneous notion that the
19 development project would contaminate the Malibu
20 watershed. They know better. The DSEIR before you
21 confirms that the project will not be dumping sewage or
22 other untreated wastewater into Malibu Creek, Las Virgenes
23 Creek, East Las Virgenes Creek or any other creek
24 tributary or watershed.

25 The state-of-the-art reclamation facility which

1 would be located on the ranch is capable of reclaiming 90
2 to 95 percent of all wastewater generated there.
3 Furthermore, because Ahmanson will be a net importer of
4 recycled water, it would aid the Tapia Water Reclamation
5 Facility in meeting the requirements for Malibu Creek
6 discharge.

7 I believe that the law requires that there will
8 be a willing seller before someone's land is taken away.
9 To my knowledge, Ahmanson Ranch is not for sale. Quite
10 the contrary. Ahmanson Land Company is committed to
11 building this project in an urban area near large shop
12 centers and major thoroughfares providing housing in a
13 time of an unprecedented housing need.

14 I urge common sense approach to your decision
15 regarding the Ahmanson Ranch. This project has been held
16 up far too long by naysayers with their own personal
17 agendas.

18 Thank you for your consideration. This project
19 has set an important precedent as a public private
20 partnership that has resulted in a significant amount of
21 permanent public open space for the people of Southern
22 California. Thank you.

23 CHAIRMAN WESNER: Thank you.

24 Any questions?

25 All right. Surprise guest either Ms. Tressa

1 Koehrer or Christine Weber for the Young Republicans,
2 followed by Debbie Aronson, followed by Sally Bellerue.
3 So do I have either Tressa Koehrer or Christine Weber?

4 Let them know they were called. I will hold on
5 if they show up in the next few minutes. We'll let them
6 speak.

7 The next speaker is Debbie Aronson, followed by
8 Sally Bellerue, then followed By Bruce Boyer.

9 MS. ARONSON: Good morning. My name is Debbie
10 Aronson. I reside at 2801 Briarpatch Drive in Simi
11 Valley. Good morning to the honorable Planning
12 Commission, members and Chairman.

13 I have lived in Ventura County since 1963.
14 Having three teenage boys, I would like to discuss a
15 problem with providing housing in Ventura County for my
16 children, all of the other children in Ventura County and
17 those yet to be born here. Although this issue is not
18 directly addressed in the Draft SEIR, it is an issue near
19 and dear to my heart. Where will they live?

20 No one disputes the housing shortage in Ventura
21 and Los Angeles Counties. The question is, how and where
22 to provide it. I believe the best resource for new
23 housing in the county is the proposed Ahmanson Ranch.
24 This development will provide much-needed housing for
25 people of all income levels. I know of no other housing

1 development that offers such housing diversity, including
2 affordable housing.

3 Planned are 774 affordable housing units under
4 the guidelines of the United States Department of Housing
5 and Urban Development, commonly known as HUD. This
6 program is based upon the relationship between job
7 opportunities and housing needs within the community and
8 founded on the concept that there will be a housing
9 opportunity to match every job on the ranch. Some of the
10 units will be for sale, others for rent. In either case,
11 the price is required to be set at a level that is no
12 higher than 30 percent of the monthly gross income of very
13 low, low or moderate income households based on today's
14 medium monthly income.

15 One of the biggest problems we have is not
16 having affordable housing near job sources. This
17 affordable housing plan addresses the housing imbalance in
18 East Ventura County. It also helps to cut down on the
19 number of car trips as workers can walk to work. There
20 will be an on-site housing coordinator to ensure
21 compliance with the affordable housing requirements. Many
22 people are currently commuting long distances to work
23 because affordable housing is not available near jobs.

24 I support the Ahmanson Ranch. It is the very
25 essence of balance between nature and people for the

1 benefit of my children and yours. I urge you to approve
2 the Draft SEIR submitted. Thank you for accepting my
3 comments.

4 CHAIRMAN WESNER: Any questions?

5 Thank you.

6 CHAIRMAN WESNER: Sally Bellerue, followed by
7 Bruce Boyer, then Jerry Miller.

8 MS. BELLERUE: Sally Bellerue, 32140 Canyon
9 Crest Court, Westlake Village, California.

10 Good morning, and thank you for giving me this
11 time to speak to you about the environmental issues that
12 were defined for Ahmanson Ranch in the Draft SEIR. My
13 comments will be brief.

14 The California red-legged frog and the San
15 Fernando spineflower were both identified on the ranch
16 property. Ahmanson took mitigating measures that were
17 innovative and to the heart of these issues. Unlike many
18 developers, Ahmanson created a powerful detailed solution
19 that addresses these issues now and in the future. This
20 solution took form in the shape of the comprehensive
21 Resource Management Plan that identifies and studies these
22 rare and endangered species, and then carefully,
23 skillfully creates a protected method to ensure the safety
24 of these species and opportunities for these species to
25 flourish in the future.

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1 A specific example of the practical steps taken
2 by Ahmanson for the protection of the California
3 red-legged frog is the creation of a secure core habitat
4 area of at least 13 acres that will protect the occupied
5 frog pools along East Las Virgenes Creek.

6 A golf course management plan and drainage
7 system redesign as well as the creation of an additional
8 frog habitat within Las Virgenes Creek and East Las
9 Virgenes Creek will further ensure the safety of these
10 frogs.

11 A specific example of steps that specifically
12 mitigate the San Fernando Valley spineflower includes the
13 grading adjustments that will ensure the preservation of
14 90 percent of the existing habitat and over 93 percent
15 preservation on more than 330 acres of spineflower
16 preserve.

17 These examples reflect the tremendous commitment
18 that the developer has for our environment. Ahmanson is
19 truly a visionary in understanding that it is not enough
20 to talk to our communities about caring for our
21 environment, but instead, put actions behind these words.
22 Ahmanson did so with the foundation of the Las Virgenes
23 Institute, a work in progress for such issues, a place
24 where schools may bring their students, and families may
25 also come and observe what it takes to protect our

1 environment. In this setting, deep understanding and
2 respect will be carved into the hearts of our people.

3 I believe Ahmanson has planned for mitigation of
4 these issues that are of inherent value to our region.
5 Ahmanson has positioned their community when completed to
6 serve as a beacon of light, a model that will demonstrate
7 and show the way for a future growth in our region. With
8 their pattern, cities and counties may partner with the
9 developer an exact plans, regulations, implementations for
10 each site that will ensure open space, the preservation
11 and restoration of plan for our environment.

12 In closing, I want to say that in a time that
13 our region has a sweeping outcry for saving open space,
14 this remarkable developer honors and supports that outcry.
15 I encourage you to certify the Draft SEIR. Thank you.

16 CHAIRMAN WESNER: Thank you very much.

17 Next speaker is Bruce Boyer, followed by Jerry
18 Miller, then Jay Seashore.

19 Mr. Bruce Boyer. Okay. Then we'll hold his
20 card aside for a while.

21 The next speaker is Jerry Miller. I'm sorry, is
22 this Mr. Boyer?

23 MR. MILLER: No. Miller.

24 CHAIRMAN WESNER: All right, sir.

25 Jay Seashore, then Barbara Watkinson.

1 MR. MILLER: Good morning, members of the
2 Commission. I'm Jerry Miller, 3148 Thistlewood Street in
3 Thousand Oaks, and president emeritus of California
4 Lutheran University.

5 I am a citizen who has no personal stake in the
6 outcome of this decision, other than the sense of
7 fairness. I rise at this time to urge your final
8 approvals of those issues remaining on the Ahmanson Ranch
9 Project.

10 Since the initial approval of this project in
11 1992, and I was present for that, the Board -- by the
12 Board of Supervisors, the Ahmanson Ranch people have
13 responded honestly and constructively to every condition
14 placed on this project. It is high time to allow this
15 good and worthy project to move forward.

16 More open space for the public good has emerged
17 from this project than could ever have been imagined ten
18 years ago. The Ahmanson people should be praised for
19 creative planning and responsible cooperate citizenship,
20 not vilified.

21 It seems to me that many of the detractors are
22 pursuing tactics of delay frequently for their own
23 personal, political posturing and perceived gain. Many of
24 those voices are far removed from Ventura County and the
25 legitimate interests of the people of Ventura County. I

1 would suggest that if a city or county today were to start
2 from scratch to go out and seek good residential housing
3 for their people, they would give their eyeteeth to find a
4 project that is as well planned as this one and has been
5 perceived so over ten years.

6 In fairness to a respected applicant with a bona
7 fide project, I urge your approval now of the Ahmanson
8 Ranch Project. I thank you.

9 CHAIRMAN WESNER: Thank you sir.

10 Any questions?

11 Jay Seashore, followed by Barbara Watkinson.
12 Then Mr. Doug Osgood.

13 MR. SEASHORE: Members, thank you very much for
14 allowing me to appear here. I had some prepared remarks,
15 but in the interest of brevity, I will not read them
16 again.

17 CHAIRMAN WESNER: Your name and address, sir.

18 MR. SEASHORE: It is 21031 Ventura Boulevard,
19 Woodlands Hills, my office. I reside in West Hills.

20 CHAIRMAN WESNER: This is Jay Seashore, correct?

21 MR. SEASHORE: Yes.

22 I adopt Mr. Miller's comments about the tactics
23 that have been used to delay this project. Mr. Hawkins
24 has addressed the issues that are before -- and his staff
25 have addressed the issues that are before this panel here.

1 I believe that the Ahmanson Ranch should be
2 approved. It will bring considerable monies and jobs into
3 this area, and it will also result in a tremendous net
4 gain of revenue for the County of Ventura and for the
5 taxes in the surrounding Los Angeles County. Thank you
6 very much.

7 CHAIRMAN WESNER: Thank you, Mr. Seashore.
8 Barbara Watkinson, followed by Doug Osgood, and
9 then Mr. Robert Taylor.

10 MS. WATKINS: Good morning. My name is Barbara
11 Watkins. I'm here representing council member Sharon
12 Martinez from the City of Monterey Park. Council Member
13 Martinez has written a letter in support of the Ahmanson
14 Ranch Project, and I would -- in the interest of time, I
15 would like to just leave the letter and submit it for you.

16 CHAIRMAN WESNER: Thank you very much.

17 MS. WATKINS: Thank you.

18 CHAIRMAN WESNER: Do you wish to make any
19 further comments besides that?

20 MS. WATKINS: Only that Council Member Martinez
21 imparted to me her strong support of this project and the
22 great need for the housing. Thank you.

23 CHAIRMAN WESNER: Thank you very much.

24 Mr. Doug Osgood, followed by Robert Taylor, and
25 followed by Rich Puz.

1 Okay. Again, Mr. Doug Osgood.

2 AUDIENCE MEMBER: Mr. Osgood had to leave.

3 CHAIRMAN WESNER: Fine. Thank you.

4 Mr. Robert Taylor, followed by Rich Puz, and
5 then Mr. Jim Barroca.

6 MR. TAYLOR: My name is Robert Taylor. I live
7 at 2221 Klamath Drive, Camarillo, California.

8 I stand before you today as an ordinary citizen
9 of Ventura County. My wife and I have one child, two used
10 cars and a family income of under a hundred thousand
11 dollars. We got lucky when we moved to California in
12 1994. We were able to buy a home for slightly more than
13 double our annual income. Recently we remortgaged our
14 house so we could start our own business. Our small home
15 is now worth over twice what it was over eight years ago.
16 I guess you could say it's a good thing we're able to
17 borrow enough money to open our own business and
18 hopefully, with the grace of God, we'll be able to stay in
19 business and fulfill just one more part of the great
20 American dream.

21 My child is a senior in high school this year.
22 If things go as all parents hope they will, my son will
23 graduate, go to college, get a job, get married, and him
24 and his wife will buy the little home with a white picket
25 fence. Unfortunately, my son and his wife will have to

1 move out of California to do this. It's not possible even
2 for a family with two incomes to be part of the American
3 dream in our county. This project is something we must do
4 for the sake of the future of our children.

5 Just as most of us who have our own business,
6 our businesses depend upon growth. I really hate to admit
7 this, but I'm just like everybody else. I want growth,
8 depend on growth and have to have growth to survive, but
9 just as we all say, not in my backyard.

10 Well, as far as I'm concerned, Washington Mutual
11 planners have done just about everybody perfect to make
12 the average person like me content. Not only have they
13 planned a project that has allowed the growth we all need
14 to continue, they took it out of our backyards, into
15 underdeveloped acreage that backs up against a highly
16 developed job-reach area. Further, they have carefully
17 balanced the need to safeguard the environment with the
18 need for additional housing.

19 Quite a few of the cities in our county are way
20 behind in their obligations for low-income housing. In
21 most cases, to put up low-income housing at this point
22 would do just about what most of us do not want. This is
23 what everyone would and are calling slum areas.
24 Washington Mutual has made sure that the low-income
25 housing at the Ahmanson Ranch Project will not turn into

1 one of those slum areas.

2 Their low-income housing is not built on the
3 outskirts of town where we will never have to look at it
4 again. It is built right alongside the other
5 modestly-priced homes.

6 When most of us think of low income, we think of
7 the unemployed and single parents on welfare. When I
8 think of low income, I think of new teachers, new
9 firefighters and new policemen.

10 Imagine if my son and his new bride decided to
11 both become teachers. A teacher in the family could not
12 possibly make his father any prouder. Well, my son and
13 his wife would still not be able to live in Ventura County
14 without the help of projects like Ahmanson Ranch.

15 Let us forget about low-income housing in the
16 future of Ventura County for a few minutes. Let us look
17 at the immediate needs of our county. Due to the nature
18 of our economy at this time, budgets are being slashed at
19 every level. Not being a politician, I for one never know
20 what figures are real and what figures are scare tactics,
21 but as we all know, budgets are being cut.

22 Money needed for police, firefighters, schools
23 are quickly drying up. Donations to community groups such
24 as The United Way, Red Cross, YMCA and the Boys and Girls
25 Clubs are getting harder and harder to get.

1 No, the Ahmanson Ranch Project will not solve
2 all our problems. What it will do is create hundreds, if
3 not thousands, of jobs that people of Ventura County would
4 have the opportunity to apply for.

5 As I went through the Ventura County Leadership
6 Academy four years ago, one thing I learned and will never
7 forget is the fact that every dollar spent in our county
8 will turn over up to seven times. This project will put
9 billions of dollars into the economy of our county.
10 Personally I cannot think of any business at this time
11 that would not benefit with billions of dollars being
12 spent in our county over the next couple of years.

13 I hope the Planning Commission will move quickly
14 to vote for this approval of the Ahmanson Ranch SEIR.
15 Thank you very much.

16 CHAIRMAN WESNER: Thank you very much for
17 coming, sir.

18 Any questions of Mr. Taylor?

19 Thank you, sir.

20 Rich Puz, followed by Jim Barroca. And then
21 Lois Brestoff.

22 Again, I apologize if I've mispronounced
23 anyone's name.

24 MR. PUZ: My name is Richard Puz. Actually, I'm
25 here to speak -- present a letter on behalf of Fred

1 Balderrama who's mayor of the City of Monterey Park. I
2 will not read the letter since its sentiments have been
3 expressed very clearly several times already this morning.

4 Mayor Balderrama talks about the need for
5 affordable housing in Los Angeles and, also, in the Valley
6 and in Ventura. So I'm going to present this. And thank
7 you very much.

8 CHAIRMAN WESNER: Thank you for your patience,
9 sir. We certainly appreciate that.

10 Mr. Jim Barroca, followed by Lois Brestoff, and
11 then Mr. Bernardo Perez.

12 MR. BARROCA: Thank you, Mr. Chairman. Jim
13 Barroca is the name. I live at 4964 Aurora Drive here in
14 Ventura.

15 I just wanted to compliment the Commission for
16 listening to all this testimony this morning and more that
17 you will hear later. And I know it's a hard job, but
18 you've been picked -- you have to make a hard decision,
19 and I'm sure you will.

20 I used to be the manager of the Ventura Chamber
21 of Commerce for 25 years. And before that, I was the
22 manager of the Conejo Valley Chamber and Canoga Park
23 Chamber and Oxnard Chamber for a while. I'm not here to
24 speak in that respect, though, even though I was happy to
25 hear Marc Charney and others speak before me and the Los

1 Angeles Chamber representative speaking on behalf of what
2 the Chamber considers a good project. And when I was
3 manager of the Chamber, I used to appear before a lot of
4 commissions such as yours and the Board of Supervisors and
5 particularly the City of Ventura, city council, on these
6 types of issues, and it always amazed me that when we had
7 opponents who were against good projects would come up
8 with every conceivable idea that you could imagine to
9 oppose it.

10 I have followed this development now for a while
11 as a retired person really. Maybe just an average person
12 out there, I think. Many of the thousands of people who
13 are out there right now working today who can't be here
14 who are wondering after ten years what really is going on
15 here? Here is something that is going to be really good
16 for the area, well planned. They have addressed every
17 objection from the spineflower to the frogs to the
18 perchlorate issue. It's a new phrase for me, new word.
19 And wondering why? What is the absurdity of this thing?
20 What next will the opponents come up with to oppose this
21 thing?

22 So the Ahmanson Ranch Project -- the developers
23 are meeting every opposition that can come along. And I
24 think you really need to consider that. I hope you'll
25 approve that. I hope you will approve the SEIR and move

1 it along to the Board of Supervisors because it's become a
2 little silly. And I think, as I said, the average person
3 out there who can't be here today, my kids, for example,
4 who are working, two grown youngsters, one of them living
5 on the Avenue area in Ventura because that's all he can
6 afford to rent, a place on the Avenue. Another renting
7 another apartment because he can't afford a house.

8 I can tell you that housing has gone through the
9 roof. The cost of housing throughout the county -- I
10 don't have to tell you that. You heard that already.
11 You've heard it many times before.

12 So let's give a chance to these people. Maybe
13 if the 25 percent of the development is going to be in
14 affordable housing, this will give people another chance
15 to move into some homes. If you have more homes
16 available, more inventory, then prices will come down
17 because more people have a chance to compete for the
18 housing element that's there, and other people that own
19 homes already can use their equity to maybe move out to
20 this development and let younger people move into the
21 homes that are available here now.

22 I urge you to approve the SEIR. I think it's
23 gone on far too long. It's ridiculous. They've met all
24 the opposition. I think it will be really wrong if this
25 goes on continuously. I hope you will approve it. Thank

1 you.

2 CHAIRMAN WESNER: Before we move on, there's
3 been a request from a member of the public to the
4 Commission that we intersperse opposition among this,
5 which is a deviation from our protocol that we've always
6 used.

7 Commissioners, we are about halfway through the
8 supporters. Obviously if we were to make that move, we
9 have disadvantage to the supporter's side. Is there any
10 feeling?

11 Hey. I'm not going to talk about this again.
12 This is not a debate. There is a protocol. I'm asking
13 the Commission what their wish is. They will vote. That
14 will be followed. If you do not like it, you can
15 certainly walk across the hall with any one of these
16 attorneys, file your ex parte for a restraining order, and
17 notify the counsel over here and get your injunction.

18 Now, Commissioners, what is your wish?

19 MR. BARTELS: Commissioner Wesner, as I said
20 before, the way we conduct hearings is now no different
21 than as long as I've been on the Commission. I am here to
22 hear every person who is going to speak. The order in
23 which they speak, the weight of what they say doesn't
24 change. This is about respect and process. And we
25 came -- I came today to have a day of hearing testimony,

1 and we laid out at the beginning of this hearing how we
2 were going to hear testimony. We have kept to that thus
3 far, and I expect that we continue to keep to that.

4 CHAIRMAN WESNER: Any further comments?
5 Commissioner Molitor.

6 COMMISSIONER MOLITOR: I would have no objection
7 to changing the procedure for this particular hearing,
8 seeing this is the largest project that this county has
9 had in 30 years, so I would have no objection to having
10 them interspersed.

11 CHAIRMAN WESNER: Commissioner Reynolds.

12 COMMISSIONER REYNOLDS: I think that everyone
13 came here today knowing the rules that we've operated by.
14 I've been sitting here for over seven years, and I believe
15 what we're doing is correct, and we should keep with the
16 protocol.

17 COMMISSIONER DRESSLER: I agree we should go
18 forward. I think everyone on both sides of the room has
19 concerns. I think the concerns and the approval of
20 everyone in the room is going to be weighed equally, and
21 as long as we do have a tradition, I think we ought to
22 stick to it.

23 CHAIRMAN WESNER: Okay. The feeling of the
24 Commissioner right now is I feel the same way. The rules
25 of the road have been laid out. They were laid out

1 initially. They were laid out prior to this. They've
2 been laid out in the eight years I've been here. So,
3 therefore, hearing four to one, we will proceed. Thank
4 you for your comments. We will now proceed with the
5 public hearing.

6 Lois Brestoff, Bernardo Perez, and then Bill
7 Burato or Ed Summers.

8 Lois? No Lois. Superman must be here.

9 Next one is Bernardo Perez. Okay. This is
10 going to go faster than we thought.

11 Bill Burrato or Ed Summers.

12 AUDIENCE MEMBER: Mr. Burrato is expected
13 shortly.

14 CHAIRMAN WESNER: I will hold his card aside for
15 a few minutes.

16 Ken Calcut, followed by Ross Hopkins.

17 Okay. I understand Mr. Calcut has an oxygen
18 issue. We'll hold his card, also.

19 Ross Hopkins, followed by Joyce Prager.

20 MR. HOPKINS: Good morning, members of the
21 Planning Commission. My name is Ross Hopkins, 20941
22 Hackney Street, Canoga Park. I am a consultant to the
23 Ahmanson Ranch Project. However, I am here in my capacity
24 as past chairman of the United Chambers of Commerce of the
25 San Fernando Valley.

1 The United Chambers represents 24 member
2 Chambers of Commerce in the greater San Fernando Valley
3 area, and the United Chambers of Commerce supports the
4 Ahmanson Ranch project because of the housing and economic
5 benefits to the area.

6 On a personal note, I'd also like to say that my
7 son and his family have moved to Portland, Oregon because
8 of the lack of affordable housing in this area, and I
9 would like to see him come back.

10 But the United Chambers of Commerce urges you to
11 approve the SEIR and to recommend to the Board of
12 Supervisors approval of Phase A of the project and of the
13 SEIR. Thank you.

14 CHAIRMAN WESNER: Ms. Joyce Prager, followed
15 by -- here we go, Don Facciano. I apologize. Then Stan
16 Heirshberg.

17 MS. PRAGER: Good morning, Commissioners. Thank
18 you for allowing us the opportunity to speak to you today.
19 I'm very excited for this opportunity because I missed it
20 the last time we sat for a very long time. I also
21 appreciate the fairness and the protocol that you're
22 demonstrating today.

23 CHAIRMAN WESNER: Thank you.

24 I'm sorry, did you give us your address,
25 Ms. Prager?

1 MS. PRAGER: No.
2 Joyce Prager. I live in Woodland Hills, 20568
3 Ventura Boulevard.
4 I also served as the past president of the
5 Warner Center Association during its era of trying to
6 build new office buildings in Warner Center.
7 I'm very familiar with the problems of
8 difficulties encountered in building developments, which
9 is not new, office building complexes to housing
10 developments. The Warner Center headquarters and Villa
11 Vista Apartments is an example that I would like to share
12 with you.
13 As a long-time resident of Woodland Hills and a
14 long-time employee of the Warner Center community for 18
15 years, I have been afforded opportunities to be involved
16 in these new developments. A major employer built a
17 necessary addition to its headquarters with difficulty.
18 When it was pointed out that there would be a loss of
19 2,500 jobs due to relocation out of the area, with loss of
20 revenues to Warner Center, Woodland Hills and other
21 communities in Los Angeles, the City of Los Angeles
22 realized the necessity and dealt with the concerns in a
23 socially and economically responsible manner. The end
24 result is savings of hundreds of jobs, continued
25 prosperity to the company and its employees.

1 Opposition to growth and development, as you
2 know, is not new nor a surprise to all those who are in
3 favor of the growth, fostering economic vitality with
4 balance and considerable developments like the Ahmanson
5 Ranch Project.

6 I am not yet a homeowner, and I've been holding
7 out for the ideal thing. I think I found it with the
8 Ahmanson Ranch Project. While I wait anxiously for the
9 Ahmanson Ranch Project to get underway, today I'm faced
10 with increasing rental rates that can be easily attributed
11 to supply-and-demand theories. The lack of affordable and
12 desirable housing leaves the rental as the alternative.

13 As the housing market has shrunk, the
14 surrounding fees available for rentals has increased.
15 Last year I experienced a 23-percent increase based on
16 what the market could command. As I look into new
17 apartment developments, I find that I could be paying
18 \$2.12 a square foot for a one-bedroom unit and could
19 purchase a similar square footage as an office building
20 tenant at \$1.25 to \$1.75 per square foot.

21 Current rents in the surrounding communities to
22 the Ahmanson Ranch Project are outrageous and are often
23 higher than what an average mortgage payment would be in a
24 housing development. In Woodland Hills, a new development
25 called Bella Vista at De Soto and Erwin, which rests on

1 land that residents fought against with great effort for
2 more than ten years, the first phase is finally built,
3 albeit differently than what was originally conceived by
4 the original developer and designers and what was
5 originally imagined by the concerned residents.
6 The end result: A probable transient population living in
7 a high density apartment complex which increases the
8 number of trips per person than those living in a home
9 ownership development, and still there will be a housing
10 shortage.

11 There is a need and demand for quality
12 affordable and attractive housing. This Ahmanson Ranch
13 Project is a project of 3,050 mixed housing for all income
14 levels from apartments, town homes and condominiums to
15 single-family dwellings.

16 Ventura County corridor traffic congestion.
17 Several hundred homes built along the corridor without
18 regards to impact on traffic major developments, such as
19 Calabasas to Conejo Valley to Camarillo, all feed into the
20 corridor and all benefit from its use. All should
21 participate in future improvements.

22 When reference is made to the excitement of the
23 anticipated completion of the Ahmanson Ranch, I hear
24 concerns about traffic impacts and the ills of the Ventura
25 freeway corridor. Many developers have dropped and

1 scattered a few hundred houses along the way. The
2 Ahmanson project is well thought-out and its commitment to
3 environmental preservation and enhancement outweighs any
4 other attempts by any other developers in this region.

5 I worked for Daniel Johnson and Mendenhall for
6 eight years, and my first project out of school was the
7 Oak Park Development. And I thought that was the best
8 project ever developed in a master plan community. I now
9 think it's the Ahmanson Ranch.

10 The project optimizes runoff water by using its
11 irrigation for the golf courses, parks, trails and open
12 space, overall reducing discharge to the Malibu Creek
13 watershed. This is a win-win, building homes near the
14 building centers. There is an ample supply of affordable
15 housing with 3,050 units, which helps create a retention
16 of the job market employees and import economic stability
17 to employers in the region.

18 Preservation and balanced design contribute to
19 an appealing environment in a manner that is balanced with
20 growth and development. Development is achievable in a
21 balanced manner. Ahmanson Ranch Project has demonstrated
22 patience and invested millions in respecting environmental
23 issues, and yet even more money is planned to help find
24 and fund new solutions to freeway traffic congestion. But
25 this is not a sole Ahmanson Ranch burden. It is one that

1 needs to be shared with all who benefit from the use of
2 our major thoroughfares.

3 CHAIRMAN WESNER: Ms. Prager, you have less
4 than ten seconds.

5 MS. PRAGER: Building a housing complex in the
6 heart of the business community is a win-win for everyone.

7 I trust that you will all make a decision in
8 favor of the Ahmanson Ranch Project. I look forward to
9 seeing this project move forward, which is long overdue.
10 This concept is one that works and rests solely with those
11 who are responsible for the planning of our cities and
12 communities.

13 I believe that those in opposition will come to
14 an understanding of the needs and desires of the fellow
15 citizens who want to seek prosperity, innovation and
16 design and, at the same time, the healthy and strong
17 economic future. We can do this with the Ahmanson Ranch
18 Project. Thank you.

19 CHAIRMAN WESNER: Thank you.

20 Next speaker is Don Facciano, Stan Heirshberg
21 and Al Ponaman.

22 Don, do you sit on the Measure S oversight
23 committee for the Ventura County College District?

24 MR. FACCIANO: I'm on the open space district,
25 and I'm also on the S for the county on the bond, the

1 Community College District.

2 CHAIRMAN WESNER: Then the Chair must disclose
3 the fact Don and I sit on the same oversight committee,
4 which is for the bond issue for the Ventura County College
5 District. I don't feel that that will prejudice my being
6 able to take testimony.

7 Do any of the Commissioners have a problem with
8 that? County counsel?

9 Don, please go ahead.

10 MR. FACCIANO: Commissioners, my name is Don
11 Facciano. I'm president of the Ventura County Taxpayers
12 Association at 5156 McGrath in Ventura.

13 Taxpayers should not foot the bill for Ahmanson
14 Ranch. Saving the Ahmanson Ranch has become a battle cry
15 for so-called activists in Ventura County and the group of
16 Hollywood celebrity cheerleaders that are bank-rolling the
17 campaign against the development. But if they are
18 successful in saving Ahmanson Ranch, the taxpayers of
19 Ventura County will be paying the tab. The idea that
20 Washington Mutual will simply walk away from the
21 development after arranging for the permanent dedication
22 of 10,000 acres for open space and after spending millions
23 on entitlements and other expenses sounds like something
24 out of a Hollywood movie.

25 If Washington Mutual is persuaded to sell its

1 remaining 2,800 acres to some sort of conservancy, you can
2 bet that taxpayers in Ventura County and throughout the
3 state will have to cough up several hundreds of millions
4 to buy it, and that doesn't count the loss of four to five
5 million in tax revenues that Ahmanson Ranch will generate
6 each and every year to Ventura County in the form of
7 increased properties, sales and bed taxes.

8 Opponents are urging the county supervisors to
9 renege on their 1992 development agreement that save the
10 10,000 acres and will result in the previously-mentioned
11 infrastructure and tax increases for the county. These
12 include the same people who have filed 15 unsuccessful
13 lawsuits against the project over the past decade. They
14 couldn't get their way in court, and they want the
15 supervisors to come up with a phony environmental pretext
16 to welch on a development deal in which Ahmanson Land
17 agreed to build on less than 2,000 of its remaining 2,800
18 acres.

19 This could very well result in legal action
20 against the county by Washington Mutual. Instead of
21 receiving millions of dollars in badly-needed tax revenues
22 and tens of millions in free public infrastructure and
23 recreational facilities, the county could end up spending
24 millions in legal fees and guess who ends up paying these
25 legal fees?

1 Contrary to what a few -- relatively few zealots
2 would like the public to believe, the supervisors got us
3 90 percent of a loath in exchange for permission to build
4 some 3,000 badly-needed homes. Now they want the Ventura
5 County taxpayers to give up millions in tax revenues, risk
6 millions more in legal fees to grab the last ten percent.

7 The supervisors had it right the first time when
8 they approved the project a decade ago. We need the
9 housing more than ever. This is about as good as it gets.

10 The Taxpayers Association urges and supports
11 Ahmanson Ranch. Thank you.

12 CHAIRMAN WESNER: Thank you, Don.

13 Any questions?

14 COMMISSIONER REYNOLDS: Chair, did you want us
15 to disclose? I sit on a Board of Trustees with Dr. Jerry
16 Miller and also a Board of Director of a foundation with
17 him. And he was a speaker. And, also, Mr. Ken Calcut. I
18 was treasurer of his Conejo Valley campaign.

19 CHAIRMAN WESNER: Do any of the commissioners
20 have any difficulties with that? County counsel?

21 COMMISSIONER REYNOLDS: I didn't realize we had
22 to disclose that.

23 CHAIRMAN WESNER: Just as a matter of protocol,
24 if you have any other relationship with any of the
25 speakers outside of the Commission, please disclose for

1 the public record.

2 All right. Thank you, Don.

3 Next, the speaker is Stan Heirshberg, followed
4 by Al Ponaman, then Michael Ewing.

5 Again, ladies and gentlemen, please, let's stay
6 focused on the fact that we are here for a Supplemental
7 EIR and a master tract map, if you support or oppose and
8 if you have a specific reasons.

9 Mr. Heirshberg.

10 MR. HEIRSHBERG: My name is Stan Heirshberg. My
11 address is 4360 East Main Street, number 238, in Ventura.

12 I've been involved in a number of water projects
13 in the region, and I speak to you today not as a
14 consultant for the Ahmanson Land Company, but as a
15 follower of the project for the past decade.

16 I was present at the last ERRC hearing where a
17 number of testifiers portrayed the perchlorate picture as
18 dire and damaging to the Ahmanson Ranch Project. I would
19 like to address this issue and urge you to approve the
20 SEIR so that it may move on to the Board of Supervisors
21 for its review.

22 The State Department of Health Services
23 recommends treatment of perchlorate at four parts per
24 billion for drinking water. The ranch water in question
25 is from well number 1 that has been earmarked for

1 irrigation uses only. This is part of an easement
2 agreement with the body governing the dedicated parkland
3 adjacent to the ranch.

4 Ahmanson Land Company has agreed to clean well
5 number 1 to drinking level standards even though this
6 water would be used for irrigation only. Technologies are
7 readily available to address perchlorates. The City of La
8 Puente, for example, is currently implementing a treatment
9 program to remove perchlorate from their drinking water
10 sources. The base perchlorate level there is in excess of
11 100 parts per billion and they are successfully treating
12 the water to less than four parts per billion to meet
13 state guidelines.

14 According to an article in yesterday's
15 Press-Enterprise, four San Bernardino County water
16 agencies will receive \$750,000 from a special state fund
17 to temporarily pay the cost of stripping perchlorate from
18 20 contaminated drinking water wells in the cities of
19 Rialto, Fontana and Colton. The treatment system cleanses
20 well water through a series of ion exchanges. The
21 technology is available and proven and can be successfully
22 used here.

23 Should Ahmanson Ranch choose to use well number
24 1 water supply for irrigation, the company has agreed to
25 reduce the perchlorate level to the current state

1 guidelines for drinking water, even though the water is
2 going to be used only for irrigation water purposes.

3 The Ahmanson Ranch could choose not to use this
4 water supply as discussed in the SEIR. In this case,
5 Ahmanson would purchase additional irrigation water from
6 Las Virgenes Municipal Water District as part of their
7 irrigation program. This will assist the District in
8 managing the irrigation water surpluses in the spring and
9 fall periods. The Ahmanson Land Company is implementing
10 progressive programs to balance their water needs within
11 the ranch project and those of the surrounding areas.

12 I urge you to approve the SEIR and move forward
13 with the project. Thank you.

14 CHAIRMAN WESNER: Al Ponaman, followed by
15 Michael Ewing, followed by Jim Chatterly.

16 While you're coming down, it's now approximately
17 20 of 12. It's the Chair's intent -- we have
18 approximately 20 cards left on the support side -- to
19 break at around 12:30 or so, assuming we can get through
20 these cards. We will recess for lunch until approximately
21 1:30. Again, I will give the public a specific time when
22 we reconvene.

23 MR. PONAMAN: Good morning, members of the
24 Planning Commission. My name is Al Ponaman, and I'm here
25 to speak in support of the Ahmanson Ranch.

1 CHAIRMAN WESNER: Al, what's your address,
2 please, sir?

3 MR. PONAMAN: I'm sorry?

4 CHAIRMAN WESNER: State your address for the
5 record.

6 MR. PONAMAN: 10041 Larwin Avenue, Chatsworth,
7 California.

8 Since most of my comments have already been made
9 by previous speakers, I hope you'll allow me to reduce
10 this five minutes down to about one minute.

11 CHAIRMAN WESNER: That would be great.

12 MR. PONAMAN: I'm a professional executive
13 recruiter, and I specialize in the labor industry, so I'm
14 very sensitive to the labor market. When I see articles
15 in the paper about different companies laying off
16 thousands of people, companies moving out of California,
17 mergers and acquisitions and the reduction of jobs, that
18 affects me personally, as well as the entire economy.

19 And some of the comments that were made here
20 already about 3.3 million dollars in economic activity
21 within this region as a result of Ahmanson Ranch, when I
22 hear that they're going to be hiring 500 people per year
23 just for the construction part of it, and then that will
24 create an extra 1,700 jobs when the whole thing is done,
25 when I hear that the residents of this Ahmanson Ranch will

1 be spending two to \$300 million a year, which will create
2 more jobs, but the one thing that I haven't heard very
3 much of is that this Ahmanson Ranch Project -- and I want
4 to read this. It says will increase -- will produce an
5 increase of 20 to \$25 million in property taxes for
6 Ventura County generating net positive contributions to
7 the Ventura County General Fund.

8 My next-door neighbor just put his house up for
9 sale. He asked for twice what he paid for it, and he got
10 his asking price in two days. I have another friend who's
11 a real estate agent. He says there is no inventory out
12 there. The price of houses is skyrocketing. And I don't
13 know how anybody in their right mind could object to a
14 project that looks after the economy, that looks after the
15 ecology and provides jobs for everybody in the area.
16 Thank you.

17 CHAIRMAN WESNER: Thank you, Al.

18 Michael Ewing, followed by Jim Chatterly. And
19 then Tom Lombino. I got a feeling Mike's taking a
20 different persona.

21 MS. EWING: No. My name is Michael Ewing.

22 COMMISSIONER REYNOLDS: I can understand that.
23 I have a Darryl, Daryl.

24 MS. EWING: I was the first disappointment in my
25 family.

1 CHAIRMAN WESNER: Looks like ten push-ups for
2 me, Michael.

3 MS. EWING: I'm here on behalf of council member
4 George Martinez from the City of Maywood at 4319 East
5 Slauson Avenue in Maywood, California. And he has a
6 letter for me. I will submit it to you simply rather than
7 read it, but he is asking very much that you move the
8 Ahmanson Ranch SEIR forward. Thank you.

9 CHAIRMAN WESNER: Thank you, Michael.
10 Jim Chatterly, followed by Tim Lombino. Then
11 Ms. Lisa Ann Rowe.

12 Mr. Chatterly? All right. I'll hold his card
13 aside if he should appear.

14 Tom Lombino, then Lisa Ann Rowe, followed by
15 Robert Weller.

16 MR. LOMBINO: Good morning, members of the
17 Commission. My name is Tom Lombino, and I reside at 24425
18 Woolsey Canyon Road, and that's in the West Hills area.

19 Over ten years ago, I saw in the Calabasas
20 newspaper an artist's drawing of the Ahmanson Ranch
21 project. In bold print was the words "Affordable housing
22 and a new concept of a planned community." I knew right
23 away that this would be a great place to live.

24 We need Ahmanson Ranch. There is a critical
25 need for housing. This project will help relieve the

1 housing shortage. As I said before, this will be a great
2 place to live. The quality and safety of life will be
3 high for its residents, and Ahmanson Ranch will offer
4 affordable housing.

5 My dream has always been to live in Ahmanson
6 Ranch. And with your help, this can be a reality. Thank
7 you.

8 CHAIRMAN WESNER: Thank you, sir.

9 Ms. Lisa Ann Rowe, followed by Robert Weller,
10 then Tom Nielsen.

11 MS. ROWE: Hello. My name is Lisa Ann Rowe, and
12 I'm here on behalf of Councilman Frank Venti of the City
13 of Monterey Park at 320 West Newmark Avenue, Monterey
14 Park. And in the interest of time, I'd like to submit his
15 letter instead of reading it.

16 CHAIRMAN WESNER: It's my understanding he
17 opposes or supports?

18 MS. ROWE: Support. Strongly supports.

19 CHAIRMAN WESNER: Mr. Robert Weller, followed by
20 Tom Nielsen, and then Brad Golden.

21 MR. WELLER: Mr. Chairman, members of the
22 committee, my name is Robert Weller. I live at 6591 Oak
23 Springs Drive in Oak Park.

24 I appreciate the opportunity to express my
25 opinions with regard to the Ahmanson Ranch community. Not

1 only do I personally feel this is a necessary project, I
2 also feel that the project, which in this form, will
3 enhance the quality of life in neighboring areas of
4 Ventura and L.A. Counties.

5 I have lived in Oak Park since early 1991 and,
6 in fact, live in the development that borders the Jordan
7 Ranch area. The quality of life we enjoy in Oak Park is
8 unique and tangible. Myself and most of my neighbors
9 moved away from the higher density portion of L.A. County
10 in search of an environment for our families which reminds
11 us of our own childhoods, a close-knit community where
12 it's safe to raise a family and yet close enough to
13 commute to the various job markets. We were not looking
14 to simply move into newer homes. We were looking for a
15 better living experience.

16 After reviewing the proposal for Ahmanson Ranch,
17 which indicate a loss of life-style, entirely exaggerated
18 that this future community will not only mimic what we
19 have now, it will take it to its next logical level.

20 With the amount of scrutiny put upon the
21 developer and their concepts, I'm convinced Ahmanson Ranch
22 will be one of the most beautiful master planned
23 communities in Southern California.

24 If we were to look at such areas as Valencia,
25 Irvine, Calabasas and others with a master planned

1 approach, it's obvious Washington Mutual has learned from
2 other developers both their mistakes and successes. All
3 practical contingencies seem to have been taken into
4 account, including the obvious ones: Transportation,
5 protecting the environment, enhancement of land use,
6 affordable housing, and saving our open spaces, which are
7 just a few.

8 Creating the central hub and core that is part
9 of the proposal also causes the inhabitant fields
10 connected to one another, which is paramount in raising a
11 family. This is healthy and sorely needed.

12 Even with the Ahmanson Ranch homes, Ventura
13 County will not be able to fulfill its future housing
14 needs and is at risk of losing employers as their
15 employees will not only be able to afford to live within a
16 reasonable commute of their jobs. We need as many homes
17 to be built as the builder's willing to build. To be able
18 to built them in this form with this function is an
19 opportunity to not be missed. Just because we're all
20 here, we really cannot close the gates to keep out any
21 more people.

22 Ultimately we'll all lose, as when the jobs
23 leave, so will our balanced tax base and then so will
24 parts of the infrastructure that we won't be able to
25 afford any longer.

1 In reality, at some point, this project will be
2 built. It's up to you as our local government to ensure
3 it's built to these standards that Washington Mutual has
4 had to adhere to. It's entirely possible future
5 standards, public opinion and developer's interest will
6 change as the years go by. We're able to preserve the
7 majority of the open areas and keep the density of the
8 housing to the level being proposed. Tomorrow's economic
9 and political climate may cause the emphasis to be shifted
10 in another direction.

11 We certainly don't want to repeat what happened
12 in the San Fernando Valley just after World War II.
13 Here's a chance to put into play a scenario that will give
14 us some much-needed housing in a setting we can all be
15 proud of. Thank you.

16 CHAIRMAN WESNER: Thank you, Mr. Weller.

17 Tom Nielsen, followed by Brad Golden. And then
18 Glen Wilcox.

19 MR. SHAPIRO: I'm standing in for Mr. Nielsen.
20 My name is Harold Shapiro, 11631 Chiquita Street, Studio
21 City. I am president of the Cohousing Council of Southern
22 California, and I'm addressing this problem from a little
23 different standpoint.

24 My issue with the process and the procedure with
25 Ahmanson approval has to do with more of a political

1 failure than an environmental and economic issue.

2 I've bench a member of the Sierra Club for 32
3 years, so my first knee-jerk reaction to a development of
4 Ahmanson's scope and size was to say no. I'm very, very
5 cognizant of the fact of the issues of urban sprawl, the
6 issues of environmental degradation. All of those are
7 very critical and I think valid issues.

8 There's no question that the quality of our life
9 is being unfairly diminished by unchecked urban sprawl.
10 There is, however, a question that is also in front of us,
11 and that is a blind policy as disastrous in a significant
12 way as the ever-growing regional areas such as ours,
13 disastrous to the middle income and lower income
14 population. And in the paradoxical way, it has created
15 negative environmental and economic consequences.

16 In arriving at my decision to support the
17 Ahmanson Ranch development, I had to balance my concerns
18 relative to the lack of housing in this region, the
19 environmental impact of the development and the social and
20 economic impact of not developing this project. Weighing
21 heavily on my decision is a visible lack of urgency and
22 concerted action by the local governments to address this
23 housing crisis. There's a real social equity that is not
24 being addressed.

25 While there are specific elements of the

1 development that I would like to see done differently, the
2 Ahmanson Ranch development does represent a more
3 progressive approach to the precepts of smart growth,
4 which many of us profess to support. I would have
5 preferred to see a more balanced tone to the debate of
6 this approval process rather than the polarizing options
7 of just being for or against.

8 There was much for us to learn from this process
9 as we move forward in addressing this region's economic,
10 environmental and social challenges. I support the
11 project and urge its approval.

12 CHAIRMAN WESNER: Thank you.

13 Any questions?

14 Thank you, sir.

15 Brad Golden, followed by Glen Wilcox, and then
16 Rhondi Guthrie.

17 MR. GOLDEN: Hi. Brad Golden, 125 Riata Avenue,
18 Ventura, California. I'll submit my letter in the
19 interest of time and just urge your passing on of The
20 SEIR.

21 I attended many of the ERRC meetings, and I
22 commend the county in their comprehensive study of it and
23 urge your approval of it. Thank you.

24 CHAIRMAN WESNER: Thank you, Mr. Golden. We
25 appreciate the brevity.

1 Mr. Glen Wilcox and Rhondi Guthrie. Then Ed
2 Lyon. Glen Wilcox. Rhondi Guthrie.

3 Do we have Rhondi coming?

4 MS. GUTHRIE: Good morning, Chair, members of
5 the Commission. My name is Rhondi Guthrie, and I live at
6 7344 Grant Street here in Ventura.

7 As a lifelong resident of the City of Ventura, I
8 am here to express my support for the Ahmanson Ranch
9 Project. The Draft SEIR has fully analyzed all the issues
10 required for full compliance with CEQA and concludes that
11 there are no new significant impacts beyond those
12 originally identified in 1992.

13 It is time to move forward with this innovative
14 and environmentally-sensitive project and one that is much
15 needed to help ease the county's housing needs.

16 As Ventura County continues to grow mostly due
17 to natural increases, it is common sense that we will need
18 new homes and infrastructure to house our citizens. While
19 opponents of the project would like to turn a blind eye to
20 this very simple fact, Ahmanson is working to solve the
21 problems of the severe lack of housing, traffic impacts,
22 water quality and protecting the environment all at the
23 same time.

24 Ahmanson Ranch offers an incredible mix of
25 rental and for sale housing that will help over 3,000

1 families and individuals attain the American dream. Since
2 Ahmanson has diligently addressed every environmental
3 impact in the 1992 certified EIR and now in the Draft
4 SEIR, it is long overdue for Ahmanson Ranch to move
5 forward. Thank you.

6 CHAIRMAN WESNER: Any questions of Ms. Guthrie?
7 If not, the next speaker is Ed Lyon, followed by Peggy
8 Mueller, and then Wayne Tanaka.

9 MR. LYON: Good morning, Commissioners,
10 Mr. Chairman. My name is Ed Lyon. I reside at 2333
11 Foster Avenue, Ventura, the house I grew up in.

12 I'm a long-time resident and businessman of
13 Ventura County, and I was in the construction business for
14 more than three decades. I testified before this body and
15 the Board of Supervisors in 1992 when the Ahmanson Ranch
16 Project was entitled in December of that year.

17 My family has a heritage of responsibility,
18 responsible commitment to the community of which I'm very
19 proud. I consider myself a thoughtful and serious steward
20 of our quality of life in Ventura County and have worked
21 with a number of community groups to assure preservations
22 of that quality. It is for that reason I'm here again in
23 support of Ahmanson Ranch.

24 I have attended all six of the ERRC hearings,
25 which fully explore the technical adequacy of the Ahmanson

1 Ranch SEIR that I was -- that was a laborious task, but I
2 commend the staff for their diligence and that of the ERRC
3 committee. I fully realize that the world is watching
4 this process.

5 Ahmanson Ranch has taken extensive measures to
6 mitigate the impact of construction during the build-out
7 of this well-planned community. Certainly key measures
8 using best management practices will be utilized during
9 all four phases of construction, which will ensure that
10 the effects of construction and grading are minimal for a
11 project of this size.

12 Appropriate measures will be taken to control
13 erosion and sediment discharge from grading, including
14 avoiding unstable slopes, diversion channels, grading and
15 stages minimizing steep slopes and construction and
16 controlling construction during the rainy season.

17 Detention basins will be constructed early in
18 Phase A. A planned permanent storm water detention basin
19 will receive drainage from essentially all the phases of
20 construction. A new storm drain will allow runoff from
21 the upstream area to completely bypass the California
22 red-legged frog core area. The basin system will provide
23 back-up protection of the lower East Las Virgenes Creek
24 during Phase A construction.

25 Further grading setbacks from a hundred to 330

1 feet from the California red-legged frog core area during
2 the Phase D construction and erection of the temporary
3 barriers will prevent pollution runoff to the core area.
4 A storm water pollution prevention plan will be
5 implemented through all phases of construction more than
6 meet the requirements for all construction permits.
7 Permanent soil stabilization will be established early in
8 all disturbed areas. It is obvious that great care has
9 been taken in developing this construction plan.
10 Everything possible has been designed to protect the
11 red-legged frog, control runoff and to minimize the effect
12 on the environment.

13 This plan is both responsible and innovative,
14 and I urge your approval of the SEIR so that Ahmanson
15 Ranch may become a part of the quality of life of Ventura
16 County for families now desperately in need of housing.
17 Thank you.

18 CHAIRMAN WESNER: Thank you, sir. We appreciate
19 your time.

20 Ms. Peggy Mueller, followed by Wayne Tanaka, and
21 then Harold Shapiro.

22 Peggy Mueller? If not, Mr. Tanaka, come on
23 down. We'll see if she shows up.

24 MR. TANAKA: Thank you. My name's Wayne Tanaka.
25 I reside at 2811 Queens Way in Thousand Oaks, and I've

1 been a resident of Ventura County for nearly 28 years.

2 And I've been following this project in its
3 different formats for almost 20 years, so I don't think we
4 can waste too much time proceeding with approval on this,
5 but I'm here to speak and address the issue of water
6 quality for Ahmanson Ranch.

7 I believe with the best management practices
8 that are being incorporated into the project and whereby
9 the net discharge to the Madea Creek and the Malibu Creek
10 area is negative, negative in that the net reduction of
11 the wastewater discharge in the Malibu Creek on an annual
12 basis is going to help alleviate the water needs of the
13 project.

14 I believe that we've waited a long time for such
15 a world-class project, and I believe that through the best
16 practices, that the wastewater and recycling issues are
17 going to be addressed quite adequately. And I would like
18 to have your support as a resident of Ventura County to
19 see more housing in our community. Thank you very much.

20 CHAIRMAN WESNER: Thank you, Mr. Tanaka.

21 Mr. Harold Shapiro, followed by Debby Heron.
22 Then Fred Ferro.

23 Mr. Shapiro. Did he already speak?

24 All right. Debby Heron. Or Fred Ferro. Okay,
25 followed by Dennis Dickerson.

1 MR. FERRO: Good morning, Mr. Chairman and
2 members of the Planning Commission. My name's Fred Ferro.
3 My address is 1110 Center Road, Somis.

4 I'm here today on behalf of the organization of
5 which I'm a voluntary chairperson called HOME. It stands
6 for Housing Opportunities Made Easier. It's a nonprofit
7 group, a coalition of employers and activists both for
8 housing, social activists and community activists, and
9 nonprofit builders as well.

10 The purpose of the group's mission is to
11 education and advocate for greater availability of housing
12 for people of all income levels throughout all the
13 communities of Ventura County. As part of our advocacy
14 effort, one of our strategies is to take submitted
15 projects such as the Ahmanson project and screen it
16 through what we call a project endorsement review panel.
17 These are volunteers. They're not associated with the
18 project. They're not paid.

19 The panel that did a site visit of over three
20 hours of Ahmanson and a separate three-hour review,
21 including the SEIR and maps and original EIR, were to
22 screen it against preset criteria essentially which are
23 new urbanism or smart growth criteria, including
24 innovative community design, affordability, mixed use,
25 quality of the project, limiting urban expansion and use

1 of public transit.

2 The Ahmanson Ranch won endorsement by that panel
3 and homes where it has also endorsed the Ahmanson project.
4 We feel it represents good planning principles, creates
5 badly-needed work force housing for Eastern Ventura
6 County.

7 In addition, the project would help the county
8 meets its own low-income housing goals as required in the
9 general plan, improve the job housing balance in the
10 Eastern Conejo Valley and create a clustered mixed-use
11 community using smart growth principles.

12 It will provide affordable housing in a mix of
13 types. We're not diluted. It's not going to solve the
14 entire problem, but it will alleviate it. We've got to
15 make a start. It can't be ten years at a time.

16 HOME urges you to vote to approve the SEIR and
17 to adopt the first phase tract map. We feel this is a
18 model project as well as protecting 10,000 acres of open
19 space permanently. Thank you.

20 CHAIRMAN WESNER: Thank you, sir. I appreciate
21 your time.

22 COMMISSIONER REYNOLDS: Chair Wesner, I sat on a
23 Conejo Las Virgenes Future Foundation Committee with
24 Mr. Ferro. It was an affordable housing committee.

25 CHAIRMAN WESNER: Any commissioners have

1 difficulty with that?

2 Dennis Dickerson, followed by Kay Runnion, and
3 then Reverend Jill Martinez.

4 MR. DICKERSON: Mr. Chairman, we put in two
5 cards. One was showing opposition. You may want to hold
6 me for later.

7 CHAIRMAN WESNER: This one has nothing on it.
8 So thank you for pointing that out. We have a number of
9 duplicates today. Again, thank you very much.

10 Kay Runnion.

11 Reverend Jill Martinez.

12 REV. MARTINEZ: Chair, Board of Commissioners,
13 thank you for the opportunity to speak. I'm Reverend Jill
14 Martinez, and I'm a homeowner in Oxnard, at 239 East Fir,
15 F-i-r, Avenue. I'm here to speak quite passionately about
16 the Ahmanson Ranch.

17 I am a Presbyterian pastor at Oxnard First
18 Presbyterian, but I also work with Peoples' Self-Help
19 Housing, a private, nonprofit corporation that's been in
20 existence for 31 years, based in San Luis Obispo, and
21 building affordable housing in Santa Barbara and here in
22 Ventura. I work with them, and they are building 47
23 self-help homes out in Piru.

24 I'm here to stand in support of all the
25 recommendations you have in front of you because most of

1 my work in Santa Barbara is because there is a critical
2 housing crisis that I know a lot of people believe that
3 they have already arrived there -- here in Ventura County,
4 but the critical housing need in Santa Barbara is
5 absolutely unbelievable. People -- what's caused through
6 overcrowding and absentee landlords and violence and
7 what's going on in the school district is horrendous, and
8 there's no place for people to live. You're soon to face
9 those problems if you don't respond positively to planned
10 development such as this one. So I'm here to save
11 Ventura, to save themselves, to help them save themselves
12 from this kind of critical housing crisis. And I was so
13 concerned because there wasn't enough in the press about
14 the positive nature of this project.

15 I thought I might also share that the
16 transportation issues can be resolved. I went with a
17 16-member green builder livable communities group to
18 Brazil and examined their transportation system that
19 includes what's called bi-articulated buses, and they are
20 hybrid. I understand that the transportation system
21 that's being proposed here may be all electrical with
22 their transportation shuttles and/or hybrid.

23 For this development to get in as a possible
24 model to show the rest of the world how to develop
25 transportation is really exciting, so I understand that

1 they will have bus stops and go down to the major work --
2 to the employer -- to the employer communities.

3 But I would like to emphasize that in all of
4 this, when I first came in and I saw for and against, what
5 also concerns me is that there needs to be a way for all
6 of us to get together and talk about the positive nature
7 of this project and figure out how we can all benefit
8 because it's going to be a total detriment to all of us if
9 we do not build projects such as this. So you're going to
10 have to continue to build housing here in Ventura County
11 for the economic stability of the county. Either build
12 beautiful, well-planned communities that benefit the
13 wealthy and the poor or build sprawling highly-dense
14 neighbors that promote absentee landlords, overcrowding
15 and violence.

16 Please support all the recommendations placed
17 before you today.

18 CHAIRMAN WESNER: Thank you very much.

19 Next speaker is Monty Medina, then Susan
20 Casli -- I can't read the writing. From West Hills. And
21 Tim Cashman.

22 It's not marked. Same with Tim Cashman. I'm
23 sorry. That just leaves us three more on the pro side, so
24 that's Monty Medina, Tracy Hocutt, Nora Aducus.

25 Any of these --

1 AUDIENCE MEMBER: That's Nora Aducus, and they
2 are also opponents.

3 CHAIRMAN WESNER: Monty Medina or Tracy Horcutt.

4 MR. MEDINA: My name is Monico Santana Medina,
5 but my Anglo friends call me Monty. You can see why. My
6 teachers used to call me Monica. And when I'm introduced,
7 I'm introduced as Monica, so I changed it to an Anglo
8 nickname. That's the closest to Monico I could get.

9 Michael Chairman and Commissioners, muchos
10 gracias and buenos dias. It's going to happen. It's
11 going to happen. I've been a resident of -- well, I'm 79
12 years young. My lovely wife is Marie 78. And I followed
13 this plan, you know, and I finally decided after two or
14 three meetings that I went to with some of the staff that
15 I've seen that -- to go for it.

16 However, however, just recently I've had some
17 reservations with a loaded expression affordable. Will
18 the housekeeper be able to afford a unit there? How many
19 units? How many units? Do you remember, folks? 658
20 units. Will the groundskeeper that works there, will they
21 be able to afford one of those units or my Indian friend
22 here, will he be able to afford one of those units? Or is
23 it just for the horseback riders and the golfers?

24 One change I would like is a golf course. I'm a
25 tennis pro. I'm a tennis player. I don't want to spend

1 five hours on the golf course when I can get a good
2 work-out teaching my students in one hour. So change the
3 golf course and put some more houses in there. Get rid of
4 them. Get rid of the equestrian center. And I'm a
5 horseman, too. Put more houses in there. That would be
6 another thousand houses. That's the loaded expression,
7 affordable.

8 Other than that, I have a frog on my property in
9 Woodland Hills, and I'm a master gardener. When I
10 graduated from USC, became a teacher for 38 years in the
11 Valley, I got a certificate in master gardening, so I'm
12 very passionate to the flower and to the frog. Believe
13 me. And to the animals. Very sensitive to that.

14 But it's going to happen. Let's act. You have
15 no other course than to submit a yes for Ahmanson Ranch.
16 It's the lesser of the two evils. It's always that way,
17 isn't it, in politics? Right? And in the dictionary,
18 politics is a science of government. And who am I? You
19 heard my name. I was one of the founders of the Mexican
20 American Political Association with Ed Royball. His
21 daughter is now a congresswoman. And I've always felt
22 women make better politicians than men. Believe me.

23 Well, what is affordable? That word has not
24 come out. Well, you can't tell in those days -- I live
25 next to a house that rents for \$1,500. My home is right

1 next door and somewhere \$2,000. Well, nobody has been
2 able to move there. My friends from South Central -- I
3 still have some black brothers in South Central L.A. that
4 say, "Monico, I want to go to the Valley, man. I hear
5 it's great out there."

6 "Yeah, it's great. Come on out."

7 "Well, I can't afford to, man. I want to get
8 out of here."

9 Look. Dial L.A. for Murder. That's another
10 reason we need Ahmanson Ranch. That's another reason we
11 need Ahmanson Ranch. Crime. I know it will be safe
12 there, but I don't know if I can afford it. So what is
13 affordable? That's the loaded expression.

14 Well, would I go north again? When I left L.A.,
15 I went north. My first teaching assignment was in
16 Pacoima. It means waters, running waters. That was my
17 first assignment. Five great years under a terrific
18 principal. I became a teacher and principal and retired,
19 but principals don't retire. They just lose their
20 faculties.

21 So I will end by saying that I am definitely for
22 Ahmanson Ranch. It will be the lesser of the two evils.
23 I agree with my Indian friend here. He's going to tell
24 you something that you don't know, that you haven't talked
25 about, that you haven't heard, that hasn't been discussed

1 today.

2 As to who I -- let's see here.

3 CHAIRMAN WESNER: Thirty seconds, Señor.

4 MR. MEDINA: I'm just a concerned citizen
5 primarily, interested in the science of government which
6 is politics. That's what it means.

7 So I'll close now by saying that everything
8 good -- that all that happens is good for the city and the
9 county.

10 CHAIRMAN WESNER: Gracias, Señor.

11 Okay. Tracy Hocutt is our last speaker that I
12 have. This is the last one, so as soon as she's done,
13 we'll set out the details as far as the lunch break, and
14 we'll come back. And I understand that I have I think in
15 excess of 100 in opposition. So depending on those that
16 are here, we will continue. But I don't want to interfere
17 with Ms. Hocutt's opportunity to speak.

18 MS. HOCUTT: My name is Tracy Hocutt. I live at
19 886 Logan Avenue in Ventura.

20 I'm just going to read a brief excerpt from this
21 letter that I submitted, and I'll be done.

22 As a college graduate and young professional
23 trying to make it in Ventura County, there's only one
24 major obstacle in my way, and that is the price of
25 housing.

1 Since Ahmanson Ranch is helping to provide
2 much-needed housing and has addressed every environmental
3 impact through the certified 1992 EIR and subsequently
4 through the Draft SEIR, I would urge the county to approve
5 the SEIR and help ease the housing crunch in Ventura
6 county.

7 I feel that Ahmanson is simply trying to help
8 over 3,000 families attain their dreams in the most
9 environmentally-sensitive and designed proficient way on
10 land that they own.

11 The Planning Commission would be doing the just
12 and right thing if they approved the SEIR and allowed for
13 the tract. Thank you.

14 CHAIRMAN WESNER: Thank you, Tracy. We
15 certainly appreciate your time today.

16 That is all the speaker cards I have in support
17 at this time.

18 It is now 12 minutes after 12:00, according to
19 the clock in the rear. We will go ahead and take our
20 lunch break. We will reconvene at 1:00. I appreciate
21 everybody's patience and time.

22 These other speakers cards that I now have are
23 in opposition. Again, if you can keep your statements
24 concise, the Commission will greatly appreciate it.
25 However, we are here to hear everybody.

1 So please return here at exactly 1:00, and we
2 will start the opposition.

3 (Lunch break.)

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VENTURA, CALIFORNIA

THURSDAY, NOVEMBER 21, 2002

1:10 P.M.

CHAIRMAN WESNER: Ladies and gentlemen, the
Ventura County Planning Commission is back in session.

I was asked at break since we had -- I was asked
prior to the break since I had announced the potential
recess time would be about -- we would return at 1:30 and
some of the speakers that have put in cards may not return
until then. I have -- will set aside those that I call,
and if they come back in, please have them notify me and
will certainly bring them then back up at that point in
time.

Also, we're running into the fact that given the
volume of the cards, we are starting to run into
duplicates, so I will try to screen those as best as
possible. And I have also been requested by one
individual that some of the remaining members of the
public would like to have their elected officials speak
before them.

Now, again, protocol is we try to take you in
the order that I have now started receiving this morning.
If you prefer to have your elected officials speak first,
we can certainly do that.

1 Is there any opposition to that?

2 Hearing none, then I will try to get you up
3 here.

4 There was a 14-year-old girl that -- I'm going
5 to call her name, but she didn't -- her mother and her did
6 turn in an opposition orange card, but for the record, I
7 want to say thanks to Kiri Van Santen, 14 years old, from
8 Malibu for coming and speaking, along with her mother.
9 It's tremendous that the young lady got an opportunity to
10 see how things actually work.

11 I'm going to quickly try to go through our
12 elected officials, so we'll go here -- first we'll start
13 with Laura Plotkin speaking for Senator Sheila Kuehl. And
14 then -- again, I apologize for the name.

15 And then following that, it looks like we'll
16 have Dennis Dickerson. Then I'll try to organize
17 everybody after that out of a hundred cards.

18 MS. PLOTKIN: Good afternoon, Chair, and members
19 of the Planning Commission. My name is Laura Plotkin, and
20 I'm chief deputy to State Senator Sheila James Kuehl. Our
21 office is at 10951 West Pico Boulevard in West Los
22 Angeles. And the Senator has asked me to read a letter on
23 her behalf.

24 Dear Commissioners, in my eight years in the
25 state legislature so far, no issue has elicited more mail

1 and phone calls from my constituents than the proposed
2 Ahmanson Ranch Project.

3 For all those years, I have been concerned that
4 a project of this scale on this property, at this
5 location, would threaten the natural environment,
6 including the endangered species the San Fernando
7 spineflower and red-legged frog which exist on the
8 property; that it would threaten the Malibu Creek
9 watershed; and that it would have extremely negative
10 impacts on traffic and air quality throughout the region.

11 At that time, I represented only cities in Los
12 Angeles County and felt that it was not supportable for
13 Ventura County to impose such negative impacts on its
14 neighboring county.

15 Now, through recent redistricting, I also
16 represent cities in Ventura County. My new district
17 includes Port Hueneme and Oxnard, and I can now state that
18 these impacts will negatively impact both counties I
19 represent.

20 As many of you who use our freeways already have
21 noted, the traffic pattern has reversed itself over the
22 past decade, with greater share coming from L.A. County
23 into Ventura County each morning and out each evening.

24 The 1992 traffic study applies to conditions
25 very different from those we face today. In addition,

1 with the recent information about the discovery of
2 perchlorate in one of the wells on the property, I have
3 additional concerns about public safety and health issues
4 related to this proposed development to add to the list.
5 Where's it coming from? How has it spread? How may it
6 impact other areas of the property?

7 It seems to me that while there are many valid
8 reasons to put off the decision to go ahead with this
9 project, this newest one would be reason alone to slow
10 down and study this potential threat before rushing in to
11 approve a project where so much is still in question.

12 I ask that you recirculate the SEIR and take the
13 time now to prevent a mistake later. Thank you for taking
14 my thoughts into consideration, and I look forward to
15 working together on issues of mutual concern in the
16 future. Thank you.

17 CHAIRMAN WESNER: Any questions?

18 Ladies and gentlemen, it's been asked that you
19 refrain from your support aspects, just so we don't slow
20 it down. We appreciate that you're in support of this.

21 So, Mr. Dickerson, if you'll please come
22 forward. After that, Mayor Lesley Devine of Calabasas.
23 And following that, Janice Lee.

24 Mr. Dickerson.

25 MR. DICKERSON: Yes. Thank you.

1 Members of the Commission, good afternoon. My
2 name is Dennis Dickerson. I'm the executive officer for
3 the California Regional Water Quality Control Board that
4 covers both Los Angeles and Ventura Counties. My address
5 is 320 West Fourth Street, Los Angeles.

6 First, I want to thank the staff for responding
7 to various concerns that have been raised by our staff in
8 various letters sent to the county, and, in particular, a
9 letter sent to Mr. Hawkins late yesterday. I appreciate
10 his consideration in addressing the remaining concerns in
11 his comments this morning.

12 Two main points: Insuring that sedimentation
13 basins will be available for the 100-year storm event in
14 wet weather and insuring the ground water wells will not
15 be used or if used will treat any perchlorate
16 contamination are both positive steps. We appreciate
17 that. However, the sedimentation basin modification
18 that's been discussed does not resolve the concerns raised
19 in my letter.

20 With regard to perchlorate, the Regional Board
21 has an ongoing interest in the origin and movement of that
22 water pollutant, and we intend to play an active and
23 continuing role in monitoring the use and treatment of any
24 water containing that pollutant.

25 As rural areas are converted to urban

1 landscapes, we make trade-offs between clean air and air
2 with contaminants, between open space and urban space,
3 between clean water and waters that no longer flow free
4 and which contain various pollutants between habitat and
5 its loss. Ahmanson has made many promises about what it
6 tends to do to minimize its impact. And I want to
7 emphasize a very key component from the Regional Board's
8 perspective has been to promise a no net increase in water
9 pollutants. It's very important to us. That is a
10 laudable and commendable commitment. The Regional Board
11 intends to take Ahmanson at its word. It will, however,
12 prove to be a challenge to meet.

13 The history of urban development and its impact
14 on the environment is largely negative with few success
15 stories. The construction process itself is a major
16 source of contaminants, and our staff are constantly
17 finding violations of construction storm water permit
18 requirements across our region both in L.A. and Ventura
19 County.

20 All of us, by our simple presence, contribute to
21 water pollution: Washing your car, watering your lawn,
22 spraying pesticides in your garden, walking your dog. The
23 very simplest of activities adversely impact our water's
24 fragile balance, and this is abundantly supported by
25 various documentation, scientific evidence the Regional

1 Board has and particularly research that shows as urban
2 areas are developed, they substantially modify the aquatic
3 environment, much to their degradation.

4 I'll conclude by pointing out that urban runoff
5 and storm water constitute our greatest threats in our
6 region with regard to water quality. The Malibu watershed
7 is already impaired and not meeting water quality
8 standards for bacteria, nutrients and metals, all of which
9 are strongly associated with urban development.

10 Ahmanson's added commitment, if it were to be
11 made, of conforming to the standards established in the
12 Malibu Local Coastal Plan recently adopted this past
13 September would provide an extra level of assurance that
14 Ahmanson can achieve its stated goal of no net loading.

15 Ahmanson should be acknowledged for planning
16 above the norm. However, their pledge of no net pollutant
17 loading, especially for a project that will involve 12 to
18 14 million cubic yards of soil being moved sets a very
19 high bar. To my knowledge, no development has achieved
20 such a level of performance. To do so will require more
21 than meeting minimum legal requirements. Rather, that
22 goal be better achieved and standards in place with a
23 lower watershed are embraced by Ahmanson.

24 I urge the Planning Commission to consider and
25 require the highest possible level of protection to insure

1 that Ahmanson's commitment of no net loading of water
2 pollutants is realized. Additionally, I renew our request
3 for additional time to review information on the wet
4 weather grading issues that remain a significant concern
5 for the Regional Board.

6 And I just want to conclude with a personal
7 comment, and that is no matter what side of the issue we
8 may be on today, we should all take a moment to marvel and
9 be grateful that we are living in a system that allows us
10 to have such thoughtful and considerate consideration on
11 so many issues. Thank you.

12 CHAIRMAN WESNER: Thank you, sir. I appreciate
13 the comments.

14 Our next speaker is Mayor Lesley Devine,
15 followed by Janice Lee, and then Jessica Zakrie.

16 AUDIENCE MEMBER: Mayor Devine is on her way.
17 The earlier announcement that you would resume at 1:30 is
18 what she heard.

19 CHAIRMAN WESNER: Just please let me know when
20 she arrives, and I'll put her in sequence.

21 COMMISSIONER BARTELS: Can we go back to the
22 gentleman from Regional Water Quality for one moment?

23 MR. DICKERSON: I would note if you have a
24 technical question, a member of my staff, Melinda Becker,
25 is here to help assist me in that.

1 COMMISSIONER BARTELS: You asked that the
2 Commission reinforce language that holds Ahmanson to the
3 highest standards. Is there specific language different
4 than has been submitted or that we've had at this time
5 that you have to provide to us to consider?

6 MR. DICKERSON: It's my understanding that
7 there's a -- the Coastal Commission adopted some
8 additional language recently, which would be very helpful
9 and useful. And if I could ask Melinda to come up and
10 provide you some additional detail on that.

11 COMMISSIONER BARTELS: That would be helpful.
12 Thank you.

13 CHAIRMAN WESNER: Madam, we need your name.

14 MS. BECKER: My name is Melinda Becker. I'm a
15 senior scientist with the Los Angeles Regional Water
16 Quality Control Board.

17 In our earlier comments and in our conversations
18 with the applicant, we had suggested restrictions on wet
19 weather grading. And we feel this is especially
20 appropriate in this watershed because the California
21 Coastal Commission adopted similar types of restrictions
22 in the lower part of the watershed. The coastal area
23 managed by the Coastal Commission ranges from the coast to
24 Mulholland Highway, which is just a few miles south of
25 this project. And the concern relates to steep grading

1 slopes. And this project certainly is in a similar type
2 of area. This project is in the headwaters of this
3 watershed, so there is concern that a lesser standard in
4 the upper watershed would have detrimental impacts on
5 efforts that are being made in the lower watershed.

6 Given the significant amount of grading, 12 to
7 14 million cubic yards, this is an issue that we certainly
8 would like to explore further. I believe that the
9 Regional response to comments on this issue was simply
10 that due to the amount of grading required, it will be
11 necessary to grade during at least one wet weather season
12 but no further justification or explanation to that
13 response, and so we do still have serious concerns about
14 that and how it will impact the pledge of no net pollutant
15 loading, which is extremely critical to us because of the
16 TMDLs and the fact there is no excess of similar capacity
17 in the system at this point in time. And we have taken
18 the applicant at their word, and we in the development of
19 the TMDLs have not provided any load allocation or weight
20 allocation for this project.

21 MR. DICKERSON: I would also add that I recently
22 responded to a sewage spill that affected Malibu Creek,
23 Las Virgenes Creek, and had the opportunity to go down and
24 really take a good close look at that area.

25 We have a water course that finds its way --

1 which is collecting water from all the upper watershed
2 areas and going through parks. And it's really quite a
3 treasure to Ventura County. And I would hope that the
4 maximum possible measures could be in place to insure that
5 the sediment that could -- it's our experience at looking
6 at many, many different construction sites that you have
7 quite a bit of sediment that enters the streams that could
8 have a significant impact on this downstream area.

9 CHAIRMAN WESNER: Thank you.

10 Ms. Lee, thank you for your patience.

11 Again, Jessica Zakrie will follow Ms. Lee, and
12 then Dr. Stacey Rice.

13 MS. LEE: If I may, we have some representatives
14 here who are on greater time constraints than I am, and I
15 would ask respectfully that you allow them to go ahead of
16 me, one of whom is the representative for L.A. County
17 Supervisor Zev Yaroslavsky and Louise Rishoff who's here
18 on behalf of Assemblywoman Fran Pavley.

19 CHAIRMAN WESNER: Do the other speakers have any
20 difficulty with that order?

21 Please state your name and address.

22 MS. NISSMAN: Susan Nissman, representative of
23 L.A. County Supervisor and Chairman of the Board Zev
24 Yaroslavsky. His address, 821 Kenneth Hahn, Hall of
25 Administration, 500 West Temple Street, Los Angeles

1 California 90012.

2 Chairman Wesner and honorable Commissioners, I'd
3 like to -- I have submitted the package of his letters
4 into record, and I would like to read.

5 Dear Chairman Wesner, the Ahmanson Ranch
6 development continues to be the single most controversial
7 project in the area of the southeast portion of Ventura
8 County and the western most portion of the County and City
9 of Los Angeles. I am deeply concerned that the Planning
10 Commission does not have the necessary information, data,
11 documentation and analysis that is necessary in order to
12 make an informed decision and recommendation to the
13 Ventura Board of Supervisors.

14 In particular, I bring to your attention the
15 following: In order to comply with the California
16 Environmental Quality Act, CEQA, traffic issues must be
17 addressed through a new traffic study. The 1992 study is
18 simply outdated.

19 Secondly, I do not believe that the requirements
20 of SB-221 and SB-610 have been addressed regarding the
21 adequacy of a water supply.

22 And, finally, the discovery of perchlorate in
23 one of the wells and its potential impact on ground water
24 is of grave concern and has not been adequately analyzed.

25 I urge you to direct the applicant to provide

1 the necessary information and recirculate the SEIR.

2 In the interest of time and brevity, I am
3 enclosing my more detailed previous correspondence
4 addressing this matter for your consideration and resubmit
5 it for your record. Thank you for your consideration, Zev
6 Yarosklavsky, Chairman of the Board, Supervisor.

7 Thank you.

8 COMMISSIONER REYNOLDS: Chair Wesner, I sat on a
9 Conejo Las Virgenes Future Foundation Subcommittee of
10 Affordable Housing with Ms. Nissman. And she was
11 representing Xavier's office.

12 CHAIRMAN WESNER: Do the Commissioners have any
13 difficulty with this?

14 Ms. Lee, you mentioned another name.

15 MS. RISHOFF: Good afternoon, honorable Chair,
16 members of the Commission. Louise Rishoff, 6355 Topanga
17 Canyon Boulevard, Woodland Hills. I am the district
18 director for State Assembly Member Fran Pavley, and I
19 appreciate being given priority to speak. Thank you.

20 I have a letter from the assembly member.

21 Dear Commissioners, thank you for this
22 opportunity to comment on the Draft SEIR for this Ahmanson
23 Ranch Project. No project or issue in my 20 years as an
24 elected official has generated the level of concern that
25 Ahmanson Ranch has. The overriding problem with this

1 project is its location. Ahmanson Ranch is landlocked.
2 The only ingress and egress is proposed to be taken on
3 already overburdened Los Angeles County streets and
4 highways. Why was no connector to the 118 freeway within
5 Ventura County given serious consideration as a project
6 alternative?

7 The housing mix which the applicant promotes as
8 a major benefit to the region is tilted heavily toward the
9 very high end. This project is located far from Ventura
10 County's urban core, with no realistic public
11 transportation options for those few people who would be
12 living in the so-called affordable units.

13 I question the inclusion of granny flats and
14 maid quarters, for instance, which may never be occupied
15 at all being used to meet the affordable housing
16 requirement.

17 This project violates the county's guidelines
18 for orderly development which direct the development shall
19 occur within cities. County's goal of maintaining a job's
20 housing balance aren't met at this location.

21 Perhaps the most tangible impact is the traffic
22 from 45,000 additional cars per day on the already
23 overburdened 101 freeway. Much has changed over the past
24 ten years. The AM/PM commute through the San Fernando and
25 Conejo Valleys, for example, has completely reversed. Try

1 driving east on the 101 freeway from the Conejo Valley
2 after 4:00 p.m.

3 Ten-year-old traffic estimates have not held up
4 and are not the equivalent of a comprehensive new study of
5 actual and current traffic patterns. It is doubtful
6 whether there is any physical way to mitigate the impact
7 of this many additional cars on L.A. County streets and
8 highways at all. Your own senior planner, Dennis Hawkins,
9 was quoted in the April 3rd edition of the Malibu Times
10 conceding that even the additional roughly \$3 million in
11 traffic impact fees being contemplated isn't likely to
12 make a difference. Quote, to make a difference, he
13 stated, You're going to need hundreds of millions of
14 dollars.

15 And I think this last point is important because
16 of comments this morning about a deal is a deal and
17 welshing on the deal. I continue to hear that the county
18 is under the impression that the 1992 development
19 agreement limits any new mitigation measures.

20 On August 22nd, 2001, I requested an opinion
21 from the office of legislative counsel of California. A
22 copy of that opinion was overnighted to all of your
23 offices on Tuesday and has been in the hands of Resource
24 Management Agency and county counsel for the better part
25 of a year.

1 It says clearly that a development agreement
2 cannot impose such limitations. Neither is it legally
3 correct for this applicant to claim, as we believe he
4 does, that the cost of any additional mitigation measures
5 you feel are warranted will have to be shouldered by the
6 taxpayers of Ventura County.

7 This is a project of immense consequence to the
8 entire region. Too much has changed not to recirculate
9 the SEIR. Water supply and quality, for example, urban
10 runoff and the new TMDL requirements that will result in
11 downstream impacts to the Malibu Creek watershed.

12 I look forward to working with Ventura County on
13 issues like this one that are of regional concern. Thank
14 you for your consideration of the impacts that your
15 decision will have on the 423,000 people that I represent,
16 30 percent of who now live in Ventura County. Thank you.
17 And thank you for the priority.

18 CHAIRMAN WESNER: Thank you, Ms. Rishoff.

19 Now Ms. Lee. Following her will be Jessica
20 Zakrie, and then Dr. Stacey Rice.

21 MS. LEE: I feel like a pinch hitter coming up.
22 You've benched me several times. Thank you.

23 Chair Wesner and members of the Board, on behalf
24 of the City of Calabasas, I'm pleased to be here. I'm
25 Janice Lee. I'm a council member with the City of

1 Calabasas and a former mayor.

2 The Ahmanson Ranch Project would essentially
3 become Ventura County's 11th city. Throughout the
4 environmental review and the planning process, the
5 underlying presumption has been that Ahmanson Ranch would
6 pay for itself, but in the absence of a fiscal analysis,
7 there is no reliable data to corroborate this assumption.
8 In fact, in 1992, the first fiscal analysis that was
9 released about this project indicated that the county
10 funds would be needed to support the early years of the
11 project. The report contains serious flaws, according to
12 a Pepperdine University professor of economics who
13 reviewed it at the time. And shortly thereafter, the
14 fiscal report was withdrawn from public circulation.

15 To date, Washington Mutual has been either
16 unwilling or unable to provide for public review a fiscal
17 analysis which would answer the key question, How will
18 Ventura County pay for this new city if it cannot live up
19 to its fiscal assumptions?

20 Ahmanson Ranch is tying the ability to fund its
21 own public service facilities, the police and fire
22 stations, library and schools to the successful completion
23 of a phased project which would span a decade or more.
24 Every mitigation measure, including the affordable
25 housing, involves an assumption that this new city will be

1 able to meet the fiscal needs of its residents without any
2 economic miscalculations or failures and without resorting
3 to any form of debt service.

4 Clearly, Ahmanson Ranch residents will demand
5 more services, not less, resulting in greater competition
6 with other cities in the county for increasingly limited
7 funding sources at the local, state and federal levels.

8 At one time not so many years ago, this project
9 was proposed for mello roos. And the county declined
10 because of its concern for its financial standing. The
11 County's current policy mandates the project which may
12 require borrowed county funds must be reviewed by the
13 financial planning committee before being considered by
14 the Board of Supervisors. Members of this committee
15 include the county treasurer tax collector, as well as the
16 county auditor controller whose office is charged with the
17 establishment and supervision of the accounting and
18 financial operations of all activities under the control
19 of the Board of Supervisors. The auditor controller
20 provides the committee with professional fiscal expertise
21 to protect the interest of the citizens of Ventura County.

22 As we speak, every city and county throughout
23 this state is bracing in the wake of new disclosures that
24 California is facing a 21 billion, with a b, deficit.
25 This grim forecast has placed all decision makers on

1 notice that fiscal irresponsibility will carry a heavy
2 price to their citizens and cannot be ignored.

3 Now, more than ever in the aftermath of
4 September 11th, decision makers are charged with insuring
5 that planning decisions do not fiscally burden the county
6 in ways that were reasonably foreseeable. To insure that
7 the public facilities would be built on Ahmanson Ranch
8 without necessitating debt service or bonds, the prudent
9 course of action is to require a current fiscal analysis
10 for county and public review, which should be referred to
11 the financial planning committee for thorough evaluation
12 and recommendations back to the Planning Commission.

13 If Ahmanson Ranch cannot meet its fiscal
14 promises to the County of Ventura and the project
15 economically does not pencil out, the county should know
16 upfront before risking foreseeable fiscal consequences or
17 committing the county to long-term debt.

18 The county must determine where the money will
19 come from to pay for services to a new city if the
20 assumptions are proven to be flawed.

21 Ventura County just structured a new assessment
22 district to generate revenues so it can purchase an old
23 school to be converted to a recreational facility. And
24 the financial planning committee evaluated this proposal
25 as well as its new courthouse facilities. More, not less,

1 review should address a proposal to build a new city.

2 And I would also encourage the fiscal analysis
3 must include an evaluation of the no project alternative
4 in light of Governor Gray Davis' interest in the
5 acquisition of this project into the public trust.

6 I would respectfully ask to do this will answer
7 to your -- excuse me. I would respectfully ask,
8 therefore, that it is wise and fiscally prudent before
9 risking fiscal consequence or long-term debts to refer
10 this project to the financial planning committee, and in
11 doing so, you will reassure the ten cities in the county
12 that you have responsibly addressed their primary
13 question, Can we afford this?

14 Thank you. I would also ask that I have members
15 of my council, four of whom have someone on staff to read
16 a letter into the record on their behalf, if that is
17 possible to do.

18 CHAIRMAN WESNER: I tell you what. Why don't we
19 take the ones I have. I have the rest of your people
20 coming up. That's the way we received the cards.

21 Jessica Zakrie, and then Dr. Stacey Rice. Then
22 we get to the Calabasas people. That will be
23 Mr. Janowicz.

24 MS. ZAKRIE: Good afternoon. My name is Jessica
25 Zakrie, and I'm representing the National Park Service

1 here on 401 West Hillcrest Drive, Thousand Oaks,
2 California 91360.

3 The National Park Service appreciates the
4 opportunity to participate in the public review of this
5 process for Ahmanson, noting that the development is right
6 near the National Park Service land.

7 Although the National Park Service doesn't
8 support or oppose the project or land use development, we
9 do provide comments on the potential impacts of our
10 resources resulting from proposed projects.

11 Our role is to comment on the sufficiency of
12 required environmental compliance documents and to insure
13 the development is sustainable and that natural, cultural
14 and recreational resources within the Santa Monica
15 Mountains National Recreation area are protected to the
16 greatest extent possible.

17 We continue to find the Ahmanson Ranch PFSEIR
18 insufficiently addresses and inadequately mitigates
19 impacts of concern to the National Park Service. The FEIR
20 and all previous EIRs do not adequately address impacts
21 from pumping out of well number 1.

22 To protect and maintain the current riparian and
23 oakland habitat in the Las Virgenes Canyon, we recommend
24 completely avoiding the use of well number 1 as a water
25 supply. We recommend eliminating the second golf course

1 entirely to reduce the need to extract from this well.
2 Reducing or eliminating the dependance on well number 1
3 would better protect the overall integrity of the riparian
4 and oakland and woodland habitat in the lower Las Virgenes
5 Canyon.

6 As far as the California red-legged frog, the
7 FSEIR inadequately addresses the surface water, the storm
8 water and the ground water level and flows with regards to
9 the frog. The Water Supply Monitoring Plan that should be
10 developed needs to be developed before the approval of the
11 FSEIR to make sure that we're fully protecting the
12 red-legged frog.

13 We also remain concerned about the extensive
14 mitigation measures defined that will not adequately
15 protect or preserve the existing frog population. There
16 have been no adequate sites identified that are available
17 to receive the frog in the event the population begins to
18 decline. It's crucial that these sites are preselected
19 and approved by the U.S. Fish & Wildlife Service prior to
20 breaking ground.

21 The San Fernando Valley spineflower. The
22 minimum recommendation of 200 feet for setbacks to avoid
23 interface impacts is still not met for at least 11
24 occurrences of the spineflower.

25 In response to the reduced buffer sizes,

1 response 3.15 proposed the additional management practices
2 would be used in the reduced buffer areas. However, these
3 management practices aren't adequately identified. We
4 don't know what they are.

5 We must reiterate that roads do not provide an
6 added measure for the setback buffer. Roadways add an
7 additional edge effect. Many of the spineflower
8 occurrences are on the boundaries of the current grading
9 plan. It is essential that remedial grading to adjust
10 geologic hazards not be allowed. Expansion of the grading
11 plan would directly destroy spineflower occurrences that
12 are slated for protection.

13 We recommend permanently recording the current
14 grading plan with the Building & Safety to avoid the
15 accidental approval of a larger grading area than is
16 currently being proposed.

17 The existing subpopulations of the spineflower
18 are naturally thriving. The mitigation measure to
19 transplant the spineflower to other sites will require
20 intensive human intervention to establish and maintain.
21 There is no guarantee that the transplanted plants will
22 become self-sustaining.

23 Cultural resources. A detailed ethnographic
24 should be conducted to guide necessary consultation. An
25 adequate ethnographic study should be completed prior to

1 the approval of a final SEIR.

2 We reiterate our concerns about the impacts such
3 a large scale development as Ahmanson Ranch would have on
4 the Santa Monica Mountains recreation area. Given the
5 development's environmentally-sensitive location above
6 extensive parkland and the on-site preponderance of
7 sensitive habitat types, federal and state listed
8 threatened and endangered species and cultural resources,
9 it is critical to correct and thoroughly disclose document
10 and mitigate the project's impacts.

11 Ultimately the best mitigation measure would be
12 to acquire or set aside the entire area for parkland, if
13 the opportunity arises. Thank you for the opportunity to
14 comment.

15 CHAIRMAN WESNER: Thank you very much.

16 Next speaker is Dr. Stanley Rice. Then Jasch
17 Janowicz. Again, my apologies, followed by Steve Craig.

18 DR. RICE: Good afternoon, Commission. My name
19 is Dr. Stacey Rice, and I'm a senior planner with the City
20 of Malibu. I will keep my comments brief because our city
21 manager, Katie Liktid, did submit a comment letter on May
22 1st. And I will be happy -- we submitted that to Dennis
23 Hawkins, but I'll be happy to supply another copy.

24 And, also, the City of Malibu concurs with the
25 comments submitted by Katherine Stone, special counsel for

1 the City of Calabasas.

2 The City of Malibu would just like to voice its
3 concern on several issues related to the SEIR. I know I
4 can relate to the applicant and the length of this process
5 and energy that they have put into it. I also was at the
6 Planning Commission twice this week with two EIRs that
7 have taken about ten years. I know it's a long lengthy
8 process and a lot of energy has already been put into it.

9 However, the city still does have several
10 concerns, the first of which is traffic. And the second
11 of which is water quality. And our third main concern
12 voiced in our letter was the timeliness of the data and
13 the length of time that's gone by since the original
14 studies. And we do realize the time limits and the
15 constraints related to CEQA, but nonetheless, we still
16 have large concerns along these three areas for updates
17 and additional information. And because we live in such a
18 beautiful area, I think that it is really important to
19 conduct studies that are constantly updated and that are
20 really, really exhaustive. I think that's why some of
21 these processes we go through take so long because the
22 community really does demand updated information and a
23 report that they can feel comfortable with and that you
24 can feel comfortable with at the end of the day.

25 So I will be happy to resubmit this letter and

1 also say that I realize again that a lot of work has gone
2 into this. And the several things that concern me also as
3 a planning professor at Cal State Northridge are things
4 like no impacts and when people say, Well, we're meeting
5 all the regulatory requirements. Well, sometimes meeting
6 all the regulatory requirements doesn't necessarily mean
7 that there are no impacts or things definitely can be
8 mitigated and also things like evidence and no evidence.
9 A lot of this really is up to whoever is observing or
10 whoever is doing the quantifications. So I think by
11 having reports, additional reports and really exhaustive
12 information -- I know I've read my share of 1,500-page
13 EIRs lately, but there's some things at the end of the day
14 that really do need to be exhausted, and this is certainly
15 one of them.

16 I thank you for the opportunity to speak, and
17 I'll be happy to resubmit our letter. Thank you.

18 CHAIRMAN WESNER: Thank you, Dr. Rice.

19 Mr. Janowicz. And, again, my apologies.
20 Followed by Steven Craig, then Thomas Gdala. And I got
21 all this Calabasas staff here. There's something about a
22 letter, so if we can expedite whatever, but you have your
23 five minutes.

24 MR. JANOWICZ: My name's Jasch Janowicz, City of
25 Calabasas environmental coordinator, 26135 Mureau Road,

1 Calabasas, California.

2 I'm just up here today to read into the record a
3 letter prepared by James Bozajian, mayor pro tem, City of
4 Calabasas.

5 Dear Commissioners, during your initial
6 consideration of this project over a decade ago when the
7 county ultimately approved general plan amendment to
8 convert Gates Ranch, now the Ahmanson Ranch, from open
9 space agricultural to a specific plan to enable
10 construction of a new small city, the County Planning
11 Commission voted to deny this request and recommended
12 against approval of the project. This decision was
13 admirable based on sound planning law, and guidance
14 reflected the environmental ethic of the electorate and
15 was based on an appropriate denial recommendation from
16 your staff.

17 This decision also was made in a spirit of
18 ensuring that the county acted consistently with your own
19 general plan relative to the placement of new cities
20 within sphere areas, areas of influence or the urban limit
21 line of other cities. Despite your good judgment as a
22 decision-making body and the recommendations of your
23 staff, the Board of Supervisors nonetheless approved
24 Ahmanson Ranch as a development concept.

25 Now you are faced with the decision regarding

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1 the first implementing action under the approved specific
2 plan. Now, at this time the damage done by the Board's
3 approval is beginning to express itself in the form of
4 pending environmental damage and serious deterioration of
5 working relationships between the governments of Western
6 Los Angeles and Eastern Ventura County.

7 What damage are we speaking of? We are speaking
8 of the damage that will be done to lands that really
9 should be incorporated into the Santa Monica Mountains
10 National Recreation Area. We are speaking of new impacts
11 previously unknown to at least two endangered species. We
12 are speaking of the destruction of sacred native
13 Californian sites, villages and cemeteries. We are
14 speaking of the destruction of the headwaters of this
15 watershed. We are speaking of the potential for the
16 pollution of our land, air and water by the release of
17 effluent from this new city into the Malibu Creek
18 watershed. And, of course, we are speaking of the impacts
19 of traffic congestion on the streets of Los Angeles
20 County, the City of Los Angeles, the City of Calabasas,
21 and the City of Agoura Hills.

22 A coordinated program of traffic mitigation for
23 the impacts of this project has not been developed, which
24 is fairly and equitably matched to the substantial effects
25 of this development on all cities surrounding the ranch.

1 Bottom line, this project is unfair, disruptive
2 of cooperative government. All the elected officials in
3 this region oppose it. Certainly a strong majority of the
4 population in the region opposes it, and one by one
5 members of your own Board who oppose this development are
6 being elected. So Ahmanson wants to push you, press you
7 to stay in front of the democratic process that would
8 allow adequate review and comment before the vote of the
9 decision makers.

10 So what, at this point, can you as a Planning
11 Commission do without incurring legal repercussions
12 against the county by Washington Mutual? First, you can
13 pause the decision-making process and fairly and equitably
14 address the traffic effects on the community. Many have
15 argued that this is clearly required, and I believe their
16 requirements have merit. It is actually almost humorous
17 that a pro rata impact fee payment program for this
18 project for Agoura Hills is not sufficient to buy even a
19 condominium in that city.

20 The traffic fees to be paid for improvements in
21 Calabasas are valued at something less than the price of a
22 new home in one of our developing neighborhoods.

23 Second, you can require that new traffic impact
24 assessments be conducted before making a decision. The
25 present traffic assessment is more than a decade old and a

1 host of new conditions and problems have evolved since the
2 Board originally considered this project.

3 Washington Mutual cannot sue the county for
4 requiring that an up-to-date CEQA review be completed
5 before the first implementing tract map is considered for
6 this specific plan.

7 Third, you can insist that the impacts of this
8 project be fully mitigated by considering alternative
9 language for various conditions of approval on the tract
10 map. Our city was not provided with sufficient time to
11 address deficiencies in the staff report conditions of
12 approval.

13 I surely doubt if you as commissioners have had
14 the time to read, understand and digest the entirety of
15 the package of materials that were forwarded to you Friday
16 of last week. Give us the time to address possible
17 changes in approval conditions that may better solve the
18 problems this development may create.

19 These are all things you can do without
20 generating a lawsuit issued by Washington Mutual directed
21 against the county. Rumors that such a suit has been
22 threatened are circulating. Prove to us that these rumors
23 are wrong and insist that voluminous comments on the
24 Supplemental EIR concerning traffic be fully addressed.

25 Creating hostility --

1 CHAIRMAN WESNER: Thirty seconds, sir.

2 MR. JANOWICZ: -- by governments by poor
3 planning and bad urban planning will create divisions and
4 hostility between communities for years to come. This can
5 be avoided if you act in good faith as you did about a
6 decade ago in recommending against approval of this map.

7 Send the sediment materials back to staff so a
8 complete and updated CEQA analysis and traffic report can
9 be completed. Give us time to review and comment properly
10 on the conditions of approval for this map. We are asking
11 you to be fair to prevent a major mistake and a major
12 failure in the design of Southern California's urban and
13 open space planning. Respectfully, James Bozajian.

14 Thank you.

15 CHAIRMAN WESNER: Mr. Steve Craig, followed by
16 Thomas Gdala, then Brian Trushinski.

17 MR. CRAIG: Steve Craig, community development
18 director, City of Calabasas.

19 We have five experts who have been here since
20 8:30, and what we'd prefer to do -- we have staff reading
21 letters for people that had to leave, but we'd like, if
22 possible, to call those experts so they can get back to
23 their consulting. They are Rick Harlacher, David Magney,
24 Doug Hamilton, Thom Slosson and Rob Dayton. They've all
25 submitted cards. I can give you their names so you can.

1 CHAIRMAN WESNER: That's Rick Harlacher, Doug
2 Hamilton, Jonathan Baskin --

3 MR. CRAIG: No.
4 David Magney.

5 CHAIRMAN WESNER: Why don't we start with these
6 two, and if you can do that, that makes it easier because
7 I got a whole stack here I got to go through to identify
8 them.

9 Rick Harlacher. And then you will be followed
10 by Doug Hamilton, and then David Magney.

11 MR. HARLACHER: Good afternoon, Mr. Chairman,
12 members of the Planning Commission. I'm here on behalf of
13 the City of Calabasas. I'm a principal with LSA
14 Associates in Rocklin, California. I've been working for
15 the city on the Ahmanson project since 1998.

16 Ahmanson's conservation planning strategies and
17 commitments are commendable. In fact, I agree with many
18 of their concepts for mitigation and preservation
19 resources. However, after watching the video this
20 morning, I feel compelled to point out to the Commission
21 that in 1998, several commenters on the core public notice
22 that was issued at that time recommended that surveys of
23 red-legged frog be done on the Ahmanson Ranch property.

24 In response to those comments, Ahmanson's
25 consultants indicated the red-legged frog could not occur

1 on the ranch because there were no records in the
2 California Natural Diversity data base.

3 The bar must be set higher when considering
4 effects to extremely rare species such as the California
5 red-legged frog and the San Fernando Valley spineflower.
6 There can be no room for air. The spineflower is known
7 from only two populations, and we know essentially nothing
8 about the other one that's not on the Ahmanson property.

9 County presumptions regarding future without
10 project conditions are unrealistic and speculative,
11 particularly for the spineflower, and designed to support
12 conclusions that have already been reached. Other
13 future-without-project scenarios, including permanent
14 preservation of the ranch, are equally likely to occur.

15 The county has failed to provide the details
16 that many commenters, including the Department of Fish &
17 Game, believe are necessary to evaluate the effectiveness
18 of mitigation measures. The county has deferred its CEQA
19 responsibilities for determining significance of impacts
20 and adequacy of mitigation to other agencies that do not
21 support the county's claims. Based on these
22 considerations, county conclusions regarding mitigation to
23 less-than-significant levels or even beneficial effects of
24 the project to the species are invalid.

25 Consideration of project alternatives. There's

1 been no analysis of alternatives that considers the entire
2 specific plan area or the presence of the San Fernando
3 Valley spineflower and the red-legged frog nor has there
4 been any alternative developed that completely avoids
5 these two species.

6 County claims that impacts to the San Fernando
7 Valley spineflower and red-legged frog are mitigated to
8 less-than-significant does not justify an abbreviated
9 consideration of alternatives, particularly when Fish &
10 Wildlife Service and Fish & Game do not support these
11 claims.

12 There's been no analysis of alternatives that
13 considers wetlands and 404 permian requirements under the
14 current regulatory environment, including the 404(b)(1) of
15 the Environmental Protection Agency and sequencing of
16 wetlands mitigation as required under those guidelines.

17 Responses to public comments. The county
18 adequately responded to only a handful of the 100 or more
19 comments on specific errors, omissions and inconsistencies
20 in the Draft SEIR that we provided, as well as in the
21 reference technical reports. Many county responses were
22 often leading to information that was, at best, incomplete
23 and, in many cases, completely unresponsive to the issue
24 raised.

25 Even where comments were acknowledged in the

1 final SEIR, the county states that they have no bearing on
2 the significance of an issue or an impact to sensitive
3 species. In other words, the county believes that the
4 comments are irrelevant to its findings.

5 All of the above indicate a nominal effort at
6 full environmental disclosure and cursory treatment of
7 valid project issues.

8 Wetlands impacts and mitigation. The county
9 claims that the project will avoid wetlands with high
10 functions and values. However, the analysis necessary to
11 determine that has never been prepared. It's been
12 deferred to the permitting process. The county claims
13 that the 1992 FEIR found wetlands mitigation to be
14 adequate. Standards for wetlands impacts and mitigation
15 are significantly different now.

16 In 1992, the project could have been and
17 actually was permitted under a nationwide permit that
18 would allow up to ten acres of impact in the headwaters
19 areas. Mitigation was not required at that time. It was
20 only recommended.

21 Finally, the county proposes five to one
22 wetlands mitigation based on approximately four acres of
23 impact to Corps of Engineers jurisdictional waters, but no
24 mitigation whatsoever has been proposed for the 36
25 additional acres of riparian habitat that would be

1 impacted by the project even though the county admits that
2 Fish & Game may regulate those areas and may require that
3 additional mitigation.

4 Thank you for the opportunity to testify.

5 CHAIRMAN WESNER: Thank you, sir.

6 Dave Magney, followed by Doug Hamilton.

7 MR. MAGNEY: Chairman and Commissioners, I'm
8 David Magney, David Magney Environmental Consulting.
9 We're based in Ojai, California, consultant to the City of
10 Calabasas through LSA Associates.

11 Through our review of the Environmental Impact
12 Report throughout this process, we have identified a
13 number of areas of concern where we think the analysis is
14 inadequate. I'll list some of those areas.

15 The EIR fails to assess impacts to non-vascular
16 plants. No impacts -- no assessment has ever been
17 conducted in the EIR. It fails to assess impacts to
18 species of local concern, except for melica californica.
19 It has inaccurate impact assessment to the San Fernando
20 Valley spineflower, inadequate preserve design for the
21 spineflower. The misleading and inadequate plant
22 community classification used oversimplifies. I'll get
23 into that a little later.

24 The infeasibility of transplanting rare plants
25 as mitigation. The non-viability of mitigation preserves

1 proposed and the inappropriateness of habitat preservation
2 as mitigation for direct impacts.

3 The county has failed to consult with California
4 Native Plant Society and the Audobon Society as required
5 under general plan policies, which says they shall
6 consult.

7 The EIR fails to adequately consider impacts to
8 rare invertebrates. It fails to use the most recent
9 available information. It fails to evaluate impacts to
10 wetland functions, as Mr. Harlacher just mentioned. The
11 project has inconsistencies with the Ventura County general
12 plan, goals and policies.

13 Mr. Hawkins mentioned this morning, the first
14 time I had heard it, that parks and open space areas would
15 be managed by Rancho Simi, the Parks and Recreation
16 District. I question the appropriateness of Rancho Simi
17 to manage open space habitats. Rancho Simi has no
18 qualified staff to manage bioelectrical resource areas.
19 They have no biologists on staff, no ecologists, and it
20 does not include in their mission the protection
21 management of biological resource preserves.

22 Now, this can be remedied if they have
23 appropriate funding and hired staff, but they have not
24 done that in the past, and I have serious doubts that they
25 will do so in the future without additional funding being

1 provided to them dedicated to this project.

2 As mentioned earlier, Fish & Game has not
3 approved the Ahmanson Ranch survey protocols nor their
4 mitigation plan for the spineflower and red-legged frog.

5 Assessments of locally rare species present on
6 site are flawed and ignored, impacts to at least 23 rare
7 species that are known to occur on site. These plants
8 have been identified as locally rare since the year 2000,
9 based on extensive research on the floor of Ventura
10 County. This represents new information and should have
11 been evaluated in the Supplemental Draft EIR. These
12 represent changed circumstances.

13 First, the county needs to recognize that these
14 species are, in fact, sensitive and should be assessed and
15 then feasible mitigation for direct, indirect and
16 cumulative impacts needs to be recommended.

17 The EIR recommends transplantation of rare plant
18 populations when they are found. The fact is studies have
19 found that transplantation of rare plants fails almost all
20 the time, for a wide variety of reasons. Yet, we have a
21 blanket mitigation measure which proposes just this
22 transplantation.

23 Well, each species has unique requirements, and
24 the mitigation should be designed for each of the species
25 that would be affected. They haven't evaluated what

1 species would really be affected on those 23 species I
2 mentioned. Basically you have a boilerplate mitigation
3 measure that is infeasible and in all likelihood will
4 fail.

5 Proposed transplantation of oak trees is not
6 feasible mitigation. Almost all such attempts have failed
7 often not until after the five-year required monitoring
8 period. The mitigation mapping and classification did not
9 follow protocols that are adopted nationwide by federal
10 and state resource agencies. I have provided detailed
11 explanation of this before.

12 The preserve and mitigation design for the
13 impacts of the spineflower are inadequate. They have not
14 been approved by Fish & Game, as I mentioned, and the
15 probability of long-term success has not been
16 demonstrated. Complete avoidance is the safest and most
17 appropriate mitigation measure to prevent impacts to the
18 species. Thank you.

19 CHAIRMAN WESNER: Thank you.

20 Doug Hamilton, followed by Rob Dayton.

21 And then I have a question because I can't find
22 a card for Thom Slosson, but I do have a Jonathan Baskin
23 and a Marc Chytilo. Whoever is going to be the sorter of
24 the players, figure that out for me.

25 Mr. Hamilton.

1 MR. HAMILTON: My name is Doug Hamilton. I'm a
2 civil engineer with Exponent, 320 Goddard, Irvine.

3 In June, I provided a few comments. I think
4 they were very focused and specific dealing with storm
5 water runoff, water quality and water quantity for the
6 proposed projects. And basically my questions pointed out
7 that there were some internal inconsistencies in the EIR
8 documents. One of them was that the report prepared by
9 Psomas & Associates had an annual sediment loading of
10 eight million pounds per year. That's the total
11 suspended -- that they based total suspended solids for
12 the existing condition. And the CDM study that same
13 number was about 600,000 pounds per year, so that's more
14 than a ten-times difference. And the response to my
15 comment was basically, you know, Well, don't make that
16 comparison. You shouldn't be making that comparison. If
17 you don't make it, then the problem goes away. I don't
18 consider that to be responsive to the question. And so my
19 question still remains on that.

20 The second issue was the fact that it looked to
21 me like the hydrology study was vastly overestimating the
22 size of the smaller floods. The smaller floods occur most
23 of the time. So if there is any type of erosion impact on
24 the site or downstream, it's going to be due to the
25 smaller floods. And basically the problem is, if you use

1 the U.S. Geological Survey regression equations, you get a
2 number for the two-year flood of about 50 cubic feet per
3 second. That's the rate of the movement of the water
4 through the stream. And if you use the number -- you take
5 the numbers in the EIR, that same value is about 600 cubic
6 feet per second. So it's a comparison of 50 to 600.
7 Another about a ten-times difference.

8 And because the detention basins are the
9 mitigation measure for -- to prevent downstream erosion,
10 if those are designed for a big flow, then all the -- most
11 of the storms are going to pass through. When I pointed
12 this out, the response was basically that I didn't provide
13 enough documentation in order to have the preparer of the
14 EIR even evaluate my question. So I've brought a CD with
15 the document -- the full USGS document on it, and I'll be
16 submitting that along with my letter.

17 The second issue is the water supply. I saw
18 the -- I had a chance to review the staff report. I think
19 there are discrepancies in the staff report compared to
20 the latest chapter in the EIR and the water supply
21 section, and so it's kind of a moving target, the amount
22 of potable versus non-potable water that's going to be
23 used, and so I still haven't fully been able to evaluate
24 that.

25 In my previous comments, I mentioned the

1 applicability of state bill 221 to this project. That's
2 the bill that says to ensure reliable supply of water for
3 20 years looking at various degrees of drought condition.
4 And I think the response to that in the EIR -- that may
5 not apply because of the timing of when that bill came out
6 versus when the process started on the Ahmanson Ranch.
7 And I don't see anything in the bill that says that. And
8 the EIR doesn't come right out and say it definitely does
9 not apply. It said it might not. So I still think it's
10 an open issue of whether or not there needs to be that
11 type of water supply study.

12 Finally, I had a colleague who is an expert on
13 perchlorate review. That issue that just came up, I
14 wanted to get her opinion on it. And her statements are
15 also summarized in my letter. But basically her main
16 concern is that if there is a source of perchlorate, it's
17 probably not a natural source because that doesn't occur
18 naturally in Southern California.

19 CHAIRMAN WESNER: Thank you.

20 We do have some questions for you, sir.

21 COMMISSIONER BARTELS: Going to the storm flow
22 issue, say it again.

23 What I heard you say -- what I think I heard you
24 say is that there's a discrepancy in the analysis that
25 says that the small storm events are overrated.

1 Therefore, the control structure is built to handle this
2 overrated storm so that a majority of the storms won't
3 even cause the retention basin to activate. They'll just
4 pass through because the sediment loads will be handled by
5 whatever that structure is as a regular flow so it won't
6 drop things out. It won't slow down the stream. Am I
7 understanding that right?

8 MR. HAMILTON: That's correct.

9 COMMISSIONER BARTELS: And then your flow rate
10 comparison, do that again, please.

11 MR. HAMILTON: I checked the flow rates in the
12 EIR with the USGS regression equations, which is based on
13 measured stream flow in Southern California. And the
14 small floods like the two-year flood, I was getting about
15 50 cubic feet per second. And in the EIR, it's 600, so
16 it's about a 12-times difference. So that's why I'm
17 concerned.

18 COMMISSIONER BARTELS: So if I respond to the
19 600 CFS as my control mechanism, the lower number will not
20 cause that control mechanism to function to slow down the
21 flow rate?

22 MR. HAMILTON: That's correct.

23 CHAIRMAN WESNER: Any other questions?

24 Thank you, sir.

25 Mr. Rob Dayton, followed by Mr. Jonathan Baskin,

1 and then Mark Chytilo, unless there's somebody else.
2 Those are all the cards that I have, as far as city
3 experts.

4 MR. DAYTON: Good afternoon. My name is Rob
5 Dayton, 320 West Ortega, Santa Barbara, representing the
6 City of Calabasas. Thanks for your patience this
7 afternoon.

8 I have 14 years of experience in the field of
9 traffic engineering planning and environmental review, and
10 I'm asking that you recommend that the Board find that
11 SEIR is not adequate because it does not include an
12 updated traffic impact analysis.

13 What is the trigger for you to find that an
14 updated traffic analysis is needed? Essentially two
15 things have to happen. CEQA requires that an updated
16 traffic analysis is required if substantial changes have
17 occurred to the environment since 1992. And new, more
18 severe traffic impacts will be created as a result of
19 those changes. So those are the two things that need to
20 be tested.

21 The existing conditions -- what it is is it's
22 the traffic volumes on -- at the intersections and on the
23 freeway. That's the existing conditions today. And I
24 don't think many people would argue that the existing
25 condition has changed since 1992. It's radically

1 different. Intersections that were LOS B and C are now
2 LOS D, E and F. The freeway traffic volumes have
3 increased 75 to 80 percent over the last decade. Existing
4 conditions are different.

5 So what is staff's response to this? Staff's
6 response is, Well, the 1992 study had traffic projections
7 that accounted for today's traffic as we speak, but, in
8 fact, traffic projections in the environmental document
9 refer to cumulative impacts. Those are the project's
10 impacts shared by the rest of other projects that are
11 being developed at the time, but project-specific impacts,
12 those are the project impacts that are solely the
13 responsibility of the developer, are measured against
14 existing conditions.

15 So the question is, Are there new
16 project-specific impacts, traffic impacts, based upon the
17 change in existing traffic conditions since 1992? The
18 answer is absolutely yes. They're documented in the --
19 this is not circumspect or guessing like it was referenced
20 earlier in the comments from Mr. Kaku. We definitely
21 documented it in our comments and have given you specific
22 traffic analysis that shows that there are new
23 project-specific impacts primarily to Las Virgenes Road
24 but also to Highway 101 in both directions.

25 The traffic projections are no longer valid, and

1 they need to be updated. The staff and Mr. Kaku have
2 argued that the 1992 projection will be -- the 1992
3 projection will be accurate by 2010. It's not accurate
4 today. It will be accurate by 2010, so we're kind of
5 guessing. There's different opinions on whether that's
6 right or not, but the traffic volumes conducted today by
7 Caltrans, the counts that are actually on the ground
8 today, show that the projections fall short by 28 to 30
9 percent. So using reality, not guesses in the future, the
10 projections fall short. And that shortfall are -- those
11 are enormous numbers. In fact, the projections are off by
12 an entire freeway lane of traffic. If your projections
13 are off by the amount of traffic that would hold -- would
14 be held by an entire freeway lane, that's radically off,
15 and that needs to be addressed. That difference will
16 create new traffic impacts and more severe impacts than
17 were considered in 1992.

18 Most importantly, Caltrans has developed a new
19 traffic distribution for Ahmanson traffic. The 1992 trip
20 generation that was dispersing the project's traffic from
21 the project site was based upon the existing conditions in
22 1992. All the assumptions that went into that
23 distribution of traffic were based on 1992 conditions.
24 Well, since 1992, many things have changed. Demographics
25 have changed. Employment centers have shifted. Peak hour

1 is now in both directions on Highway 101. Roadway
2 capacities that existed in 1992 don't exist today.

3 And so the Caltrans distribution shows that
4 under today's conditions, the trip distribution would have
5 80 percent of the traffic go towards Las Virgenes. That's
6 60 percent more than the 1992 trip distribution predicted.
7 And every single intersection and roadway along Las
8 Virgenes and the freeway in both directions will be
9 significantly impacted by that change. So you could see
10 that under legal obligations of CEQA, you are required to
11 ask for updated traffic information.

12 CHAIRMAN WESNER: We have questions, sir.
13 Commissioner Bartels.

14 COMMISSIONER BARTELS: You're talking about a
15 28- to 38-percent difference. You're talking about
16 cumulative impacts. It seems to me that the traffic study
17 says that the 101 corridor is going to fail. It seems to
18 me that what we're arguing about is its rate of failure
19 and its rate of feeder failure. And I guess I'm wondering
20 as an expert, what is this project's pro rata share in
21 today's numbers? What is its pro rata share to fix that?
22 And what is the City of Calabasas' and those areas where
23 you're an expert?

24 MR. DAYTON: The majority of my comments do not
25 refer to -- although they do include cumulative, which

1 would be a pro rata share of impacts.

2 What I'm talking about is much more amazing and
3 insightful is that there will be project-specific -- new
4 project-specific impacts caused by the developer. And in
5 the environmental document, they're required to pay a
6 hundred percent of those improvements, not a pro rata
7 share.

8 Caltrans has asked for 500 percent more money
9 based on this trip distribution because the impacts at Las
10 Virgenes interchange are so much more significant than
11 originally viewed in the 1992 traffic study. And in order
12 to get to a new traffic study, you just have to find --
13 it's not just, well, we dismissed all the traffic impacts.
14 We found they were significant in 1992, so it's going to
15 be bad anyway.

16 The difference is that the developer, based on
17 1992 conditions, project versus existing conditions, would
18 be a hundred percent responsible for project-specific
19 impacts under a new traffic study, and that's where they
20 should be held. And the fact that the developer has said,
21 Hey, we'll contribute to the traffic congestion if there's
22 regional cooperation. That's an admonition that there are
23 new traffic impacts that need to be found. Even if you
24 agree to that and you agree with the staff conditions and
25 say, Oh, yeah, we'll go along with it. That sounds good,

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1 regional participation. Without a new traffic study, we
2 won't know what Ahmanson Ranch's contribution to that is.

3 COMMISSIONER BARTELS: You address this
4 Commission with very specific percentages. You responded
5 to my question with what I hear as a generality. And my
6 concern is that I'm asking for specific comparative
7 cumulative impacts. You've been staring at this paper for
8 a long time. And take a shot, if you can.

9 MR. DAYTON: Well, for instance, you asked about
10 pro rata, which would be a portion of the impacts. What
11 would Ahmanson Ranch's share be? And I'm proposing to you
12 that if every impact that's identified in the 1992 EIR
13 will be significantly more, for instance, on Las Virgenes
14 Road, all the intersections along there will now be
15 project-specific impacts. It's not a portion of what the
16 developer pays. The developer will have to pay all of the
17 costs under the new environmental document that considers
18 the reality of the existing traffic condition. So you're
19 asking me about a share. And I'm telling you that they
20 are a hundred percent responsible for project-specific
21 impacts.

22 COMMISSIONER BARTELS: Because there are no
23 other projects under this level of scrutiny or because
24 there is no -- I mean, I understand Ahmanson's part in
25 this. I'm trying to get a handle on what it is that has

1 failed. I've read this traffic thing over and over and
2 over and over again, and I'm concerned that we're parsing
3 ranges of percentages. Traffic counts are traffic counts.
4 They're real numbers, you know. So what you're saying is
5 there's been a significant change. The significant change
6 is that we are actually failing the roads, which was a
7 subjective thing then, right? Is that the major change?

8 MR. DAYTON: Let me try a different approach.

9 Let's say that the 1992 study had not been
10 conducted. We're talking about today. Ahmanson Ranch
11 just came in today and said, Let's find out what the
12 traffic impacts are, see if we can approve this project.
13 We would go through the same exercise we went through in
14 1992, and that exercise is to line out what are the
15 project-specific effects. That's actually the biggest
16 question. Not cumulative projection. What is the
17 project's impact on today's roadway and the intersections?

18 What we would find if we did that study today is
19 that Ahmanson Ranch -- the degree of their impact to those
20 intersections would be significantly greater.

21 COMMISSIONER BARTELS: Like how much
22 significantly?

23 MR. DAYTON: Well, for instance, we have
24 intersections that were level-projected existing in 1992
25 that go from B to C. And now we have intersections that

1 are at D that would go to E and F with the project, same
2 exact intersection under the existing setting -- today's
3 existing setting, plus Ahmanson's traffic.

4 When you think of 101, when Highway 101 was
5 compared to Ahmanson traffic back in 1992, there was
6 available capacity to handle the project, so existing,
7 plus Ahmanson Ranch, okay. But today there is not
8 existing capacity. So existing condition, plus Ahmanson
9 Ranch, not okay. And there needs to be an assessment, a
10 quantification of just what you say, pro rata share or
11 project-specific impacts, documented to show what their
12 hundred percent responsibility would be.

13 COMMISSIONER BARTELS: Thank you.

14 CHAIRMAN WESNER: Commissioner Molitor.

15 COMMISSIONER MOLITOR: Mr. Dayton, I read your
16 analysis thoroughly because of how different it portrayed
17 the situation as has been portrayed in the other
18 information I received. And I'm going to make a few
19 assumptions. I'm assuming what you said is that according
20 to CEQA, when there has been substantial changes, that you
21 need to go back and readdress this. And that's not what
22 the applicant is saying. That's not what the county is
23 saying; that there has been substantial changes.

24 I'm also hearing you say that there's really no
25 difference in the amount. We know how many -- we've

1 agreed to how many trips are coming out of Ahmanson. Is
2 there any question between your analysis and what the
3 county says and the number of daily trips coming out of
4 that project?

5 MR. DAYTON: Well, there has been a statement
6 that the trips generation has gone down, and I haven't
7 received the proper traffic engineer's land use related
8 data base to show why that is and what that is. I believe
9 it's gone up. But let's just assume for the sake of
10 argument that it's even.

11 COMMISSIONER MOLITOR: And your analysis is that
12 the analysis that had been done is not really accurate
13 because it isn't just the cumulative effect. It's the
14 project's specific effect that's changed on all these
15 intersections and the 101 corridor; is that correct?

16 MR. DAYTON: I wouldn't say that the traffic
17 study that was done in 1992 was done poorly. I think I
18 would agree with Mr. Kaku when he said when we were in
19 1992, we did everything we could. We had all the
20 information we had then, and we did projections based on
21 what we knew then. We did a trip distribution based on
22 what we knew then. And I think they did their best job
23 they could then. But now because of substantial change in
24 conditions, there is a change in the impact level and
25 severity.

1 COMMISSIONER MOLITOR: I just find -- well,
2 that's fine. I think you've answered my question. Thank
3 you for your analysis.

4 CHAIRMAN WESNER: Any other questions?
5 Thank you, sir. We appreciate your time and
6 your effort.

7 Jonathan Baskin.

8 AUDIENCE MEMBER: Excuse me, Chair. There are
9 two other experts that are not here, and there's a letter
10 to be read for the card that you have just said, but we
11 could read that later, if we could have the two other
12 experts that are here, Chester King and Thom Slosson.
13 Thom Slosson is right here. Lesley Devine has also
14 arrived, the mayor of Calabasas.

15 CHAIRMAN WESNER: I'm getting a little confused
16 here because it seems we're having the entire City of
17 Calabasas show up here, and there are other people that
18 need to make comments. Why don't you sit down. Why don't
19 we have Ms. Devine come up and talk. You guys figure out
20 what you want to do.

21 AUDIENCE MEMBER: Those two people, and that's
22 it. But there are other people. There's a representative
23 from L.A. city here who has to go soon, a legal
24 representative.

25 CHAIRMAN WESNER: I'm talking about there's

1 Steven Craig, Tom Gdala, Tom Teneski, Katherine Stone.

2 AUDIENCE MEMBER: Katherine Stone is one of our
3 experts.

4 CHAIRMAN WESNER: So the other three gentlemen I
5 can...

6 Mayor Devine.

7 MS. DEVINE: Good afternoon, Commissioners. I
8 appreciate you being here for a very, very long hearing.
9 Let me just get my act together. Since we each just have
10 a few moments to tell you what is in 6,000 pages -- oh, I
11 forgot to introduce myself.

12 I'm Lesley Devine. I am the mayor of the very
13 determined, very unified citizens of the City of Calabasas
14 who have put our heart and soul in bringing you a great
15 deal of factual information, hiring the most respected
16 experts that can be found. With that, I am the
17 generalist. And since we have so little time to tell you
18 what is in 6,000 pages of previous testimony, we must ask,
19 Have you had time to read it all? I know I wouldn't. But
20 it is clear that the proper time to do a diligent job may
21 not have been given to anyone.

22 Ten years ago your Planning Commission did have
23 the time, and then that Commission voted to deny this
24 project. Unfortunately, the Board of Supervisors
25 overturned you, and so here we are again a decade later.

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1 And I was here a decade ago.

2 Now you are charged with the impossible job of
3 finding mitigations for huge environmental problems. I
4 would guess that by now your attorneys have directed you
5 to follow the old adage stuck, stay stuck. I hope you can
6 overcome that and be as brave as you were a decade ago.

7 Your own citizens spoke loud and clear last
8 month in Ventura and Santa Paula. Their values were very
9 clear. Overbuilding, ruining the mountains was just not
10 acceptable to them. Your citizens are good stewards of
11 their environment. Why would you think that they would
12 want to foist such problems on a neighboring jurisdiction,
13 especially when it came at their own detriment.

14 When you plan roads through another city's
15 residential neighborhoods, you create a Hatfield situation
16 that will continue for generations. As bad as the effects
17 are on everyone's main transportation artery, the 101
18 freeway, these effects on our neighborhoods are far worse.
19 Those effects are very personal, ruining another's quality
20 of life, lifelong savings as represented by their homes
21 and threatens their very safety and security. Good
22 neighbors do not do that to one another.

23 Affordable housing on this project is almost a
24 joke. I direct your attention to pages I-122, 127 and 128
25 in the December 15th, 1992, Ventura Ahmanson Land Use

1 Development Plans. Given the basic nature of Ahmanson's
2 planned million dollar homes, they contend that there will
3 still be 25 percent reserve for families that meet federal
4 income guidelines for affordable housing. The Ahmanson
5 Plan describes one-room, single-room occupancy of housing
6 for these workers. What family is it that would like to
7 live in one room? Or are these SROs just modern caddy
8 shacks.

9 Ahmanson contends that their additional second
10 rental units will do the trick. Just what are these
11 units? These are more classically-described as servants'
12 quarters out back of the main house like in plantation
13 days of old. WAMU contends that million dollar homeowners
14 will rent out these units as affordable housing. Get
15 real. Who is going to buy such a very, very expensive
16 house and have renters in the backyard?

17 If such units are built, they will most likely
18 become the home offices of the hiring folk. Yet, these
19 commercial aspects within the proposed high-end
20 neighborhoods are not clearly disclosed. Then in the
21 ultimate double speed, neighborhoods -- these very same
22 units are only available, and I quote from your plan, to a
23 member of the qualifying household, e.g., quote, family
24 member or, quote, service provider. Gee, servants
25 quarters. Not to people who simply need affordable

1 housing. Why go along with a sham of affordable housing
2 rather than serving real housing and job needs of people
3 in Oxnard, Thousand Oaks, Simi Valley and Ventura itself?

4 In over 6,000 pages of previous testimony, three
5 issues stand out as having the most flagrant, inadequate
6 responses. Traffic, obviously, projections are out of
7 date. You asked a good question before about the amount
8 of money needed. As you know, Calabasas has a bridge and
9 thoroughfare district, in which Mr. Gdala can describe in
10 more detail, the developers have to pay into in order to
11 make sure that the access to the freeways stay movable.
12 In a quick estimate of cost just within freeway access and
13 freeway impacts, we came to an approximate \$50 million.

14 In 1994, two years after this EIR, there was a
15 major cataclysmic event, the earthquake.

16 CHAIRMAN WESNER: You've run out of time, so
17 I'll give you 30 more seconds.

18 MS. DEVINE: I'm just going to remind you to
19 look at how that earthquake changed the job and housing
20 pattern.

21 Water quality is clear that it is a problem.
22 It's been recognized by Henry Waxen. Cultural resources
23 have yet seen no real protection of provisions for the
24 future care of the sensitive sides.

25 In short, I respectfully ask that you be as

1 brave as the Planning Commission of ten years ago and not
2 certify the SEIR until very real mitigations are found to
3 solve very real problems. And I thank you. And with
4 that, I will leave you my testimony and the full housing
5 article as published in the Daily News. Thank you very
6 much for your time and your courtesy. It's truly
7 appreciated.

8 CHAIRMAN WESNER: Thank you, madam mayor.

9 Did you have questions?

10 Who are our experts we got coming up from the
11 City of Calabasas?

12 This is Thom Slosson?

13 MR. SLOSSON: That is correct, Thom Slosson.

14 My address -- work address is 15500 Erwin Street
15 in Van Nuys. I live in Simi Valley. I've lived there for
16 17 years. I've been an engineering geologist for quite a
17 few years. I've done engineering review geology work for
18 the City of Calabasas, City of Agoura Hills, City of
19 Moorpark, as well as other municipalities and other jobs,
20 development jobs, so I have an understanding.

21 I'm not here basically to stop the development,
22 but I want to make sure that some of these things are
23 safe. One of the things I noticed today when I was going
24 through the staff report when you get to the question of
25 perchlorate, when you look at page 4 of the staff report

1 where it talks about the non-potable demand, you would
2 have a maximum daily demand of 1.94 million gallons per
3 day. Non-potable water will be obtained from the Tapia
4 Treatment Plant, the on-site wastewater treatment plant
5 and from Ahmanson well number 1 or its replacement as for
6 irrigation, construction, et cetera.

7 Page 8, it indicates that the project will
8 require non-potable supplies of 2.18 million gallons
9 average to 4.3 million gallons average maximum, and that
10 the non-potable water supply would include recycled water
11 from the on-site wastewater treatment plant and the
12 recycled water from the Las Virgenes Water District, and
13 it would be implemented by up to .66 million gallons a
14 day, or MGD, from the existing off-site water well,
15 Ahmanson well number 1.

16 Those numbers don't match, and it's kind of of
17 interest the amount of water they're talking about, the
18 .66 million gallons a day. That's a fairly large number
19 when you're considering that that water is going to be
20 mixed with the other waters, but it's going to be for
21 irrigation of both golf courses, landscaped areas, common
22 areas for this and also construction use.

23 The perchlorate that was found in Ahmanson well
24 number 1 was found at a certain level. If I remember
25 correctly, it was somewhere in the 450 or 550 -- they

1 tested three different depths. They pumped that well at
2 different elevations to pull out a certain amount of water
3 prior to testing, which is a standard procedure. That
4 testing of it -- or that pumping evidently pulled some of
5 the perchlorate to it, if it's a true reading. That well,
6 to my understanding, hasn't been used that much, so it may
7 have been that it pumped and first started to draw that
8 into it.

9 These materials from Rocketdyne are probably
10 most likely only going to get worse. We discussed that in
11 a letter that we wrote and I think it was included in part
12 of the information here back in February of 2000 about how
13 that could be a problem because the geologic map -- I've
14 got the Dibley map that covers the area and other maps.
15 There's definitely a potential for that contamination to
16 come from Rocketdyne as well as going into Simi or Bell
17 Canyon. Part of that is because you have a syncline
18 shape. In that syncline, at the edge, you're getting a
19 chance for the waters and contamination to get into that
20 and then filter down and become part of an aquifer, which
21 may be again why it was found at that depth.

22 The problem with this area is -- and it was in
23 one of the reports, the discussion about how slow the
24 water moves through it, but the fractures create a
25 magnitude higher, and it's kind of like thinking of a

1 ceramic bowl. When you crack it and all of a sudden your
2 water starts to leak out of it. This material is going to
3 move through those fractures as well as the bedding much
4 more quickly, and this area is extremely faulted.

5 There was a discussion of a well field at one
6 time where in this area of well number 1 there was going
7 to be up to 12 different wells who were going to be a part
8 of this system to pump out for this irrigation. Again,
9 you add in that many wells, you're going to drawn down
10 and, again, move this material quicker.

11 One of the other comments has been perchlorate
12 is basically -- is basically a manmade product. It's from
13 activity such as rocket testing, emissions, other
14 industrial uses. A lot of the locations they were giving
15 earlier for where perchlorate has been found and is being
16 treated is actually in areas of heavy industrialization.
17 La Puente, Fontana, Rialto, those are areas where you'd
18 expect to find that. You don't really expect to find this
19 up in this natural area, unless there is a source, which
20 again most likely is Rocketdyne because of the usage and
21 the chemicals that were used there.

22 Currently the other issue is you've had soil
23 testing done to date, which included soil testing of up to
24 six inches. This would not consider some of the water --
25 rain water infiltration that would have carry some of

1 these contaminants to a much deeper level. That needs to
2 be tested.

3 Laskey Mesa, as I started to say, is a very
4 unique geologic area. It's got a youngest geologic
5 material, which is only found otherwise in Santa Clarita,
6 Newhall, San Fernando Valley. The is the only spot that
7 it's found here. It is unique because why do we have a
8 syncline with the youngest material at the top of the Mesa
9 as compared to being the oldest or the highest. And that
10 brings to the fact the faulting that may have created and
11 why it has such a unique soil, which is why the
12 spineflower grows there.

13 CHAIRMAN WESNER: Any questions?

14 Commissioner Dressler has a question for you.

15 COMMISSIONER DRESSLER: Mr. Slosson, would you
16 comment on your impressions of the stability of the soil
17 on this particular site and the mitigations that have been
18 proposed?

19 MR. SLOSSON: One of the discussions I had
20 earlier was -- in our letter was there may not -- this is
21 February 2000, may not be there's enough known about that
22 because some of the original investigative work that was
23 done, the borings and such, were done back in the '60s
24 under Robert Stone and Associates, I think it was, or
25 Stone and Associates. Recently GeoSoils has taken over

1 the project, and they did a series of shallow test pits in
2 answering some of the county's questions, so there may be
3 a need to update some of that geologic stability. And per
4 the map that was done by Hal Weber for the California
5 Vision of Mines and Geology, and there is a reading of
6 that in that February report, this is an area that is
7 known to have some weaker materials geologically, and it
8 needs to be investigated further, as well as also the
9 expansive soil potential that could cause other problems.

10 In any grading job, especially here where we got
11 stuff that has been -- information and types of testing
12 has been learned since the time they originally did the
13 first ones, it wouldn't hurt to have an updated one,
14 especially the borings and depth for the cut.

15 CHAIRMAN WESNER: Any other questions?

16 Thank you, Mr. Slosson.

17 Jonathan Baskin.

18 AUDIENCE MEMBER: He had to leave.

19 CHAIRMAN WESNER: Marc Chytilo. And, again, my
20 apologies for mispronouncing.

21 MR. CHYTILO: My name is Marc Chytilo. I am at
22 Post Office Box 92233 in Santa Barbara, 93190. I have a
23 national air quality practice, and I am here on behalf of
24 the City of Calabasas to speak about air quality issues.
25 And if I have a moment, I will also end on some traffic

1 issues.

2 The issue that is before you is whether the
3 EIR's analysis of air quality issues is adequate and
4 whether you have sufficient information as decision makers
5 to be fully informed to be able to make your decision. If
6 you don't feel you are fully informed, you have all that
7 information, it is certainly your right to request that
8 there be additional information or if you need more time
9 to digest it, that you take that time. We encourage you
10 to do so. You have a responsibility under CEQA to ensure
11 you have all the information that you need to be able to
12 determine the determinations that you need to make.

13 Now, as I indicated, air quality is a new -- is
14 covered in the EIR because it was a new issue. Previously
15 the applicant explained that biological issues were based
16 on new information. As far as air quality is concerned,
17 there's no basic new information about the project. Some
18 changing of the emissions factors and things like that,
19 but the basic thing that's different is that the air
20 quality environment has changed substantially, and that is
21 much like the traffic environment where we have a very
22 different set of conditions in which the project's impacts
23 are being examined and the severity and significance of
24 those impacts has substantially changed.

25 As we're addressing air quality issues, there's

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1 four steps to the process. First, you have to identify
2 what are the emissions. Then you have to model the impact
3 of those emissions and determine their significance.
4 Thirdly, you have to mitigate them, and if there are
5 significant impacts after mitigation, there's no feasible
6 mitigation, then there has to be a statement of overriding
7 considerations.

8 Now, in the process of over the course of the
9 past six months that we've been working on this issue,
10 we've identified a number of situations where there's both
11 errors and omissions in the indication of the project's
12 impact, the emissions that are coming from both the
13 operational phase as well as the construction phase. And
14 we've tried to identify those where the emissions from the
15 diesel construction equipment and the particulate matter
16 that will blow from the site as a result of just the
17 exposure of all the soil that's involved in the grading
18 process will be substantial. And the EIR has not
19 adequately identified what are the amount of emissions
20 that will be actually generated by the project.

21 The second analysis is, what are the impacts
22 associated, if we actually did have the right numbers, as
23 to the emissions from the project. And that is based, in
24 large part, on what are the existing conditions, and then
25 what modeling tools do you use. One of the comments we've

1 had real difficulty with is recognizing that the project
2 is going to generate an enormous amount of particulate
3 matter. Unmitigated, that particulate matter will be
4 72,000 pounds per day. And that will largely be visited
5 upon the adjacent neighbors. They are the ones who are
6 going to receive it because gross particulate matter
7 doesn't travel that far.

8 However, the EIR has not gone through the
9 process of identifying and analyzing and modeling what
10 those impacts will be. There is a model that's out there,
11 the ISC model. Staff has refused to undertake that,
12 insisting instead that they can use a more crude screening
13 model, which determines yes, there will be significant
14 impacts that they can't mitigate and, therefore, they're
15 going to make a statement of overriding considerations.
16 Well, that's not what CEQA provides for. CEQA says you
17 need to be able to identify the significance of the impact
18 as accurately as you can when you know it's going to be
19 significant. You can't just rely on overriding
20 consideration. And here the failure to use the more
21 accurate ISC model is hiding from you, the decision
22 makers, and hiding from us, the public, what are the
23 impacts of this project. And, more importantly, what
24 mitigation measures are available once you've actually
25 determined what are the significance of those impacts.

1 Now, the same analysis applies to the diesel
2 emissions where they have not performed the analysis to be
3 able to identify what exactly are going to be the impacts
4 associated with that.

5 Similarly, carbon monoxide. They have not
6 modeled that properly. Interestingly, the EIR says that
7 there will be exceedences of the carbon monoxide standard
8 as a result of the emissions from the cars. Now, carbon
9 monoxide is local. It's in the immediate vicinity of an
10 intersection. Those intersections are in the South Coast
11 Air District.

12 What the EIR has said is we will use the Ventura
13 County approach and say that that impact is not
14 significant. In fact, the south coast is not attainment
15 for carbon monoxide, and that issue needs to be recognized
16 as a significant impact, but it is not.

17 And, finally, the same analysis applies to ozone
18 precursors, as discussed in our comments. But the most
19 important thing for you to think about in terms of new
20 information is this new changed traffic distribution
21 because that changes all of the air quality calculations
22 in terms of the air quality impacts of the project. So we
23 would strongly encourage your Commission to seek an
24 additional traffic analysis which employs what Caltrans
25 has already identified are differing project trip

1 distribution patterns as a result of changed demographics
2 throughout the region. And those will change the air
3 quality impacts. Thank you.

4 CHAIRMAN WESNER: Okay. Steve Craig.

5 MR. CRAIG: If we could have Keith Pritsker --
6 there's a lot of -- I don't know whether we're going to
7 get to the end today. There were a lot of people who have
8 taken off work. This is my job. I prefer to speak later
9 in the day.

10 CHAIRMAN WESNER: That's why --

11 MR. CRAIG: So if you could take the remaining
12 experts, Keith Pritsker and Chester King.

13 CHAIRMAN WESNER: Chester King and Keith
14 Pritsker. Then what I'm going to do then, Mr. Craig, is
15 put you a little bit later in the packet. I want to get
16 to the public.

17 Okay. Keith and Mr. King.

18 MR. PRITSKER: Good afternoon, Mr. Wesner,
19 fellow Commissioners. My name is Keith Pritsker. I'm a
20 deputy city attorney for the City of Los Angeles. I'm
21 here speaking on behalf of the City of Los Angeles. My
22 address is 200 North Main Street, number 1800, Los
23 Angeles, California 90012.

24 You've had some very educated, very eloquent
25 people speaking here this morning, and I'm sure -- it is

1 clear to me from the comments that those of you who are on
2 the Commission spoken so far that you've already put a lot
3 of time in going over the record in this case, and I'm
4 sure you're aware that I've submitted several letters,
5 three in all, which is a summary of comments that I've
6 received from city staff. And as you know, we have great
7 concerns in the City of Los Angeles about the impacts of
8 this project, particularly with regard to traffic, air
9 quality and the issues related to water that are raised by
10 the discovery of perchlorates at the site.

11 But rather than reiterate what you've heard from
12 people who are much more detail-oriented and much greater
13 experts than I, I wanted to refer to something that I
14 found sitting here listening to testimony today, walking
15 around your wonderful facility, and that is the
16 photographs showing the destruction done by the collapse
17 of the St. Francis Dam along the wall here adjacent to
18 this chamber. And what it reminds me of is -- and I had
19 assumed that all of you are probably aware of the fact
20 that William Mulholland who helped and arranged for the
21 construction of that dam simply wasn't aware of certain
22 geological conditions that led to the collapse of that
23 dam. There seems to be a consensus of experts that have
24 led to that conclusion.

25 That I think of in looking over those

1 photographs and seeing the giant headline you have there
2 about how many were dead and how many were missing -- I
3 think it was all determined about 450 people died, and you
4 may know some of the relatives of people who died as a
5 result of that disaster so many years ago. What it makes
6 me realize is that sometimes what we don't know can kill
7 us. And that, of course, was an extremely dramatic event,
8 an extremely traumatic event not only on the loss of
9 lives, but, of course, there was a tremendous loss to
10 property. And if -- in fact, it destroyed William
11 Mulholland as a man who had given his life to try to make
12 a better life for people in this area.

13 And so I just wanted to refer to that in hoping
14 that you will take to heart some of the concerns that are
15 being expressed here about these environmental impacts.
16 Obviously this project will bring a considerable amount of
17 revenue into the County of Ventura, but it's also clear
18 that you're basically -- if you're helping anyone, you're
19 helping alleviate housing problems in the City of Los
20 Angeles because the project is adjacent to the City of Los
21 Angeles. And for that reason, you've heard support here
22 this morning from residents in the City of Los Angeles.
23 And that's not -- I'm not surprised by that at all, but I
24 do hope that you will not simply look at the concerns
25 raised with regard to traffic and air quality and water

1 quality as simply issues that make work or Nimby issues
2 raised by people that don't want more neighbors. These
3 are very real concerns that affect people's quality of
4 life.

5 This is in many ways a very wonderful project in
6 certain terms of state of the art, you know, a suburban
7 community. It may be in the future that we will be moving
8 more quickly towards other types of mixed use developments
9 as our gridlock increases throughout Southern California.
10 Only the future will let us know, but that is my plea that
11 you do -- I understand I'm down to 30 seconds here. That
12 you do take seriously and take to heart our concerns about
13 the impacts on our residents and hopefully come next
14 January when the Board of Supervisors in L.A. County
15 considers Newhall Ranch, hopefully they will show the same
16 deference to the County of Ventura when they consider that
17 project. Thank you very much.

18 CHAIRMAN WESNER: Thank you for your wonderful
19 thoughts.

20 Any questions?

21 Chester King was the next speaker from the City
22 of Calabasas experts; is that correct?

23 MR. KING: Yes.

24 CHAIRMAN WESNER: Mr. King, your name and
25 address, sir.

1 MR. KING: My name is Chester King. I live at
2 653 Oak Canyon Road and work there, also.

3 Archeological sites, which is what I'm here to
4 talk about, are nonrenewable. Once they're gone, we can't
5 bring them back. We can never learn what was in there
6 once they're gone. So, you know, a lot of people in
7 America today don't think that studying about Indian
8 history or local history is very important, but hopefully
9 in the future they'll want to have more of a sense of
10 place and recognize that they're not just, you know,
11 columnists and that they actually have a history that's in
12 the ground here. And sites will hopefully become more
13 important in the future. And hopefully they've become
14 more important over the last ten years.

15 I heard the Ahmanson Ranch people talk about
16 their concerns and how they're so interested in preserving
17 things out there. I've been denied access since I was
18 asked for access in '92. I've asked for access early this
19 year, most of the sites on the ground which they've said
20 they can't let me on because they have the ability to
21 prevent trespass. And, also, for the collections that
22 were made by the archeologists they employed and the notes
23 that were taken by the archeologists they employed, they
24 won't let me have access to any of these things. I don't
25 know what they're fearing if they're so concerned.

1 Given what I had, which was the documents
2 prepared by the archeologists that were employed for about
3 ten years prior to '92 concerning the archeological sites
4 and then since that time, the analyses that have been made
5 by county staff and other non-archeologists of this data,
6 what I was left with was basically a report on the testing
7 of the sites at Laskey Mesa. And this testing was done
8 and the report was prepared in 1989. I mean -- yeah,
9 1989. In that report, the archeologist hired by Ahmanson
10 concluded that the sites they've tested were temporary
11 plant processing sites. They gave no reason for this
12 conclusion. They've given similar conclusions in the
13 sites in Oak Park when they did those. All of those sites
14 are gone now. In fact, many of those sites they didn't
15 even test in them because at that time they didn't think
16 they had depth. And when they dug at Ahmanson, they found
17 they did have depth.

18 I took this available information which consists
19 of a report that gives a description of the artifacts, a
20 very crude description of the artifacts, maps showing the
21 locations of some of the artifacts described, and a
22 catalogue describing the artifacts. And I entered the
23 catalogue into a data base and analyzed it. What we found
24 was that the artifacts that they call temporary plant
25 processing site artifacts, which include grinding tools

1 and tools for preparing fibers and things like that, are
2 tools that are typically found in Indian houses,
3 especially in the kitchen areas.

4 Now, if we think about our society, we don't do
5 too much plant processing in the kitchen except we do cut
6 up things and grind things and things like that. So, you
7 know, if we were to find the tools we use to process those
8 things, we would assume, I guess, that they're temporary
9 processing sites. So most of our houses are probably
10 temporary processing sites, also.

11 They never gave any analysis or any
12 rationalization or any explanation of how these artifacts
13 would represent temporary plant processing sites. In all
14 of the sites that we've done in the earlier period, they
15 have the same kinds of artifacts, and yet these sites have
16 cemeteries, apparently house areas, other outdoor activity
17 areas, and when we took the data that they had mapped,
18 which was not really the best data possible to get, we
19 found that it compared very similarly to sites where we
20 had analyzed them, also, and that these other sites --
21 most people can see there are the remains of permanent
22 settlement sites, and it would seem that these are the
23 same.

24 My only direct observation of these sites and
25 the artifacts on them was when I recorded three of the

1 sites on the Ahmanson Ranch in the late '60s. Since that
2 time, like I say -- in fact, even then I was told to leave
3 by a county sheriff. The landowner never appeared. But
4 they've never been very friendly to people visiting that
5 area.

6 Another concern is that the Native Americans
7 have also been excluded from going to the Cave of Munits
8 and other important areas, and that these have never been
9 analyzed and they've always been kind of left to do
10 analysis later.

11 I believe that the elected officials, when they
12 make their decisions, should have full knowledge of what
13 they're deciding on and not be deciding to put off
14 something until later until it may be found to be
15 significant after they've given the permit to go ahead
16 with the actions. Thank you.

17 CHAIRMAN WESNER: Thank you, Mr. King.

18 Mr. King, we do have a question for you?

19 COMMISSIONER BARTELS: Is it Mr. King?

20 MR. KING: Dr. King will do.

21 COMMISSIONER BARTELS: In looking at section
22 4.8-22 in the EIR, it talks about the EIR consultant
23 recommending and then it talks about qualified
24 archeologists and that the applicant and subsequent
25 developers should be required to provide notice. When

1 you -- in the '60s when you went up and looked at these
2 sites, what did you find?

3 MR. KING: I found basically the kinds of
4 artifacts they described on the surface. And that the
5 sites were basically where they are described as being.
6 And I found the same kinds of tools that I found on sites
7 such as the site of the Century Ranch, Malibu Creek State
8 Park now, LAN-225, LAN-1, the tank site, in Topanga that
9 were excavated. Everyone can see that they are early
10 period settlements. And I found these same things on
11 Ahmanson Ranch at that time. Although not reported as
12 accurately as I would desire, they're described in the
13 report by the archeologist for Ahmanson Ranch.

14 Those same archeologists did the work for Oak
15 Park, and they concluded at that time that the sites were
16 temporary winnowing stations. I don't know what you're
17 doing with the grinding tools at the winnowing stations
18 and what you're doing with the other plant processing
19 tools that are usually found in houses, but that's what
20 they concluded then. At that time, they didn't believe
21 the sites had depth, so they didn't even dig most of them.

22 COMMISSIONER BARTELS: With the sites that you
23 have actually excavated, what are you finding? So it's a
24 housing development. And all of a sudden we're looking at
25 grave sites. And -- I mean help me there.

1 MR. KING: There are usually cemeteries in these
2 settlement sites, such as the Century Ranch site, which is
3 downstream from this project, we excavated a small
4 cemetery on that site, and it consisted of grinding stones
5 that -- the base stones, which are often about this big,
6 being placed over the burials in piles. That's something
7 that they could expect to find once they start grading out
8 there.

9 COMMISSIONER BARTELS: And according to this
10 mitigation measure, you find this stuff -- and when I talk
11 about stuff, what you're going to find is if you're
12 talking a burial site, you're all of a sudden digging up
13 graves.

14 MR. KING: That's right.

15 COMMISSIONER BARTELS: And I guess my question
16 is, your work is with the Chumash, I'm assuming. And how
17 do you take a sacred site like that which you are grading
18 and excavate and then allow to continue? I mean what do
19 you do?

20 MR. KING: Although, you know, it's not -- what
21 would happen is that state law allows the land owner to
22 make the decision about what will happen. And if the land
23 owner decides that the burials should be moved, then the
24 burials will have to be moved. If the land owner decides
25 that they can be left in place, then they can be left in

1 place, which is the preferable alternative. But by the
2 time they're discovered, the grading will be occurring.
3 The first grading will be the grading to destroy the
4 archeological sites that's recommended as the mitigation
5 measure. And, of course -- you know, most of us who do
6 archeology would like to find out what the distribution of
7 little things is and delicate things that won't be
8 observable during grading. So putting that off until the
9 last minute is definitely not going to be very good for
10 planning. It will mean that the cemeteries will have to
11 be relocated.

12 Now, how that will be accomplished, whether it
13 will be in the project area or not, I guess that will be
14 up to the decision under state law when the incident
15 occurs. The state law doesn't really provide a
16 mitigation. It isn't what most people would want. It
17 just allows development to go ahead and pay some respect
18 to the burials.

19 COMMISSIONER BARTELS: Thank you, sir.

20 CHAIRMAN WESNER: Thank you very much.

21 Okay. What I'm going to do is call one speaker,
22 then we're going to take a ten-minute break. That will be
23 to alleviate the L.A. County payroll. Peter Gutierrez.
24 After the break, we'll have Ms. Katherine Stone, followed
25 by Marianne King.

1 So is Mr. Gutierrez here?

2 AUDIENCE MEMBER: Mr. Gutierrez had to leave.
3 I'm from Calabasas, so I'll defer to some other people.

4 CHAIRMAN WESNER: Since we're at that point,
5 let's take the break now. We'll recess until five minutes
6 after 3:00.

7 (Break.)

8 CHAIRMAN WESNER: Ladies and gentlemen, I still
9 have approximately 70 cards, if not more. What I'm going
10 to ask is we'll take testimony until 6:00 tonight. We'll
11 have one more small break. And then we'll recess until
12 8:30 tomorrow morning. Those of you that can return
13 tomorrow morning, please state so. I'll place your card
14 in a packet. I've had some people who say they can do
15 that. So that those that need to leave today and cannot
16 come back tomorrow, we can hear them today.

17 So when I call your name, if you would like to
18 speak tomorrow, please say so. We want to hear what you
19 have to say, but we'll hear it tomorrow.

20 Two other things.

21 COUNTY COUNSEL: Chairman Wesner, the only
22 comment I would make on that if you end before 6:00
23 tonight -- if the hearing were to end the public testimony
24 of those who remain before 6:00, the meeting will have to
25 be continued or adjourned at that moment because you will

1 not be able to close public testimony, and you will still
2 have public testimony left to hear in the morning.

3 CHAIRMAN WESNER: Are you saying recess to the
4 morning or adjourn to the morning?

5 COUNTY COUNSEL: Recess until the morning. It's
6 less than 24 hours. It was noticed for the two days
7 already. I'm just saying you you won't able to go further
8 than public testimony even if it's less than 6:00.

9 CHAIRMAN WESNER: We will sort it all out, but
10 the key thing is to get the people in to get the
11 testimony.

12 Let me see if I understand what you're saying,
13 County Counsel. Then we can't render a decision tomorrow?

14 COUNTY COUNSEL: No. I'm saying you can't -- if
15 you end with public testimony, let's say, at 5:00 tonight
16 and you have no more cards except for people who deferred
17 to the morning, we will have to end the meeting at that
18 time. You can't go until 6:00.

19 CHAIRMAN WESNER: I understand. If I run out of
20 speakers, we can all go home. That's not a problem. So
21 we can face all that good traffic out there.

22 There two other housekeeping things. Again,
23 beepers and cell phones, please turn them off. Also,
24 we've already had a couple spills in here, so we've had
25 some comments about that. You're not supposed to bring

1 anything in here. If you have it, please dispose of it as
2 quickly as possible.

3 Again, if I call your name and you can come back
4 tomorrow, please say so. I'll put you in the back of the
5 pack.

6 Katherine Stone.

7 MS. STONE: I can come back tomorrow.

8 CHAIRMAN WESNER: Marianne King. Following that
9 will be Rosi Dagit.

10 MS. KING: Good afternoon. My name is Marianne
11 King, assistant planning deputy for Councilman Zine, City
12 of Los Angeles, Council District 3.

13 I'm speaking on behalf of Councilman Zine. And
14 he shares the same concerns as the city of L.A. and I
15 would have to say the City of Calabasas in many respects.

16 Councilman Zine's district while -- constituents
17 are going to be the most negatively impacted by this
18 project, especially when it comes to traffic. And, in
19 summary, I just want to reiterate for the record because
20 this is a little bit of repeat, but I want to; that this
21 project does warrant a new traffic study. There have been
22 substantial changes since 1992. For example, well, we've
23 already talked about the increase in traffic, but there's
24 also -- there was a change in the Warner City -- Warner
25 Center Specific Plan with respect to transportation

1 improvements where some will no longer occur, and some
2 will be -- won't happen in the specified nature that was
3 presented in Ahmanson's EIR. That needs to be looked at
4 again with respect to their traffic mitigations.

5 Also, the project seriously lacks smart growth
6 strategies, especially when it comes to car dependency.
7 This is a community that will be dependent on automobiles.

8 It also lacks an ongoing traffic analysis as
9 part of the city of L.A. general plan framework. Aside
10 from the more -- aside from the traffic issues, more
11 serious air and more water quality impacts are a concern
12 with us as well. Very major concern.

13 In conclusion, we feel that these issues have
14 been inadequately addressed and that the project should
15 not go forward until we have more comprehensive and
16 current studies on this. Thank you.

17 CHAIRMAN WESNER: Thank you very much. We
18 appreciate your comments.

19 Rosi Dagit, to be followed by Alyse Lazar.

20 MS. DAGIT: Good afternoon, Commissioners.
21 Thank you very much for the opportunity to speak with you.
22 My name is Rosi Dagit. I'm senior conservation biologist
23 with the Resource Conservation District of the Santa
24 Monica Mountains. We're at 122 North Topanga Canyon
25 Boulevard in Topanga, 90290.

1 I just have a few questions; that we continue to
2 raise the same issues. We've actually been raising the
3 same issues since 1992, but I think it's really important
4 that you give them further consideration. They have not
5 yet been discussed today.

6 First and foremost, I think it's really
7 important to note that the 10,000 acres of open space is
8 not relevant in regards to mitigations to use that as
9 mitigation for the impacts that are occurring. The public
10 paid 26.4 million dollars for that open space. It was not
11 necessarily just solely a gift out of the goodness of
12 their heart. And I think it's really important that that
13 issue be clarified.

14 Another issue which has not been resolved is why
15 a section 7 consultation with National Fisheries and Army
16 Corps of Engineers has not been called when, in fact, the
17 endangered fish, both the steelhead trout and tidewater
18 gobies, could most clearly be affected by the impacts of
19 what's happening at the headwaters of the Malibu Creek
20 watershed.

21 Additionally, I have the dubious distinction of
22 being the only person who has done a quantitative analysis
23 over a 10-year period of time of the survival rate of
24 transplanted oak trees that have been transplanted to
25 accommodate development projects primarily in the City of

1 Calabasas.

2 Sad to say, the results of my study are not very
3 promising. After ten years, fewer than 20 percent of the
4 87 trees that were moved are still alive and thriving.
5 That doesn't bode well when you consider that the cost of
6 moving those trees was in the millions of dollars, and the
7 ongoing cost for maintaining those trees is somewhere in
8 the vicinity of \$80,000 per year. And so while the idea
9 of moving an oak tree sounds good and it sure adds a lot
10 to the property value of the property that gets that oak
11 tree for the first five years, there really are some
12 significant problems inherent in that. And I would
13 encourage you to discourage the use of that mitigation in
14 this project.

15 In Phase A, 844 oak trees are proposed to be
16 removed. The total for the project is over 1,300. This
17 represents over half the oak trees that are on the
18 property, so it sort of indicates the scope and level of
19 land form configuration and riparian habitat destruction
20 that's going to occur in association with this project.

21 One of the things that is of concern is that
22 those numbers don't represent, and this is very clearly
23 stated in the FEIR, any trees that the developer deems are
24 in poor health or are standing dead. And so this
25 undercounts the number of trees that potentially could be

1 removed. We would encourage you to have that corrected.

2 Regarding the frogs, one of the things that
3 hasn't been mentioned is the fact that there is no
4 existing location where the frogs are thriving adjacent to
5 development, and so one of the major concerns about how
6 the red-legged frog preserves are being incorporated into
7 the developed area of this project are that they don't
8 live in other areas. That's why they're on the
9 federally-threatened list, is because they have declined
10 in areas that are adjacent to development. So I think
11 it's incumbent upon the project to prove that their
12 impacts are not going to threaten this population with
13 extinction. And that certainly has not been proven.

14 The same thing goes with the spineflower. On
15 taking the spineflower and the oak thing a little bit
16 further, one thing that has not been mentioned is the
17 identification by the Natural Resources Conservation
18 Service of unique soils that are found only in the Santa
19 Monica Mountains. A soils survey has not been conducted
20 on the Ahmanson Ranch property. Given the fact that we
21 have such unusual plant species there, it is entirely
22 likely that they are associated with specific soils. It
23 would be really a useful idea to know and certainly
24 something that warrants mitigation if those soils are
25 going to be lost or destroyed.

1 Further, it's been found that some of those
2 soils actually contain minerals that when disturbed as
3 they would be in a construction land form grading issue,
4 those minerals get leached into the surface and ground
5 water resources and cause tremendous downstream impacts.
6 That also should be discussed and mitigated.

7 And, finally, there needs to be some resolution
8 of some longstanding contradictions between what the SEIR
9 states and what is still remaining in the Resource
10 Management Plan and the Habitat Mitigation Plan that are
11 incorporated by reference into this document. These
12 include clarifying who is in charge of the mitigation
13 monitoring. Having the Las Virgenes Institute as one, in
14 some instances, directed to do that. The master developer
15 is in other instances, that needs to be clarified.

16 And, finally, last but not least, performance
17 standards that allow you to clearly ascertain whether or
18 not these mitigations work or don't.

19 Thank you so much for your time. The problem is
20 once this happens, it's done, and there's no going back,
21 so I think it's a prudent thing to do as much ahead of
22 time. Thank you.

23 CHAIRMAN WESNER: Thank you, Ms. Dagit.

24 Alyse Lazar, followed by Tom Henry.

25 MS. LAZAR: Good afternoon. Alyse Lazar, 3075

1 East Thousand Oaks Boulevard, Westlake Village,
2 California.

3 Chair Wesner and members of the Planning
4 Commission, thank you for having us here today. I am an
5 attorney for Save Open Space Santa Monica Mountains, a
6 resident of Ventura County, and I chair the Endangered
7 Species Wildlife Committee for Sierra Club California.

8 A sufficient water supply has not been obtained
9 for this project. The staff report says the developer has
10 a contract, a paper contract, for 8.8 million gallons per
11 day of water, provided Calleguas and MWD have the water
12 available. It also states that water supply must be
13 evaluated based on peak demand.

14 The primary source of water is the state water
15 project for MWD. I am submitting a declaration today from
16 Dan Muznota, the general manager of the Castaic Lake Water
17 Agency, showing that the state water project has delivered
18 substantially less than 50 percent of contractual
19 entitlements in most of the last ten years. Only 39
20 percent delivered in 2001. And if dry occasions occur
21 next year, the final SWP allocation for 2003 could remain
22 as low as 20 percent.

23 The county knows about these shortages and
24 actual water compared to paper water due to its
25 involvement in the Newhall Ranch case, but it has failed

1 to disclose this information about the unreliability of
2 state water in the SEIR. If the water supply figures used
3 for this project aren't adjusted to show amounts of real
4 drinkable water that can be delivered, there will not be
5 enough water to serve the needs of this project, plain and
6 simple.

7 As to non-potable water, Washington Mutual needs
8 the water from well number 1 for this project, even for
9 the grading activities in Phase A. This is why Ahmanson
10 decided in 1998 new information to keep all the water
11 rights to the public open space before transferring the
12 property to MRCA. This source of water is contaminated
13 with perchlorate. One proposed solution is to mix the
14 well water with other water, but there is not enough water
15 from any of the other identified water sources to use for
16 this blending operation. Southern California does not
17 have an unlimited water supply, either potable or
18 non-potable. This issue has to be looked into further.

19 The other alternative is to shut down well
20 number 1 and to use, quote, other wells for non-potable
21 water. Mr. Hawkins has admitted today that all the wells
22 on the project site are to be sealed or destroyed. There
23 is no information in the SEIR or the staff report or
24 anywhere that I have seen as to where these other wells
25 will be located and the sources of water they will be

1 pumping. If any of these wells will potentially be
2 located on the public open space or Las Virgenes Creek
3 water will be pumped, disclosure of this information is
4 required now.

5 Cumulative impacts analysis, including analysis
6 of such probable future projects, is mandated by CEQA
7 before project approval. The appellate court has
8 determined that Ventura County, not MRCA, is a lead agency
9 for any such projects on the public open space for the
10 benefit of this development. It is, therefore, your job
11 to evaluate the impacts to the public open space from this
12 project before this project proceeds.

13 The Subdivision Map Act also requires denial of
14 this tract map if the proposed improvements are likely to
15 cause substantial environmental damage or substantially
16 and avoidably injure fish or wildlife or their habitat.
17 Putting new wells and pumping water from other areas of
18 the public open space will impact detrimentally this
19 wildlife habitat. That's what the public open space was
20 to be dedicated for. Wildlife. Not for the water
21 resources for Ahmanson Ranch.

22 The impacts can be avoided by requiring Ahmanson
23 to obtain other sources of reliable water supply before
24 the project is approved. This committee has a
25 responsibility to our community to recommend denial of the

1 tract map unless and until more sources of reliable, real
2 usable water are secured for this project.

3 One final note. This morning many people
4 commented about their children -- doing this for their
5 children, having this project go forward. My child is a
6 five-year-old. He is very proud of his mom coming and
7 speaking today to make sure this project does not go
8 forward until it is safe for the community and until the
9 endangered species and the wildlife and the wild areas of
10 our Southern California are preserved.

11 Thank you very much.

12 CHAIRMAN WESNER: Thank you.

13 Mr. Tom Henry, followed by Linda Parks.

14 AUDIENCE MEMBER: Tom Henry is not here. Maybe
15 he'll speak tomorrow.

16 CHAIRMAN WESNER: All right. I'll put him at
17 the back of the pack. Please inform him he's at the back
18 of the pack.

19 Ms. Linda Parks, followed by Susan Casleman. I
20 can't read the end of your name.

21 MS. PARKS: Hi. My name's Linda Parks. I'm
22 here representing just myself.

23 Two major issues that I find with the
24 Supplemental Environmental Impact Report are traffic and
25 the recent discovery of perchlorate in the well water.

1 CHAIRMAN WESNER: Ms. Parks, if I could have
2 your address, please, for the record.

3 MS. PARKS: 1742 Fisk Court, Thousand Oaks.

4 In my former life, I was a transportation
5 planner. And there are two major factors you look at when
6 you're doing traffic studies for environmental documents,
7 and that is the amount of traffic that's generated, and
8 then how that traffic will be distributed. And right now
9 we're dealing with, obviously, a ten-year-old
10 environmental document that bases its traffic figures on
11 data from the 1980's. And if anyone has been on the 101
12 freeway lately, they know that the distribution of traffic
13 on the 101 freeway has changed considerably from the way
14 it was a decade ago.

15 Previously the City of Thousand Oaks was a
16 bedroom community. People went to jobs in the Valley,
17 came back to Ventura County. What we have is a reverse
18 trend that has occurred in over the last ten years where
19 people now are coming into the Thousand Oaks area for jobs
20 and going to the less expensive homes in the Valley. That
21 has significant impact on -- or the concerns in the EIR
22 that have been addressed do not address the fact that the
23 traffic distribution has changed. And right now we have
24 areas, roadways that have reached higher levels of car
25 trips than previously estimated ten years ago. And I

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1 think it's important to find out what the impact of the
2 car trips are going to be from Ahmanson Ranch on those
3 roadways. And unless you study it, unless you get true
4 figures, not these old figures that are antiquated, you
5 won't know what the mitigation measures should be. And
6 perhaps the mitigation measures that have been identified
7 in the EIR is sufficient. You don't know.

8 And it's a fact that almost -- well, every
9 traffic engineering department for every city around
10 Ahmanson Ranch has come out and said that it is
11 inadequate. It seems like the only ones that are feeling
12 the traffic figures are okay are the Ahmanson Ranch
13 developer, Washington Mutual, and the staff report. So I
14 would encourage you -- you are a lay body. Your
15 objective -- the former Planning Commission denied
16 Ahmanson Ranch. You have the ability to look at it and
17 say we need a traffic study. And it does seem very
18 logical to believe that a traffic study will either be
19 ordered by the Planning Commission or by the Board of
20 Supervisors or by a court because it's just such an
21 obvious thing that is necessary to look at, an
22 environmental impact that has not been adequately
23 addressed.

24 And as far as perchlorate is concerned, and I'm
25 not an expert in that field, but my understanding is

1 certainly Ahmanson Ranch is right next door. It's
2 adjacent to Rocketdyne, and there has been perchlorate
3 found in Simi Valley, Fox Canyon, in the areas surrounding
4 Rocketdyne. To say we don't know where the perchlorate is
5 coming from is like sticking our head in the sand.
6 Obviously one can draw a conclusion just from looking at
7 where the perchlorate has been coming from in the past,
8 that it's coming from Rocketdyne, which does jet fuel,
9 which is what perchlorate is an ingredient of.

10 So I would encourage you to look closely at that
11 issue because there is more than perchlorate that has been
12 found at Rocketdyne and in the areas around Rocketdyne
13 that are severe contaminants that can -- as perchlorate,
14 but that can -- from radioactivity. You know, these kind
15 of contaminants are serious things. And I really
16 recommend that a study be done to determine what is going
17 to occur when the pumping of well 1 occurs. And perhaps
18 you'll just say you don't believe well 1 should be pumped.
19 Then you need to say, Well, can this project proceed? I
20 don't think it should be pumped.

21 And I think there's another issue. Again, I'm
22 not an expert on this, but when you do pump -- if one does
23 pump from that well, it will have an effect of effecting a
24 vacuum -- kind of natural vacuum that has occurred under
25 Rocketdyne already that will draw in more of the

1 contaminated water from Rocketdyne than otherwise would
2 occur.

3 I thank you for looking at these humongous
4 volumes of material. It is quite a feat, and I appreciate
5 your consideration on this. Thank you.

6 CHAIRMAN WESNER: Thank you, Ms. Parks.
7 Susan, and again I apologize, Caslemair.

8 AUDIENCE MEMBER: Does it look like Cashman?

9 CHAIRMAN WESNER: C-h-a-l -- it could be
10 Cashman.

11 MS. CASHMAN: My name's Susan Cashman. I live
12 at 24435 Gilmore Street in West Hills, and I thank you for
13 the opportunity of speaking this afternoon.

14 First of all, I do want to commend this board
15 for visiting the site that we're all talking about today,
16 visiting Ahmanson Ranch, but I would like to know possibly
17 you might have visited the parameters around Ahmanson
18 Ranch, specifically Valley Circle Boulevard. Valley
19 Circle Boulevard, if you're not familiar with it, is a
20 major artery in the West Valley. It has become almost a
21 freeway. It links directly with Victory Boulevard, which
22 will have direct access to Ahmanson Ranch.

23 The reason I mention this is because it is my
24 understanding that in the last 1992 traffic survey, Valley
25 Circle Boulevard was not included. Now, I find that

1 ludicrous, and today I find it almost criminal. Valley
2 Circle Boulevard is a very, very important thoroughfare,
3 and it needs to be included in a traffic report.

4 The reality of it is, is if you haven't been on
5 Valley Circle Boulevard, go there at rush hour, morning or
6 afternoon/evening. It's not a pretty sight, particularly
7 the off-ramp and the on-ramp at the Ventura freeway, the
8 101 freeway.

9 Another point is I've heard testimony this
10 morning about housing shortage. I am a retired real
11 estate broker. I know too well how important housing is,
12 how much inventory means. But this project is not your
13 garden variety. Traffic -- housing development. They're
14 not looking to build two or 300 homes. They're looking to
15 build over 3,000 homes. The impact of this is
16 unbelievable. This has become a Goliath, and it could
17 become a disaster.

18 I also heard mention that we opponents have much
19 to gain in being here. I don't know that any of us that
20 are here are being compensated for being here. On the
21 contrary, a lot of people are losing money by taking time
22 off from work. The only people that have something to
23 gain here, ladies and gentlemen, Is Washington Mutual.
24 They have billions of dollars at stake. And in all
25 honestly, so does Ventura County have a lot to gain, too.

1 I ask you to please use your conscience and your
2 common sense. Let them -- if they're going to go ahead
3 with this, prove that it's safe. Prove that the traffic
4 isn't going to get worse as we know. Come on, let's get
5 real. We know traffic is going to get worse. 45,000 cars
6 a day in addition to what is on there right now?
7 Impossible. I'm just asking you please as a good neighbor
8 dot every I and cross every T. If we have to test again
9 to find out where this perchlorate comes from, do it.
10 Test it. Don't leave a shadow of a doubt.

11 And I heard as we stood before this body -- not
12 this particular group, but the EIR committee a couple of
13 weeks ago, the attorneys said that the report only has to
14 be adequate. It doesn't have to be perfect. Well, please
15 define adequate for me. If there's a danger, if there is
16 a chance that there is a danger, please, ladies and
17 gentlemen, have them test it.

18 And I will quit before my time is up to give
19 time to somebody else. And thank you.

20 CHAIRMAN WESNER: Thank you, Ms. Cashman.

21 Okay. Tim Cashman. And Shelley Luce.

22 MR. CASHMAN: My name's Tim Cashman, 24435
23 Gilmore Street, West Hills. I'm an executive -- an
24 officer of the West Hills Property Owners Association.
25 Susan's on the West Hills Neighbor Council.

1 I was going to talk much of traffic as she was.
2 I'll just say one instance of the existing traffic on
3 Valley Circle. We took Valley Circle just to test it, and
4 from Victory to the freeway entrance took us 21 minutes.
5 It's 2.2 miles. That was at 7:20 in the morning. It's
6 that way every morning. Getting on the freeway you're
7 going to sit. It's an hour and 15 minutes to downtown.
8 Enough about the traffic. My wife covered that.

9 But I believe you were presented with an EIR
10 flawed and incomplete. The committee showed no concern
11 for the recent serious discovery of perchlorate at
12 existing well number 1. This water is planned to service
13 all the construction, including wetting down the trucks,
14 removing dirt from the project to relay service to the
15 golf course and parks. It is a measure of 28 parts per
16 million. It probably is from Rocketdyne. There's no
17 other explanation for it. And it is plumed from
18 Rocketdyne. If it's plumed from Rocketdyne, it can be
19 expected to plume from where it is now. It must be tested
20 to see if it's growing in contact, if the 28 is increasing
21 or decreasing. The pluming must be addressed in the
22 existing wells. The seven existing wells should be tested
23 to see if there's any incident of this element. Why
24 haven't they been tested? I don't know. Are they afraid
25 of what they'll find? Or do they already know? I don't

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1 know. I think these tests are mandated by concern to
2 people's health.

3 For instance, what are the construction people?
4 Are they to work with gas masks while the earth is being
5 moved? I don't know. Do you?

6 Thank you very much for the time.

7 CHAIRMAN WESNER: Thank you, Mr. Cashman.

8 Shelley Luce, my understanding is you will speak
9 tomorrow, or would you like to speak today?

10 MS. LUCE: No. Actually, I can't return
11 tomorrow.

12 CHAIRMAN WESNER: I got the reverse list then.

13 Followed by Mark Abramson, and then John Buse.

14 MS. LUCE: I'm Shelley Luce, and I'm staff
15 scientist at Heal the Bay.

16 I have been reviewing documents and providing
17 technical comments and questions on --

18 CHAIRMAN WESNER: Ms. Luce, your address,
19 please.

20 MS. LUCE: Heal the Bay is located at 3220
21 Nebraska Avenue, Santa Monica 90404.

22 I've been reviewing documents and providing
23 technical comments and questions on this project for
24 nearly two years. A subsequent, rather than a
25 Supplemental, EIR is needed for this project because the

1 circumstances have changed significantly and because the
2 Supplemental EIR does not adequately address environmental
3 impacts. There is no doubt that Washington Mutual has
4 failed to disclose all of the environmental impacts of
5 this project as required under CEQA and that they have
6 failed to provide adequate mitigation for the impacts that
7 are disclosed.

8 For example, the SEIR acknowledges that the Fish
9 & Wildlife Service recommends 300-foot protective buffers
10 for the red-legged frog habitat. The SEIR also clearly
11 states in attachment 2 that the actual buffers around the
12 frog core habitat are as narrow as 160 feet on the
13 southeast side and 100 feet on the northwest side. We
14 have pointed out this discrepancy several times. And the
15 consultants and the county have repeatedly quoted to us
16 the same sections of the SEIR that we are criticizing
17 without any further explanation.

18 There are many other examples in the SEIR where
19 a close reading shows that mitigation measures do not meet
20 the basic requirements to protect water quality in aquatic
21 life.

22 Increased nutrient loading to the creek due to
23 urban runoff, golf course runoff and sewage flows to the
24 Tapia Water Reclamation Facility are still not addressed.
25 Heal the Bay and the Regional Water Quality Control Board

1 have commented in letters on this repeatedly. There is
2 still no mitigation for the inevitable increase in runoff
3 that occurs after development. And the county has
4 included incorrect and unsupported information about the
5 impacts of increased runoff in its response to our
6 comments.

7 Mitigating peak flow is not the same as
8 mitigating the overall increase in flow. And contrary to
9 the SEIR, overall increases in flow can be a strong
10 indicator of potential downstream erosion. These issues
11 must be addressed by the SEIR.

12 Many water quality and habitat mitigation plans
13 have not been provided despite numerous requests. These
14 include a habitat conservation plan for the red-legged
15 frog, a spineflower monitoring and mitigation plan, a
16 storm water management plan and a golf course management
17 plan. Without these plans, responsible agencies and the
18 public cannot possibly determine impacts or the adequacy
19 of mitigation. It is completely unacceptable to refer to
20 non-existent documents to meet the CEQA requirement of
21 full disclosure of impacts.

22 Approving this SEIR as it is right now results
23 in a document without enforceable limits on environmental
24 impacts and without enforceable mitigation requirements or
25 the performance standards that Rosi Dagit of the RCD

1 mentioned earlier. This is not acceptable.

2 We are very disappointed by the responses to our
3 comments and to the comments of the responsible agencies.
4 They are insufficient, and they are not supported by
5 substantial evidence. No major changes have been made to
6 the Draft SEIR despite extensive technical problems that
7 we have pointed out. Most of the responses to our
8 comments refer to existing sections of the DSEIR, which
9 are problematic in themselves. Merely repeating
10 statements from the DSEIR does not answer the specific
11 questions we have asked nor correct the technical
12 problems.

13 For example, Heal the Bay has repeatedly asked
14 questions about sewage, storm water, downstream
15 hydrological impacts and impacts to endangered species.
16 Responses to these have simply reiterated material from
17 the Draft SEIR that we questioned in the first place.

18 General comment water resources number 3
19 referred to in response to over 20 of our comments. This
20 response, again, reiterates large portions of the Camp,
21 Dresser, McKee Water Quality Report, Second Edition, a
22 report we have strongly criticized as flawed already
23 because, among other things, it refers to documents that
24 have not yet been written, like the golf course management
25 plan.

1 The proposed Final SEIR also introduced for the
2 first time the problem of perchlorate contamination in
3 well number 1. Washington Mutual plans to use this water
4 to irrigate the golf courses and has not changed their
5 plans despite concerns laid out in a letter dated
6 yesterday from the Regional Board which says Regional
7 Board staff believes that recent data on perchlorate poses
8 significant environmental impacts that have not been
9 adequately addressed in the Draft SEIR. And before
10 Regional Board staff can provide final comments on the
11 project, additional ground water investigations would be
12 necessary to better define the extent of ground water
13 contamination.

14 Despite these concerns and those of experts and
15 the public, the applicant has not changed their plans for
16 using this well. Washington Mutual agreed at public
17 hearing to treat the water to drinking standards and to
18 shut the well down if the problem gets worse. And the
19 Environmental Report Review Committee accepted this verbal
20 agreement as mitigation for any well contamination
21 problems on the site. I find it outrageous that
22 mitigation for so serious a contamination problem should
23 be proposed and accepted at a hearing, with no technical
24 details provided, no enforceable standards defining under
25 what circumstances the well must be shut down, no plans

1 for the facilities that will be required to treat this,
2 standards -- no review by responsible agencies such as the
3 Regional Water Quality Control Board and no public review.
4 The county must allow sufficient time to review these
5 plans.

6 In closing, for these reasons and many others
7 related to water resources, the proposed final EIR is
8 inadequate and should be recirculated with major revisions
9 before it is accepted by the county. Thank you.

10 CHAIRMAN WESNER: Thank you.

11 I've had a request. There's a physician in the
12 audience that needs to go to surgery. If Mr. Abramson and
13 Mr. Buse would not mind allowing him to go first.

14 Okay. Dr. de la Pena, please.

15 Gentlemen, I appreciate you waiting.

16 MR. DE LA PENA: Good afternoon. My name is Ron
17 de la Pena, and I'm a resident of the City of Westlake
18 Village. I live at 988 Brookview Avenue.

19 Commissioners and audience, thank you for
20 letting me jump ahead. I've lived in Ventura County for
21 the last seven and a half years. I am speaking today as a
22 resident and as a physician. The experience that I've had
23 of living in the Conejo Valley and Westlake Village has
24 been an exceptional one, and I feel strongly that I must
25 oppose the Ahmanson project.

1 As a physician licensed in the State of
2 California, I also have another responsibility as a health
3 officer, and so I also must speak when I feel that there
4 would be adverse effects on the health of the citizens and
5 residents.

6 I have a few points that I put together from the
7 packet that was left for us to review today. The experts
8 with their facts and figures will speak specifically to
9 those, but I will speak more as a clinician and as a
10 resident.

11 Having been in Ventura County for the last seven
12 years, having trained in the area, I went to UCLA for my
13 internship and, also, you know, work at the county, having
14 taken care of migrant farm workers here in Oxnard and
15 taken care of all of their ailments, I've seen firsthand
16 what some of the problems may be.

17 With regarding women, specifically as a
18 gynecologist, I've seen some impacts to their health with
19 regard to pregnancy and fertility.

20 My first point is that point number 11, that is
21 C-11, I'm not satisfied with the arguments that were
22 proposed and the proposed finding as stated. I disagree
23 with those findings.

24 My second point has to do with this overriding
25 consideration that was placed -- that is the end of part

1 B, that the Board of Supervisors adopted a statement of
2 overriding consideration. And it peaks the question that
3 if they have to use an overriding consideration and not
4 specific facts to put forth this project, then I think
5 that there needs to be further scrutiny.

6 My second point comes from part C-2(b) in that
7 the 37,540 external daily trips is going to be an
8 additional hardship. I was speaking to another resident
9 just earlier, and she said, It's 21 miles from Thousand
10 Oaks to Woodland Hills, and it took me 45 minutes to get
11 to work. You put another city in there, and it's going to
12 be a big hardship.

13 Furthermore, in part C, I don't believe the
14 elements that are being proposed to try to encourage folks
15 to use bicycles and to walk around this new city is
16 feasible. Nobody walks in L.A.

17 Number 3, I'm concerned and opposed to the
18 development because harm will be done to the endangered
19 species of the California red-legged frog and San Fernando
20 spineflower. I'm also a biologist. This pulls at my
21 heartstrings as well. I believe that the mitigation is
22 not possible for these species.

23 Further, on this part and part C(e)(2), I'm
24 concerned and opposed to this project because irreparable
25 damage to the environment by the removal of 844 oak trees

1 is a resource that we can never replace. Lord knows how
2 old some of these oak trees are, and to take your children
3 out there, your grandchildren, it's just a treasure we
4 cannot lose.

5 My fourth point also in part C, I'm concerned
6 and opposed to this development because of the
7 perchlorate. The adverse sequences, the cause of
8 association of thyroid cancer is a problem.

9 And, lastly, also in part C, part 1,
10 subparagraph d, subparagraph 3, I'm concerned and opposed
11 to this project because I believe that the quality of the
12 air will be tremendously, adversely affected. The
13 effective dust and traffic resulting in respiratory
14 illnesses and death is something that we should definitely
15 try to avoid.

16 In Ventura County, air is very bad, and this
17 proposal will only make it worse. There will be increased
18 illnesses and respiratory problems and death. And death
19 is an unacceptable option here.

20 Voting for this project is a death sentence to
21 unsuspecting residents, and it's unconscionable to decide
22 that some residents will get sick or die so that a few
23 homes, shops and golf courses can be built. Thank you for
24 your attention.

25 CHAIRMAN WESNER: Thank you for your comments.

1 Mark Abramson, followed by John Buse.
2 Thank you for allowing the doctor to speak.
3 MR. ABRAMSON: My pleasure.
4 My name is Mark Abramson, and I'm with Heal the
5 Bay, also. Our address is 3220 Nebraska Avenue, Santa
6 Monica 90404.

7 I run the Malibu Creek Watershed Stream Team,
8 and basically my job is to test the water quality
9 throughout the Malibu Creek watershed with the help of
10 citizen volunteers and a six-person field crew that we've
11 hired. We also do a thing called stream habitat mapping.
12 Currently we've intensively surveyed more than 37 miles of
13 creek throughout the Malibu Creek watershed, including the
14 Ahmanson property.

15 I'm intimately familiar with these resources on
16 site and throughout the watersheds. Heal the Bay spent
17 thousands of hours trying to evaluate the impacts on water
18 quality, stream habitat both on site and downstream of the
19 proposed project. We have continually asked Washington
20 Mutual to provide the necessary information so that we can
21 determine and so that you guys also have the necessary
22 information to determine the true impacts of this project.
23 These questions have been repeatedly ignored. In fact,
24 even though the county staff in -- in fact, even the
25 county staff in response to the comments did not address

1 these important questions. Without this information, we
2 feel it is impossible to determine the actual project
3 impacts.

4 We've also done our own analysis on the impacts
5 specifically to the streams in this watershed. And we
6 used mostly data provided by the applicant as well as our
7 own GIS data and our own aerial photography of the entire
8 watershed. And what we identified was 20.19 miles of
9 drainages or streams on the project site. Of those 20.19
10 miles -- and we've done it in linear miles instead of
11 acres because if you're thinking of streams, they're long
12 narrow bands. They're not really areas that are easy to
13 visualize in your head. And so basically of those 20.19
14 miles, 11.1 will be buried and lost to grading immediately
15 when the project starts. That's 55 percent of the streams
16 on site.

17 An additional 4.5 linear miles of streams will
18 be lost or impaired due to concrete hardening of the
19 streams themselves. And those concrete hardening projects
20 have a dramatic impact on downstream water quality and
21 stream health.

22 In addition, the loss of riparian habitat is
23 huge on this project. And riparian habitat is hugely
24 important to both protect the water quality of the
25 streams, from surface runoff getting into them. And it's

1 also really important for land-based, terrestrial-based
2 wildlife. So we're very, very concerned about the loss of
3 the riparian habitat.

4 The applicant claims that they will eliminate a
5 little bit more than a mile of stream and riparian
6 habitat. There is quite a difference between our analysis
7 and their analysis using pretty much the same data. And
8 basically you don't have the tools necessary, I think, to
9 make decisions based on proper mitigation measures to deal
10 with the data that you're working with.

11 The only way to resolve this large discrepancy
12 and environmental damage is to give the California
13 Department of Fish and Game the time they need to
14 delineate the extent of the streams on site and the damage
15 that will be caused to those streams on site by this
16 project. We'd also like the agencies -- public agencies,
17 as well as the public, to be able to rereview those items.

18 We've repeatedly asked WAMU, Washington Mutual,
19 and their consultants to divulge the extent of stream
20 damage in especially areas that will be hardened with
21 concrete. These stream modifications will not only impact
22 the location where they're placed, but they will also
23 impact both upstream and downstream directly of where
24 they're placed. And so we're really concerned about that.

25 Finally, despite the huge amount of

1 documentation, this project has never put forth anything
2 resembling an environmentally superior alternative. The
3 project, as proposed, will be devastating to both the
4 project site but also to the watershed as a whole. Heal
5 the Bay respectfully requests that the Commission or the
6 consultants and county staff to provide all the necessary
7 data to make this very important decision.

8 We thank you very much for this opportunity to
9 comment.

10 CHAIRMAN WESNER: Sir, we have a question for
11 you.

12 COMMISSIONER BARTELS: So in your analysis of
13 the data by the terraforming of these existing streams,
14 what you're saying is flow rates, sediment carries, all
15 that kind of stuff for downstream can be -- the analysis
16 can come out a lot differently. Am I --

17 MR. ABRAMSON: I'm saying on site.

18 COMMISSIONER BARTELS: That's what I'm saying.

19 MR. ABRAMSON: On site and even downstream from
20 the site you can have a lot of environmental damages
21 caused by particularly the armoring effects and the way --
22 you know, hardened structures increase the flow downstream
23 and help transport the sediments downstream. It can have
24 a huge effect on downstream conditions.

25 COMMISSIONER BARTELS: So the earlier testimony

1 was talking about sedimentation or sediment basins being
2 designed for an increased flow rate. I'm just trying to
3 get a handle on how your analysis goes with the hydrology
4 of Washington Mutual of the Ahmanson project.

5 MR. ABRAMSON: What I did specifically was look
6 at streams on site. And so right off the bat, 11.1 miles
7 of those streams are gone, buried, done, underground. So,
8 you know, that doesn't really have a lot to do with how
9 much water is going to be transferred and held in the
10 detention basins. Those streams are going to be gone.
11 They're not going to be allowed to carry water anymore.
12 So what you have is all the water that's captured will be
13 put into these structures and then pumped into the stream
14 in some other location. That can have traumatic effects
15 on, you know, all kinds of things like what happens to
16 those streams where they used to get a certain amount of
17 water. And what happens now to all that water that's
18 going into the stream.

19 At one point, that used to naturally perk in
20 over the landscape and kind of naturally come down the
21 hillside. The things that we found in our mapping project
22 is really upstream of large development and really
23 upstream of places that have been -- stream areas that
24 have been straightened, hardened or concreted. We have
25 found -- and particularly on Las Virgenes Creek, which is

1 very what we call alluvial, loose soils. We found massive
2 lateral scouring where it's trying now to reestablish what
3 was once its normal length by cutting more curves into the
4 stream channel and trying to re -- trying to get back to
5 what it knows it should be.

6 And so if you go downstream in the state parks,
7 we're already starting to see massive degradation of a
8 purely natural stream with lots of room because of what's
9 been done upstream. If you're going to add more concrete
10 armoring and put in more water basically going around the
11 development into a concreted section of stream, you're
12 going to just increase that problem, you know,
13 exponential.

14 COMMISSIONER BARTELS: So to try to characterize
15 what you're saying, 11 miles of stream -- of linear
16 streambed are going to be terraformed such that that water
17 still exists, still going to have to be dealt with, but
18 its method of being dealt with is to place it back in the
19 watershed. And the developer or the applicant here is
20 saying that that will be at a zero net gain at the project
21 site. And what you're saying is that the analysis is
22 inadequate to even make that statement. Is that a fair --

23 MR. ABRAMSON: Absolutely.

24 COMMISSIONER BARTELS: Thank you.

25 MR. ABRAMSON: And, also, that they haven't

1 talked about how to mitigate 11.1 miles of streams
2 disappearing on the site. Thank you.

3 CHAIRMAN WESNER: Come on up, John. I'm going
4 to go real quick.

5 Those that can come back tomorrow, just say yes.
6 If not, remain silent.

7 Stephanie Landau. James Wrigley. Eric
8 Pontoppidan. Elsa Pontoppidan. Charles Jones. Margot
9 Feuher. Dolores Jones. Dora Aducis. Thank you.

10 Karl Christe. Nick Quidwai. Jenna Orchani.
11 You can come back tomorrow? Thank you.

12 John Kerkhoff. Barbara Kerkhoff. Eva Wagner.
13 James Garfalo. Carol Elliot.

14 Thank you, ma'am.

15 Ricky Nicholso. Thank you.

16 Joyce Parker. Daniel Kim.

17 I'll set him aside for tomorrow in case he comes
18 back.

19 Hunter Allen. Sue Boecker. Thank you, Sue.
20 Andrew Wetzler. Tom Ritch. Jerry Louie.

21 Did I already call Andrew Wetzler? I got two
22 cards for him.

23 Albert Nesry.

24 Ginger Pollack. Jim Jury. Suzanne Dugit. Mary
25 Wiesbrock. Thank you, Mary.

1 Chad Griffin. Thank you.

2 Bob Wilson. I know Louis Masry cannot.

3 Charles McNary. Diantha Shaffer. Dan Hirsch.

4 Sujatha Jahagadar. Barbara Albert. Jim Nelson. Trevor

5 Smith. Thank you.

6 Sharon Miret. Thank you. Tsilah Burman. Thank

7 you.

8 Diana Barbie. Alan Sanders. Mati Waiya. Sal

9 Perez. A-Lulkoy Lotah. Laurie Ferdinand. Thank you.

10 Jeff Messenger. Janet Bridges. Laurie Young.

11 Thank you.

12 Former supervisor Susan Lacey. Scott Albright.

13 Jan Osterhaven. Thank you.

14 Eduardo Jansen. Thank you.

15 Bob Nystrom. Birgit Nystrom. Maureen Edwards.

16 Dr. Rosemarie White. Thank you.

17 Temple Matthews. I know Temple turned in a

18 comment card, so I'll keep it for tomorrow.

19 Dennis Hardins. Thank you.

20 And Mary Alton. Got a deal. I guarantee you

21 we'll have enough time.

22 I want to thank you, ladies and gentlemen, for

23 the comments. When we're done here today, we'll recess

24 until 8:30 tomorrow morning. Those that have said yes, I

25 will call their names again. I already have yours. Thank

1 you.

2 AUDIENCE MEMBER: Are we going to stay until
3 we're done?

4 CHAIRMAN WESNER: That is our intent. If we get
5 down to the last two and I can -- 6:00 is our target time,
6 which is two hours. If everybody stays to their five
7 minutes, we can get there.

8 John, finally, an hour and a half after I told
9 you you can talk.

10 MR. BUSE: Thank you, Mr. Chairman and
11 Commissioners. My name is John Buse. I'm with the
12 Environmental Defense Center in Ventura.

13 I've had the very good experience of working
14 alongside Ventura County on the Newhall Ranch project and,
15 among other things, on issues relating to water supply and
16 most importantly for this project, on the issue relating
17 to the perchlorate contamination of the Saugus formation
18 in the Santa Clarita Valley, an issue that poses a severe
19 threat to water supply for that project and for that
20 region.

21 Several things are evident from our experience
22 working on the perchlorate contamination in the Saugus
23 formation. First, perchlorate contamination is clearly a
24 very serious problem -- a very serious potential problem
25 that may require millions of dollars and lengthy

1 litigation to address. Both those predictions are proven
2 true with the Saugus formation contamination, money and
3 lawsuits.

4 Second, it's essential to accurately
5 characterize the perchlorate contamination risk before the
6 impact occurs. I think that's kind of a post facto lesson
7 from that contamination. Hopefully it needn't be too late
8 in this case.

9 Thirdly, once the risk of contamination is
10 apparent, it's -- it is essential to impose containment
11 measures as well as treatment to contain the spread of the
12 contamination.

13 In looking at the Saugus formation
14 contamination, Ventura County I think wisely and correctly
15 adopted a very aggressive stance on the perchlorate issue.
16 I think it's appropriate that Ventura County act just as
17 aggressively and just as proactively in this situation,
18 and we have the advantage of being able to act in a
19 preventive way here.

20 Now, I can't say with certainty that the project
21 will result in migration of the contaminant plume or
22 exacerbation of the perchlorate contamination problem in
23 the ground water underlying the Ahmanson Ranch project,
24 but as the staff report acknowledges, there is the
25 potential that these impacts could occur.

1 I believe that the proposed measure to deal with
2 the perchlorate issue is legally inadequate. The proposed
3 mitigation involves essentially the monitoring and
4 treatment as well as the possible shutdown of well number
5 1. The problem is that this measure does not adequately
6 characterize the contamination risk and does not
7 necessarily avoid the impact. And I think that's the
8 essential point. If the contaminate plume has migrated,
9 shutting down the well doesn't address the impacts that
10 may already have occurred. It is a containment measure
11 only in the sense that closing a corral after the horse is
12 out of the corral is containment.

13 Also, it doesn't -- the measure doesn't address
14 the issue of the impacts that may occur as a result of
15 shutting the well down. That is, the impacts of using
16 some other source of water that needs to be made up in some
17 specified way. That's the precise type of impacts that
18 needs to be looked at in evaluating the water supply for
19 the project. Even if it's a non-potable supply of water
20 that's affected. That's still a significant loss. It's
21 still essential to consider the potential effects of using
22 some other source.

23 Now, it seems to be something of a patchwork and
24 superficial remedy to impose the proposed mitigation
25 measures on top of the existing SEIR. I believe

1 unfortunately that that was done somewhat in haste as the
2 project -- it was assumed that the project needed to be
3 approved quickly. I think that it's possible to act in
4 haste, but to remediate ground water at leisure -- I'm
5 very certain that that may be the situation that we're
6 heading for here.

7 It's certainly not my intent to raise -- to
8 exaggerate the extent of the problem, to raise alarmist
9 concerns, but there is the potential impact, and that's
10 the issue that CEQA poses, the need to consider, and if
11 there is a potential for an impact, to mitigate that
12 impact before it occurs.

13 I think if the tables were turned here, if this
14 were L.A. County proposing something similar, I would
15 expect Ventura County to act in the same aggressive and
16 proper and prudent fashion in criticizing the measure and
17 in proposing something more rigorous, something more
18 effective and something more comprehensive. So that's
19 what I ask to be done here. I think this is a significant
20 new information and deserves a very hard look and a
21 comprehensive solution. Thank you.

22 CHAIRMAN WESNER: Thank you, John. We
23 appreciate you coming.

24 Stephanie Landau, which will be followed by
25 James Wrigley.

1 AUDIENCE MEMBER: I think they left.
2 CHAIRMAN WESNER: Stephanie Landau left? All
3 right. I will include them for tomorrow and call them if
4 they should come back.

5 James Wrigley, also?

6 James is here?

7 Followed by Eric Pontoppidan. And I apologize
8 upfront.

9 MR. WRIGLEY: Good afternoon, Mr. Chairman and
10 board members. My name is James Wrigley. I live at 2340
11 Stokes Canyon Road, Calabasas 91302, about five miles
12 south of the project, Ahmanson.

13 I'm very impressed today, this morning, with the
14 people who are involved in this circus of researching all
15 these cities in Southern California who had elected
16 officials that approved of this project, the Ahmanson
17 Ranch site. I can understand they have probably wouldn't
18 want it in their bailiwick, as we don't like it in our
19 bailiwick.

20 And I recently attended some Ahmanson meetings
21 where the Los Angeles City Mayor Jim Hahn was present and
22 Zev Yarosklavsky, the supervisor of a portion of L.A.
23 County were present, and they both were adamantly opposed
24 to this project. As a matter of fact, the talk was if
25 this is approved, this SEIR is approved by the Board of

1 Supervisors, a possible lawsuit would occur. Now, these
2 two men represent about five and a half million people I
3 would imagine, and I bet my five and a half million
4 against your crunched whatever it is, the rest of Southern
5 California. Anyway, I want to get back on to my written
6 statement here.

7 And these comments that I have now are based on
8 an editorial published in the News Chronicle of Ventura
9 County of July 14th, 1988. And the first thing they said
10 is that much is wrong with the planning process as
11 symbolized in the Ventura County Board of Supervisors vote
12 to approve the Ahmanson Ranch project. They're kind of
13 presigned about this because this is four years before it
14 was approved.

15 The approval rejects the county's professional
16 staff recommendations which is based on 20 years of
17 precedent activity. The project can be viewed as
18 meritorious such as meeting a dire need for homes, the PGA
19 golf course, et cetera. But at what price? Air quality
20 that appears close to minimum standards, traffic that is
21 at gridlock and social and service agencies that are
22 overstretched. All this was 40 years ago. Think of the
23 impact now.

24 I also want to mention that the EIR states that
25 these problems cannot be mitigated. There's a statement

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1 in the EIR that says that. So the project is offering
2 10,000 acres of open space. And what I want to know is
3 how does 10,000 acres of open space mitigate gridlock
4 freeways, especially when you consider that this so-called
5 10,000 acres gift has always been open space, still is,
6 especially since this is not a gift. But I think Rosi
7 Dagit had it today when she said that at least \$24 million
8 has been spent by people other than Ahmanson Ranch on this
9 open space to prevent it from being built on. So what I
10 am saying here is -- and I'm representing Save Open Space.
11 Santa Monica Mountains. I'm also a delegate to the Las
12 Virgenes Homeowners Federation. And I'm saying don't play
13 the shell game with us. And so I put some shells for you
14 to play the game with. And I'd like the chairman to take
15 this to the Board of Supervisors if they want to continue
16 playing it.

17 CHAIRMAN WESNER: Thank you, sir.

18 MR. CRAIG: Honorable Chair, there are two
19 Chumash descendants here. One of them has come with her
20 children. She's driven almost 300 miles and needs to
21 drive back. Is it possible that A-Lulkoy Lotah could be
22 inserted?

23 CHAIRMAN WESNER: I'll leave it to the rest of
24 the speakers. Do I hear any refusal?

25 CHAIRMAN WESNER: Ms. Lotah.

1 CHAIRMAN WESNER: Please state your name and
2 address while I try to find your card.

3 MS. LOTAH: My name is A-Lulkoy Lotah. I live
4 at 48825 Sapaque Road, Bradley, California.

5 Thank you, everybody, for letting me do this.

6 I've been here before in front of this forum
7 with different players on different projects. I'm a
8 Ventura girl, Ventura-born. My ancestors are those of the
9 Santa Cruz Island and the mainland. And I've been on
10 several projects, Santa Rosa, Camarillo Springs, the
11 mobile home park there, protecting the cave that was
12 there -- that is still there, untouched. I don't know how
13 we managed to do that over the last 20 years or 17 years,
14 but we did -- or you did.

15 There's a lot of projects that I've been
16 defending. It's my obligation to. It's my responsibility
17 to. I have never led you astray. I have never asked
18 anything of you. And I've been here before with this
19 project many years ago, and it went silent, and so I went
20 silent. And I thought it had gone away. But -- I'm
21 sorry. I wasn't going to do this.

22 CHAIRMAN WESNER: Take your time. Take your
23 time.

24 MS. LOTAH: But I'm thinking about the frogs and
25 the flowers and their extinction. And nobody knew they

1 were there before. And now they have a whole program to
2 go somewhere else so that hopefully they can survive. And
3 we don't have a program. The Chumash people, we have no
4 place to go. We have reservations. I have -- I'll have
5 no place to take my children for their oral history. The
6 history that comes out of this cave is magic, something
7 that we all need to believe in. It doesn't matter what
8 religion you are. It doesn't matter what race you are.
9 You all and we all need hope that there's a better
10 something; that there's a supreme being out there that's
11 going to take care of all of us and give us a guiding
12 light. Well, this cave does this for us. And a lot of
13 other caves do.

14 The mountains, the ancestors tell us they are
15 the bones of the mother earth. And, therefore, when we
16 use them, the knowledge that we get from them is old. And
17 this is what I raise my children on, and this is what the
18 Chumash people -- this is what we live by. These are the
19 things that give us wisdom. This gives us our knowledge
20 to move on, along with the other things that Ventura, you
21 know, is so proud of: The ocean, the dolphins. This is
22 our monument. This is our Monument. It was a stressful
23 time. It represents a place of hiding. It represents a
24 place of history for us, things that happen to us that
25 happen to our ancestors and my forefathers, things that

1 happened to them that we can't let forget. And so these
2 are of the things that I pass down to my children.

3 And I know that a lot of other families here --
4 I wish I had been there with you when you all went out
5 there to see this place. I wish I had been there. I
6 could have interpreted so many things for you because I'm
7 sure you were feeling things, but you didn't have the
8 answers to them. And I have those answers.

9 I'm very sure of myself. I know who I am. I've
10 been up against the county and the city many times, but
11 I've always supported you, and you've always met me
12 halfway in our projects. When sacred comes to sacred,
13 you're there for my ancestral bones, and you're there for
14 a lot of sacred sites in the area. Well, this is one of
15 them. And here I am. I was here ten years ago. I was
16 out there in the beginning, but Ahmanson didn't want to
17 talk to me. They didn't even want to hear me. I'm not an
18 abrasive person. I don't yell and scream. I don't do
19 this. I walked away, but I knew -- I knew deep down in my
20 heart that I would be back. All I had to do was wait and
21 pray. That's all I had to do and keep telling and
22 teaching the Chumash children that oral history about
23 those caves and the forefathers that lived there, died
24 there and ran away from murderous things.

25 I really appreciate this time to talk to you.

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1 It meant a lot to me and to my children. Thank you.

2 CHAIRMAN WESNER: We have a question for you.

3 COMMISSIONER BARTELS: This comes back to -- I
4 go to my family's graveyard, and both sides of my fourth
5 generation family are represented there. When I look at
6 the archeological assessment, and as Dr. King was talking
7 about, you are not a museum people, and yet this document
8 creates you as a museum people. You are standing here.
9 And my concern is that the mitigation, as described, talks
10 about the destruction of sites which may or may not have
11 ever been excavated, and my concern is that as I read the
12 certified portion of the document that is before us today,
13 the mitigation is clear, but what I'm hearing in the
14 testimony is that the people who are being mitigated for
15 are not part of the dialogue. Is that a fair
16 characterization?

17 MS. LOTAH: Yes. Yes. Yes. We -- yes.

18 COMMISSIONER BARTELS: When I toured Ahmanson,
19 the caves are very clear. The applicant has made
20 representations of access. The applicant has made
21 representations of dialogue. The applicant has made
22 representations of making these mitigations living. My
23 concern is that what I'm hearing from Dr. King, when I
24 read even from Crober in 25 is a mitigation of a museum.
25 A museum is not a graveyard. A museum is not honoring of

1 bones, and so I guess I need some clarification of how you
2 enter this dialogue now.

3 MS. LOTAH: It would behoove my children or the
4 Chumash children, it would behoove them to be able to sit
5 and listen to the elders or to go with the elders to a
6 place as sacred as this and be told the stories of their
7 lineage, of the strength that they need, of the strength
8 that was endured, the wisdom that was taken, wisdom about
9 earth, about sky, about life, about rocks, geology,
10 biology. These are the things that we teach our children.
11 We don't just teach our children to grow corn. Not the
12 Chumash. And this is a lot of -- museums are not going to
13 do it. We're tired of living with dead things. I don't
14 want to live with dead things.

15 I'm putting myself in the same place as the frog
16 and that flower that were thought to be extinct for so
17 long because they didn't see them. And now they've gone
18 through it all, and they found them, but they were there
19 all the time. Well, so am I, and so is my culture. It's
20 been here all the time, and now they have to dig it up in
21 order to prove that it's there. And then once they dig it
22 up, like a very important state man told me one time,
23 A-Lulkoy, if you allow people to dig up your things out of
24 your land, your native aboriginal land, Honey, you're
25 going to be extinct. They're going to terminate you

1 because you won't have anything anymore. It's all going
2 to be in museums, or you're going to be history. It's
3 going to be in textbooks, and you will read about it.
4 Your kids will read about you.

5 Well, I don't want my kids to do that. I want
6 them to be able to go there with me and live it with me.
7 I want them to be able to see it, feel it like you did.
8 We can't even do that. We have -- our clan has not been
9 able to do that. And I'm papered in this place. No.

10 COMMISSIONER BARTELS: See, here you're using
11 language which is comfortable, but when we talk about
12 being papered in a place, it means that you have been
13 recognized by the federal government to have origins in
14 this place. Am I understanding --

15 MS. LOTAH: Yes, that's what I mean. It means a
16 lot to a lot of people.

17 COMMISSIONER BARTELS: I understand. I just
18 want to make sure I'm hearing this properly.

19 So when the applicant talks about being in
20 dialog, being in relationship, your understandings of that
21 experience sounds to me to be very different than the
22 understanding of the applicant.

23 MS. LOTAH: Yes, sir, it is.

24 COMMISSIONER BARTELS: Thank you.

25 CHAIRMAN WESNER: Any other questions of the

1 speaker?

2 Ms. Lotah, we want to thank you for coming
3 before this Commission.

4 MS. LOTAH: Thank you. Thank you so much.

5 CHAIRMAN WESNER: We appreciate your comments.

6 Your name, sir?

7 MR. WAIYA: My name is Mati Waiya. I live at
8 4033 Blackwood Street in Newbury Park. My office is 3600
9 South Harbor Boulevard, Channel Islands. And I'm sorry
10 you have to go through this, A-Lulkoy, and I thank you for
11 your patience and your time and understanding and your
12 wisdom.

13 You know, it's so hard to get up here after such
14 an emotional perspective of the people. You asked the
15 question about a museum or the way the native people or
16 Chumash people look at this. I'm a ceremonial leader of
17 Ventura County. I do burials. I name the children. I do
18 various type of blessings because that's my obligation and
19 responsibility.

20 When I think about Chester King's comment and
21 Dennis Hawkins' remarks that this is not a living village
22 site or the fact that we have to justify this museum
23 items. We don't refer to it as an archeological site. We
24 refer to it as a cultural resource site. And if you
25 looked at section 106 of the Native American Heritage

1 Preservation Act, it's the living resources that surrounds
2 the villages of the past and, like A-Lulkoy said, the
3 lessons of the future.

4 On my way over here this morning, I was hoping
5 that I would be addressing those that can make some very
6 wise and careful decisions, and I believe I am. And I
7 hope that this is a -- very open to the suggestion and the
8 consideration of the Chumash people.

9 When I was crossing over, Wendy traffic was
10 backed up all the way to the weigh station. I used to be
11 a contractor, and I quit that because of the traffic. And
12 I'm glad I did because I've been involved with cultural
13 resources for about 14 years.

14 Chester King has been around for maybe 40 years
15 or so with Chumash resource concerns and is trusted
16 amongst the Chumash native people. His experience in
17 archeology is -- you know, it's hard to compare him with
18 anybody else. You might get a Navajo archeologist or
19 someone else, with no disrespect, and have no slight idea
20 of our resource.

21 We have been denied access to this site.
22 Earlier we saw a masterpiece of an environmental video,
23 but sprinkle a few thousand houses behind the scene that
24 you didn't see, and I don't think it would be the same
25 impact.

1 You know, I submitted a letter to the Secretary
2 of State on the Las Virgenes Institute to ask who's on
3 their board, who are the stakeholders. They don't have
4 any.

5 As shown here, it says copy of the bylaws and
6 names of the shareholders or owners are not made record
7 with the Secretary of State. Every organization, and I'm
8 sad to say, us versus them, environment versus developer,
9 what have you, most of them have members because they
10 volunteered to protect the habitat.

11 There has been -- there hasn't been consultation
12 with the Native American Heritage Commission,
13 federal-recognized tribe, local leaders, clans. This is a
14 violation of CEQA. Please review that. Look into that.

15 We had to be here -- the last time we testified
16 on Columbus Day. That was a disgrace to have to address
17 our cultural concerns and be denied because it wasn't a
18 trusted agency, which it is, but they listened to the
19 Regional Water Board and Army Corps and Fish & Game. And
20 we were denied to read a letter from the Native American
21 Heritage Commission about our concerns. I don't know
22 where that stands in any civil kind of approach, but it's
23 sad to see that.

24 Well, you know, I'm just going to save a little
25 time here, but the history of our people and the culture

1 and the practice, it is within the memory of these
2 mountains and valleys. You have your dead buried here.
3 You have a responsibility. We all have a responsibility.
4 And I trust that you'll do the right thing. Thank you.

5 CHAIRMAN WESNER: Thank you, sir.

6 Eric Pontoppidan, followed by Elsa. And I
7 apologize upfront for mispronouncing your name.

8 MR. PONTOPPIDAN: That's fine.

9 I'm Eric Pontoppidan, 4623 Las Virgenes Road,
10 Calabasas.

11 I have lived along Las Virgenes Creek since
12 1955. It's 47 years. And I've seen a lot of changes in
13 the creek in that time. When I first moved there, Las
14 Virgenes Creek was a dry trench. There was no green trees
15 or growth that was green throughout the year. And the
16 creek only flowed in the rainy season. That was because
17 only water supply in the area at the time was pumping
18 ground water. And everyone pumped ground water, and as a
19 result, the water table had dropped way down. In those
20 days, the water table was about 50 to 55 feet from the
21 level of my backyard. Now it is about 20 to 25 feet.

22 In those days, from Laskey Mesa down to the Las
23 Virgenes School, which is now called the A.E. Wright
24 Middle School, there was 12 single-family residences, one
25 restaurant, one motel which had about 15 to 18 rooms, one

1 school, kindergarten through eighth grade with about eight
2 classrooms. And someone with knowledge of water
3 conception from that should be able to figure how much
4 water was being pumped from the ground in those days.

5 In 1963, the Las Virgenes Municipal Water
6 District was formed, and that brought city water to the
7 area, and we all switched over to city water. When the
8 pumping stopped, the water table came up. The creek
9 started flowing year-round. It started growing year-round
10 growth of willows and other vegetation. All of the
11 wildlife started using that as a corridor for moving from
12 one area to the other. And we have the fine condition
13 which we have today.

14 I'm convinced that if Ahmanson is allowed to
15 pump -- I don't mean about perchlorates or everything
16 else. If they're allowed to pump water, it better not be
17 enough water to cause that creek to stop flowing because
18 that will have a disastrous effect on the whole ecology of
19 the Valley. So I think that before you approve anything,
20 the study ought to be made of the effect of any ground
21 water pumping by the Ahmanson project. Thank you very
22 much.

23 CHAIRMAN WESNER: Thank you. Again, I apologize
24 for the name.

25 Elsa.

1 MS. PONTOPPIDAN: I have my card in there, but
2 Gaston Dissorness and Albert Misrahi asked me to read
3 this. And it's not as bad as it looks. I can do it in
4 much less time.

5 CHAIRMAN WESNER: If you don't get through it,
6 just give it to us, and it will be part of the record.

7 MS. PONTOPPIDAN: Okay. Fine.

8 A new traffic study is needed. After ten years
9 changed conditions have occurred which show that Ahmanson
10 Ranch traffic by itself will have significant new impacts
11 on traffic.

12 One -- this is from Save Open Space. I want to
13 make sure I get that in.

14 The Ventura Freeway is over capacity now. The
15 old 1992 EIR did not predict the Ventura freeway would
16 exceed capacity until the year 2010.

17 Two, a changed commuting pattern has occurred.
18 Now the commuting pattern is non-directional. Commutes
19 are both ways. Not just eastbound in the morning and
20 westbound in the afternoon and evening as it was in 1991.

21 In the old EIR, the cumulative radius only goes
22 20 minutes. A new traffic study is needed with the
23 cumulative radius widened to include commuter predictions
24 from new developments in Thousand Oaks, Moorpark,
25 Camarillo and Simi Valley. New commuters are now going

1 both ways in the morning and afternoon and evening peaks
2 on the 101 freeway.

3 This new commuting paradigm has caused a
4 significant new change in ambient growth. The one or two
5 percent ambient growth as used in old out-of-date EIR is
6 too low. The ambient growth caused by travelers and new
7 commuters is not one or two percent as in the old 1992
8 EIR. The old EIR figures are wrong.

9 Four, Ventura County cannot designate a
10 transportation department head to arbitrarily say the
11 percentage change is not significant. Ventura County
12 purposely, Exhibit No. 2, vacation of Bell Canyon as a
13 public road in 1991, made it so all the traffic from this
14 Ventura County project impacts only Los Angeles County
15 roads. Los Angeles County entities then should be able to
16 make the determination if the increase is significant.

17 Five, because the Ventura freeway is at capacity
18 now, local roads will be impacted with significant new
19 cut-through traffic at peak commuting times. The old
20 out-of-date 1992 EIR had cut-through traffic on Victory to
21 Thousand -- that should be Thousand Oaks Boulevard as a
22 mere 3,500 vehicle trips per day. Because the 101 has now
23 reached capacity, this cut-through major street could have
24 volumes approaching 15,000 a day, Exhibit No. 3 portions
25 of 1992 letter from Karl Bone, L.A. County Planning.

1 This new information will result in higher
2 traffic count in the huge area north of the 101 between
3 Las Virgenes Road and the entire West Valley. This, in
4 turn, will impact CO hot spots. And that's the Las
5 Virgenes Road that I live on.

6 Las Virgenes Malibu Canyon, a commuter and beach
7 access road, is at capacity now in 2002. The Las Virgenes
8 Malibu Canyon cannot be widened. Re-evaluation is
9 necessary for the impact of Ahmanson Ranch traffic.

10 Old EIR did not evaluate several intersections:
11 U.S. 101, the eastbound ramp at Calabasas Road, U.S. 101
12 westbound ramp at Calabasas Road and the Valley Circle
13 that they were talking about at Ventura Boulevard and
14 Valley Circle Boulevard at U.S. 101 westbound ramp because
15 these intersections were under construction in 1992.

16 These completed new intersections needed
17 evaluation in the new 2002 traffic study. The information
18 was not known nor couldn't be known at that time because
19 it was under construction. There's now data. It shows
20 that Valley Circle is at gridlock.

21 Eight --

22 CHAIRMAN WESNER: Elsa, you got about 35
23 seconds.

24 MS. PONTOPPIDAN: I'll get as much as I can.
25 I'm sorry for this.

1 Ventura County is legally obligated to follow
2 CMP law in regards to CMP roadways of Victory Boulevard
3 and Ventura 101. Ventura County vacated the right of Bell
4 Canyon Road to be a public road and made it a private road
5 to protect it from Ahmanson Ranch traffic in 1991. This
6 Ventura County project impacts Los Angeles County CMP
7 roads at Victory and Ventura 101. South Ventura County
8 must comply with Los Angeles County CMP guidelines and
9 analyze project impacts on CMP arterials. Victory
10 Boulevard --

11 CHAIRMAN WESNER: Could you please wrap it up
12 for us.

13 MS. PONTOPPIDAN: To be adequate, there should
14 be a CMP discussion and a new transportation circulation
15 section of a subsequent, not Supplemental, EIR.

16 I did pretty good.

17 CHAIRMAN WESNER: Not bad. You just gave the
18 reporter carpal tunnel syndrome, but not bad.

19 Bob Wilson, followed by Charles Jones.

20 MR. WILSON: My name's Bob Wilson. I live in
21 the City of Thousand Oaks. My address is 2362 Fountain
22 Crest Lane. And I happen to live next to the Chumash land
23 that is absolutely beautiful in its state of preservation.
24 I think it does move us all when we hear the Native
25 Americans speak. And it certainly made me emotional.

1 But anyway, why we're here today, and I think
2 you heard both sides of the story, and you probably got
3 too much information at this point. I'm sure I'm not
4 going to add a whole lot more information. I just feel
5 that -- I represent a city of a hundred thousand people on
6 the east end of the Ventura County. During the elections
7 we had -- by the way, I'm the council-elect taking Linda
8 Parks' place here for the next two years.

9 But during the election, it was interesting that
10 most all candidates claim to be slow growth. Most all
11 candidates use it in their campaign, but they also use the
12 fact that they were against the Ahmanson Ranch project.
13 And I think that's significant because we had a lot of
14 different viewpoints as candidates, and we represent a
15 very large portion of Ventura County. But all the
16 candidates were opposed to this project. And I think that
17 speaks volumes for our community.

18 And I would have to say the corridor that we're
19 talking about here, the 101, if you actually got out and
20 you talked to the people -- and this is what it's about.
21 It's about the people of Ventura County.

22 I certainly appreciate the help from outsiders.
23 It seems like the Washington Mutual people have had a
24 tremendous amount of help from people outside the county.
25 That's fine, but I think what we need to do here is this

1 is about us. This is about our county, and I think we
2 need to make the decisions. You are fortunately, or
3 unfortunately, the ones we're looking to to make the right
4 decision here.

5 I don't think there's any question, and you all
6 realize that the 1992 traffic study doesn't apply anymore.
7 It absolutely does not apply to us. Let's just start at
8 Santa Barbara and move ourselves down through the 101. Is
9 there one single city that is a build-out? What do they
10 have on the books? What's already approved? How many
11 more homes are going to be built as we move down to
12 Ventura, Oxnard, Port Hueneme, those areas? How many
13 homes are going to be built? How many colleges are we
14 having? How many students are here?

15 First of all, it was 90 degrees today. We
16 didn't need that in the papers. That's going to bring so
17 many people to our community. Our Southern California
18 weather is enough everybody wants to be here. We can't
19 take care of everybody. There's no way it's going to
20 happen.

21 But moving down, we go through Camarillo, same
22 thing. They're going to be building more homes. We don't
23 know how many more homes are going to be built. We
24 certainly have a tremendous amount of open space. These
25 things may or may not have been already approved, so I

1 think the traffic study is absolutely vital to us. The
2 information you're getting from -- I hate to stay both
3 sounds. It sounds like we're divided people here. We're
4 not. We're residents of Ventura County, and we're working
5 for the same thing, for a quality of life that can't be
6 any better anyplace else in the entire world. Today we
7 could have gone to the beach. Not many places can say
8 that. Tomorrow may be a different story, but today was
9 good. Maybe too much today.

10 I think that what I'm trying to say to you is
11 that the people of Ventura County don't want this project,
12 quite frankly. You represent the supervisors here. The
13 supervisors represent different areas of our county. And
14 I think without exception, the entire county has shown
15 that they don't want any more growth. We can't have any
16 more growth at this time. We need some other forms of
17 traffic -- building another freeway is certainly what we
18 don't need, but I think we can't accommodate all the
19 people that want to live here. And that's not our
20 responsibility. And as elected officials, or appointed
21 officials, we have an obligation to take care of the needs
22 of the residents of the county that are important to us
23 and live here.

24 And, again, I have to stress most of this
25 information that I've heard today, I think that it's

1 probably overwhelming, the amount of information, but what
2 it really does say to you that you don't have all the
3 facts, and I think that's all we need, is to get all the
4 facts first and get them right, but I think the residents
5 have spoke very clearly in this last election. They don't
6 want any more growth, and they certainly don't want any
7 more traffic on the 101. I hope you can just say no.
8 Thank you.

9 CHAIRMAN WESNER: Charles Jones, followed by
10 Margot Feucher. Mr. Jones. Does anybody know if he left?

11 Margot, then followed by Dolores Jones.

12 MS. FEUHER: My name is Margot Feucher. I live
13 at 2761 Bottlebrush Drive, Los Angeles 90077. I'm on the
14 board of Save Open Space. I have testified against this
15 project since 1988.

16 We are most reassured that the Regional Planning
17 Commission at that time because of the voluminous negative
18 environmental impacts of the project voted to deny it. It
19 was a forthright factual decision.

20 In more than a decade since the environmental
21 impacts were first evaluated, the additional scientific
22 evidence has only compounded their severe impacts, having
23 identified additional serious impacts. Regardless of the
24 land for frogs proposed to protect Mark Twains' historic
25 and endangered creatures, the serious question of their

1 survival is not assured. Nor is that for the spineflower.

2 That a traffic study 12 years old has been
3 updated -- has not been updated to reflect new, vital and
4 serious additional impacts which should have been
5 evaluated in a Supplemental EIR is opprobrious.

6 Can anyone tell me whether Washington Mutual has
7 done a project of this magnitude before? Is there an
8 answer? Do you know?

9 CHAIRMAN WESNER: We can certainly ask that of
10 the applicant.

11 MS. FEUHER: I think that would be very
12 relevant.

13 Information on a track record is very relevant,
14 if not critical, for the viability of any project. A blip
15 in the financial section of the Los Angeles Times on
16 October 16th, 2002, stated that WAMU has become the
17 largest savings and loan through various acquisitions.
18 This is their business, yet customers have the following
19 complaints: Accounts had been discontinued, savings
20 and/or checking accounts had been lost, ATM and debit
21 cards had not arrived in the mail, additional fees had
22 been attached to commercial accounts. Running a bank is
23 their business, yet oversight of a lot of issues important
24 to their customers slips through the cracks.

25 Apply this to the project of this magnitude

1 where they have no prior track records, when they have
2 never before dug a first phase full of earth on a 20-year
3 project. Add global warming. Add ephemeral water
4 supplies. Add fire potential. Can you imagine the
5 magnitude for error? No mitigation will compensate for
6 these impacts because the bottom line is that the
7 mitigations themselves, the dedication of land adjacent to
8 Las Virgenes Creek have been seriously compromised.

9 No longer is there a dedication of land free and
10 clear as it seemed when the Board of Supervisors
11 originally approved the project. At that time, there were
12 nine pages describing the gift of land.

13 Prior to the transfer of the land to the
14 conservancy and many years after the Board of Supervisors'
15 approval, the developer proceeded to alter the conditions
16 of the dedication. At the end, the paperwork changed from
17 nine pages to 90 pages, nine zero pages, withdrawing the
18 water rights unequivocally. You know what I mean, I'm
19 sure.

20 This cataclysmic change has never been the
21 subject of official inquiry by any board or commission of
22 this county. And now one of the major issues is the
23 finding of perchlorate in this dedicated area.

24 I urge you to use your analytical, critical,
25 insightful judgment and deny this Pandora's box of a

1 project. Thank you.

2 CHAIRMAN WESNER: Thank you very much.

3 Dolores Jones. Karl Christie, followed by Nick
4 Quidai. John Kerkhoff. Barbara Kerkhoff. Eve Wagner. I
5 hate when I lose my audience.

6 MS. WAGNER: Good afternoon, ladies and
7 gentlemen. It's been a long afternoon.

8 My name is Eve Wagner, and I live at 7532
9 Sedgewick Court in West Hills, California 91304. I'm a
10 native Californian, and I've lived in West Hills since
11 1990.

12 I'm also an attorney, and I work in Century
13 City, so I feel particularly qualified to talk about the
14 real impacts of the traffic. And it's particularly
15 disturbing to hear today that Valley Circle was not part
16 of the study. Since the impact study was done based on
17 data in the 1980's, there's been a lot of development off
18 of Valley Circle Boulevard. What used to take me, say,
19 four or five minutes to get down Valley Circle, now if I
20 leave during peak rush hour as I try and get past the
21 school, it's sometimes takes me as much as 20 minutes to
22 get to the freeway on-ramp. That's because the school
23 traffic, which, by the way, will be greatly impacted by
24 this development -- I'm not sure if you guys realize this
25 because you may not have actually gone to Valley Circle in

1 the morning or in the afternoon, but Victory, as it dumps
2 onto Valley Circle, is right next to a high school.

3 I cannot even conceive of what 10,000 more daily
4 car trips would do do Valley Circle, let alone 20,000,
5 30,000, however many it's going to be. It's simply
6 inconceivable to me that Ventura County is considering
7 relying on data from a traffic study that is over a decade
8 old. As an L.A. County supervisor said at a hearing,
9 actually several hearings, if you went to the doctor and
10 you said, Doctor, Doctor, I'm coughing up blood, and he
11 went and he pulled out an X ray from 1992 and said, Gee,
12 you look fine to me, somehow I think you wouldn't be
13 satisfied with that answer. It's no different here.

14 This is not just a development. There's been
15 tons of development. This is the contemplation of a city
16 with 45 daily car trips. As I sit on the 101 when I
17 finally get there down Valley Circle, I sit there and
18 think as I'm traveling with thousands of other commuters
19 sitting in bumper-to-bumper traffic, how can it be that
20 Ventura County will allow Washington Mutual, an
21 out-of-state developer, to come in and bulldoze and
22 dynamite land, beautiful pristine land for ten years so
23 that they can further gridlock our city? How can it be
24 that Ventura County will allow Washington Mutual to
25 decimate sacred archeological sites and burial grounds?

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1 How can it be that we're going to risk the extermination
2 of the red-legged frog and other endangered species and
3 the flower without extensive study? How can it be that
4 Washington Mutual will be allowed to add 841 tons of
5 additional smog every year in a area which is already
6 heavily polluted? How can it be that Washington Mutual
7 will be allowed to bulldoze and dynamite, throwing tons of
8 dust in the air and exposing its residents to valley fever
9 and other respiratory problems?

10 Worse, how can it be that you would allow this
11 project to go forward now there that's been a discovery of
12 perchlorate on the land? There needs to be extensive
13 study. Do we have to way 20 years before lawsuits start
14 flying and people start getting sick? People could end up
15 dying of cancer. We need to find out whether this land is
16 contaminated.

17 It is adjacent to Rocketdyne. Certainly the
18 pollution does not no boundaries, property lines. It
19 doesn't say, Oops, I'm at the boundary of Rocketdyne and
20 Ahmanson, so I better stay here. That's not how it works.
21 There's been a discovery of perchlorate. It's a
22 by-product of rocket fuel, and we need to do the extensive
23 testing now. Let's not find out later. You can't go
24 back.

25 It's simply unbelievable that Washington Mutual

1 will be allowed to do all of this without doing a new EIR
2 to study the toxic contamination, the issues raised about
3 the Native American burial grounds and the serious health
4 risks that are exposed.

5 Some people have said that Ventura County's
6 hands are tied because they cut some sort of deal with
7 Ventura County and the developer back in 1992. Whether
8 there's an agreement or not, the laws must be followed.
9 CEQA must be complied with. We don't need litigation
10 later.

11 There's a reason so many residents, the U.S.
12 Congressman Henry Waxman, Congressman Sherman, L.A. County
13 supervisors, Mayor Hahn, L.A. City council members, local
14 politicians, environmental groups, homeowner
15 organizations, thousands of residents are opposed to this
16 development. It will destroy the quality of life in
17 Ventura and L.A. Counties. Please, we implore you do the
18 right thing. Make sure this project is safe. Make them
19 do a new EIR study. Thank you.

20 CHAIRMAN WESNER: Thank you, Ms. Wagner.

21 Joyce Parker, followed by Hunter Allen. All
22 right. Then I'll put her tomorrow.

23 Hunter Allen, followed by Andrew Wetzler.

24 MR. ALLEN: Hi. Good afternoon. I don't envy
25 the job you guys are doing today.

1 My name is Hunter Allen. I'm with Rally to Save
2 Ahmanson Ranch at 1811 East Ventura Boulevard.

3 A number of the things that I was going to say
4 have been touched on already by all kinds of people. I
5 will spare you most of that.

6 What I -- earlier on, the applicant -- someone
7 representing the applicant read a list of elected
8 officials who support the Ahmanson Ranch development. I
9 wanted to read to you a short list of elected officials,
10 which is incomplete and not in any order, other than how I
11 recalled it, so please don't take the order to mean
12 anything.

13 Of elected officials, community activists and
14 environmental groups who support halting the development
15 and preserving the lands for open space, this list
16 includes former Ventura County Supervisor Susan Lacey,
17 assembly member Keith Richman, assembly member Fran
18 Pavley, State Senator Sheila Kuhl, Assemblywoman Hanna
19 Beth Jackson, Brian Brennan, City of Ventura, mayor pro
20 tem, Ojai City council member David Barry, Camarillo City
21 council member Mike Morgan, Congressman Henry Waxman,
22 Congressman Brad Smith, L.A. County Supervisor Zev
23 Yaroslavsky, State Resources secretary Mary Nichols,
24 State Attorney General Bill Lockyer who has -- who in the
25 L.A. Times a while back said he -- he's also the chief law

1 enforcement officer of the State of California charged
2 with -- mandated with enforcing CEQA. He also said if the
3 SEIR is approved by Ventura County, he will file suit for
4 the state.

5 And then virtually every elected official in
6 this region, especially in Thousand Oaks -- and also
7 Governor Gray Davis recently in I believe the Ventura
8 County Star said that he was interested in preserving the
9 land as open space. So as you can -- in terms of
10 environmentalists, Roma Ombrush who's well known in this
11 county, environmentalist Larry Hagman, businessman and
12 developer Larry Janss from Thousand Oaks and chairman and
13 CEO of Harbor Freight Tools Eric Schmidt who employs 2,000
14 people in Camarillo.

15 In terms of environmental clubs, every
16 environmental group -- I don't know any that support us,
17 but the Sierra Club, Heal the Bay, the Ventura County
18 Coastkeepers and hundreds of other community groups and
19 thousands of concerned citizens.

20 You know, looking at the crowd out here today,
21 you might think the public is split on this development.
22 Some people support it. Some people are against it.
23 Don't buy into that. The vast majority of the public --
24 and I don't know if you're taking that into consideration
25 or not, or you're supposed to or not. I'm not an expert

1 on what you're supposed to look at, but the vast majority
2 of the members of the public and their elected
3 representatives are strongly against this development. I
4 urge you to take that into consideration. Thank you.

5 CHAIRMAN WESNER: Andrew Wetzler. Following,
6 Dess Ornes.

7 Mr. Wetzler, thank you for your patience.

8 MR. WETZLER: My name is Andrew Wetzler. It's
9 W-e-t-z-l-e-r. I'm with the Natural Resources Defense
10 Council. Our Los Angeles office is located at 6310 San
11 Vicente Boulevard, Los Angeles, California.

12 NRDC is a national environmental group with over
13 a half million members, over 30,000 of whom live in this
14 region. And on behalf of NRDC and our members, we have
15 written numerous comments and testified at hearings in
16 opposition to the completion of this project and
17 expressing our views that the Supplemental EIR that was
18 prepared by the county is and remains inadequate. I won't
19 rehash those now. I'll refer you to them. They're in
20 materials that I have.

21 What I do want to talk about very briefly is an
22 issue we did not address because it was buried in one
23 paragraph and, frankly, we placed it, and that's the
24 discovery of perchlorate in well number 1. Now, you've
25 heard testimony, and I don't want to put too fine a point

1 on it, so I'll be blunt, from the physician that
2 perchlorate is associated with thyroid cancer. The
3 perchlorate was found at levels that are seven times those
4 considered safe. Seven times.

5 Perchlorate -- it was reported in the Press --
6 members of Washington Mutual or Ahmanson Land Company were
7 quoted in the Press recently as dismissing the perchlorate
8 discovery because they claimed the perchlorate was
9 naturally occurring.

10 You've also heard testimony today that
11 perchlorate is not naturally occurring in Southern
12 California. Besides which, perchlorate almost always is
13 associated with heavy industrial activity. And it is
14 generally associated with the production of rocket fuel.
15 Now, given the fact that Rocketdyne is a nearby facility,
16 if you'll excuse the pun, it does not take a rocket
17 scientist to surmise where that might have been coming
18 from. None of this was adequately disclosed or studied in
19 the Supplemental Environmental Impact Report.

20 I just want to summarize by saying that your own
21 staff -- you've heard testimony from your own staff today
22 that they don't know whether the reading for perchlorate
23 is going to pan out. They don't know whether a plume is
24 spreading from Rocketdyne. They don't know how many other
25 wells have been tested because those wells -- how many

1 other wells are infected or contaminated because those
2 wells have not been tested. You need legally to know that
3 information before you can approve the Supplemental EIR.

4 And finally, I'd just like to introduce an
5 exhibit I marked as NRDC Exhibit A, which is, in fact, the
6 notice that was sent out. That is a copy that was sent
7 out to Save Open Space. There is not -- that notice
8 doesn't notice this meeting for two days. So it is not
9 clear to me as a legal matter that you all can make a
10 decision on this tomorrow.

11 CHAIRMAN WESNER: Thank you.

12 There's been a request of one of the
13 commissioners. It's one minute before 5:00.

14 Mr. Masry, you're number 4 on the list here.

15 We'll take, please, a very brief five-minute
16 break and return at five after 5:00. We have about 16
17 more to go, so we'll try to get through all of you.

18 (Break.)

19 CHAIRMAN WESNER: Again, it is our desire to
20 finish the last 14 or 15 or so speakers. And we do
21 appreciate your patience this evening.

22 What we will do at the end, if it's the
23 Commissioner's wish, is we will direct the secretary to
24 post on the front door that we will be adjourning and
25 recessing until 8:30 tomorrow morning. So let's get right

1 on with the next speakers.

2 We left it off Dess Ornes, followed by Tom
3 Ritch. Then Ginger Pollack. Dess Ornes. Not present.
4 Tom Ritch. No Tom Ritch.

5 Ginger Pollack. We have a winner.

6 MS. POLLACK: Just like on the Price is Right.
7 I feel like I'm coming on down.

8 Thank you very much. Ladies and gentlemen, I'm
9 Virginia Pollack, one of the founding board members of
10 Save Open Space. I live at 5455 Bromely Drive in Oak Park
11 right here in Ventura County.

12 I came today prepared to limit my comments to
13 the impacts on schools, which has been sort of my area of
14 expertise with this project for the last 12 years. But I
15 first must address an issue today regarding process.

16 At the Environmental Report Review Committee
17 meetings that extended from the spring through last month,
18 the Supplemental Environmental Impact Report was properly
19 noticed, agendized, voted on and now passed to the next
20 level towards approval of this Commission. I thought that
21 today's hearing was for you to decide whether or not to
22 recommend certification of this Final SEIR. At least that
23 was the notice that I received in the mail.

24 But when I got here today, the agenda says that
25 you are deciding whether or not to recommend approval of

1 the project's tract map. The SEIR decision is not
2 agendized. In fact, there's no mention of the
3 Supplemental Environmental Impact Report anywhere on
4 today's agenda. It seems that the Final SEIR
5 certification is kind of being leapfrogged by the
6 applicants now actually seeking tract approval. And I
7 ask, how can you -- this tract map be approved before the
8 Final SEIR has actually been certified by the Board of
9 Supervisors? I mean, how can this tract map be approved
10 before all the impacts and concerns that have been raised
11 here today and throughout the process -- until they've
12 been addressed and adequately addressed, how can this
13 tract map be approved.

14 Anyway, let me get on to the schools. The SEIR
15 states that there's excess capacity in Oak Park schools
16 capable of absorbing the influx of Ahmanson students.
17 Anyone with children, any one of the dozens of bungalows
18 that we have all over the campuses in Oak Park or anyone
19 trying to negotiate the streets of Oak Park at drop-off or
20 pick-up time will tell you that the idea of excess
21 capacity in Oak Park exists only on paper. Just how many
22 students will be commuting to Oak Park from Ahmanson and
23 for how long?

24 The school district uses formulas known as
25 student generation factors in estimating how many students

1 can be expected from the development. The student
2 generation factors have been increased several times since
3 the EIR was originally written to reflect the real numbers
4 as Oak Park has been built out. The Supplemental
5 Environmental Impact predicts 50 percent more middle
6 schoolers, 500 total, than the original EIR predicted.
7 The projection using more recent figures would be even
8 higher, yet are being ignored.

9 There will be 3,000 homes in Ahmanson Ranch.
10 Until the schools are built there, which is eight or nine
11 years into build-out, all of those children will be coming
12 to Oak Park schools. Lowball student generation factors
13 were used in calculating how many children will be
14 commuting to Oak Park elementary schools, how many high
15 schoolers will ultimately be added to Oak Park High School
16 and how big to actually build Ahmanson's on-site K-5 and
17 K-8 schools.

18 These lowball student generation factors were
19 used calculating the time tables for when we can expect
20 students to begin arriving and when the new schools should
21 be constructed. And these lowball student generation
22 factors were used in calculating the costs associated with
23 accommodating commuting students and building new schools.
24 How can the true impacts of this project be addressed with
25 admittedly outdated information? The original EIR, the

1 school facilities agreement and the Supplemental EIR all
2 use different sets of student generation factors, and all
3 of them are outdated.

4 Updated figures would show that there are going
5 to be a lot more students, and they're going to be coming
6 sooner than expected. The time tables for construction of
7 the Ahmanson schools, again, some eight or nine years,
8 look hopelessly slow. There is no cap on the number of
9 Ahmanson students that Oak Park schools will have to
10 absorb until such construction is completed. The impacts
11 to the children of Oak Park and any future children of
12 Ahmanson Ranch discussed in the SEIR remains substantially
13 understated and have not been adequately addressed.

14 Getting back to the process, the SEIR was
15 noticed for today but not agendized. The tract map is
16 agendized but was not noticed. Can you, in fact, act on
17 either of these items today considering that? Thank you.

18 CHAIRMAN WESNER: I will defer to county
19 counsel.

20 COUNTY COUNSEL: I'd be happy to address it.

21 The agenda, if you look at it on page 26, has as
22 its first recommended action 1, five different
23 certifications and recommendations to the board for the
24 Supplemental EIR.

25 MS. POLLACK: That's the recommended action, but

1 that is not the subject of the hearing.

2 CHAIRMAN WESNER: If you can at least step to
3 the microphone.

4 MS. POLLACK: I'm looking at the first page of
5 the agenda, number 4, it says tentative tract map number
6 TT5206. There's absolutely no mention as an agenda item
7 for any discussion or decision on the supplemental impact
8 report.

9 If you look at the notices and the agenda for
10 the Environmental Review Committee, it's all over there.
11 And it's on the notice for this meeting, but on the actual
12 agenda, it's been changed. It's a new topic.

13 COUNTY COUNSEL: The agenda, as a understand it,
14 is a standard form the county has used for all maps. The
15 agenda says, on page 26, where the recommended actions
16 are. On top of that, the agenda and the notice both say
17 that the map will be considered. And it's one of your
18 recommended actions. It's included in both.

19 MS. POLLACK: The notice is right here. And the
20 topic on that is Final Environmental Impact Report and
21 Supplemental Environmental Impact Report. The tract map
22 is not listed in the decision section.

23 COUNTY COUNSEL: I believe the point here is the
24 top of page 1 of the agenda doesn't include a reference to
25 the FSEIR. It's not required to.

1 CHAIRMAN WESNER: All right. Thank you. Duly
2 noted and objection on the public record.

3 Okay. The only other representative from
4 Moorpark, my neighbor, Mr. Louis Masry, followed by
5 Charles McNary.

6 MR. MASRY: Good afternoon. Chairman, Planning
7 Commissioners, my name is Louis Masry. I reside at 14490
8 Shawnee Street in the City of Moorpark.

9 First, I'm going to read a letter into the
10 record from Save the Conejo 2000. It will take about a
11 minute or so. And then I will speak on my own behalf.

12 Since I may not be able to stay at today's
13 hearing, please accept this note as my comment. Attached
14 is my letter to the environmental review committee. Our
15 position at this time is the same. The discussion of the
16 traffic issue in today's staff report, pages 14 and 15,
17 does not satisfactorily address our concern. The
18 statement of overriding concern implies we must accept
19 environmental degradation to accommodate additional
20 housing needs. Our contention is that only an updated
21 traffic study and a more intensive mitigation plan will be
22 satisfactory. It should be noted that concern over
23 traffic goes in both directions. Morning westbound
24 traffic of employees of businesses in the Conejo Valley
25 will be affected as much as eastbound traffic. Thus,

1 Conejo Valley residents and businesses will be seriously
2 affected without a better mitigation plan. Truly yours,
3 Jerry Louie, president, Save the Conejo 2000.

4 On my own behalf, my wife and my two kids live
5 in the City of Moorpark. My family, my father, my two
6 sisters, stepbrother, six nieces and nephews all live
7 within the Conejo Valley. We also -- I personally own two
8 businesses: One in Camarillo, one in Thousand Oaks. Also
9 property in Thousand Oaks. And those businesses combined
10 have a total of 120 employees throughout the Conejo
11 Valley.

12 My wife and I moved to Ventura County for the
13 quality of life. We felt that the school district, the
14 traffic was much less than the Valley where we came from
15 in Woodland Hills. We felt that the air pollution was
16 nicer, the weather was nicer and the community was nicer.
17 I believe Ahmanson Ranch will take a lot of that away from
18 us here in Ventura County.

19 Earlier in the staff report when the staff
20 reported their -- or in the staff report, there are going
21 to be removal of 844 oak trees. In Thousand Oaks, that
22 would turn Thousand Oaks into 156 oaks. The Ahmanson city
23 says that they are going to plant five to one plants, 15
24 gallon plants to 48-inch pots. That should not be
25 acceptable to anybody, any resident within our county.

1 They talked about the Thousand Oaks Boulevard
2 extension to Victory Boulevard. We have residents in our
3 City of Thousand Oaks where I'm a business owner, seniors
4 that need to get around town during the day. If the 101
5 is more crowded like, it's very clear I've heard these
6 discussions of six percent more, I can tell you it does
7 not take a genius to figure out that the 101 corridor is
8 going to be more busy, and Thousand Oaks has become
9 busier. And the people, the housewives that pick up their
10 children from school every day will have to deal with this
11 on Thousand Oaks Boulevard.

12 Then there's the perchlorate issue. It's
13 important that you understand that this is a -- this is
14 seven times the acceptable level. Contamination this
15 extreme needs to be studied further. If perchlorate was
16 found, what other toxins could be hidden there? It is not
17 just the citizens that are worried about the toxins in the
18 water. The Regional Water Quality Control Board just
19 earlier today, a responsible agent, has asked for more
20 tests.

21 Also, staff has continuously emphasized that the
22 perchlorate is not from Rocketdyne. Why sit around and
23 wonder where this toxin has come from. There's a very
24 simple way to find out. Do more tests. It is not worth
25 risking the health of this and future generations to push

1 this project through faster.

2 I have many friends through business. I manage
3 money, and I actually manage money for a lot of people who
4 have gotten toxic injuries in the past. About a hundred
5 of them I manage. And I'd say just this year alone I've
6 had three, one of them with brain tumor. The other one
7 also had a hysterectomy due to cancer, and another one had
8 colon cancer. And I think playing with toxins is a real
9 dangerous game. And I will tell you certainly I am not,
10 as a Ventura County resident, going to allow Washington
11 Mutual to play with toxins with their profit. My life is
12 not worth or my friends or family is not worth --

13 CHAIRMAN WESNER: Thirty seconds.

14 MR. MASRY: In summation, I hope that this --
15 there's a lot of political issues obviously that you read
16 about in the paper, that you hear about. I hope that this
17 Planning Commission can look beyond some of the growth
18 issues and understand that there are certainly major
19 issues dealing with toxins, you know, people's health and
20 safety.

21 I will say on behalf of my family we want to on
22 the record let the citizens of the Ventura County know
23 that our grass roots, political and financial resources
24 will be -- whether we win or lose this, will always be for
25 the residents of Ventura County and district to district 4

1 where our family lives. Thank you.

2 CHAIRMAN WESNER: Thank you, Mr. Masry. We
3 appreciate you coming.

4 Charles McNary, followed by Jeff Messenger.
5 Jeff Messenger, followed by Janet Bridges.

6 MR. MESSENGER: Good evening, Chair Wesner, and
7 rest of the Commissioners. Thank you for allowing me to
8 speak today. My name is Jeff Messenger. I live at 5324
9 Parkmor Road, Calabasas, California.

10 I'd like to state that I'm not an environmental
11 activist. I am involved with a worldwide organization
12 that provides environmental education. I am also not a
13 Hollywood celebrity. I am a working stiff. I'm a father
14 and a husband, and I work very hard to get the house we
15 got in Calabasas. And we own our two 1992 vehicles.

16 I listen to the proponents of the Ahmanson
17 project say how they've had to go beyond normal, their
18 120-hour period, as opposed to a 45-day approval, 120-day
19 approval, their six public hearings and so on and so on,
20 and that speaks volumes to me of how many problems are
21 embedded in this plan that is taking so long to get done.

22 I am not opposed to intelligence sustainable
23 development, but I am opposed to the Ahmanson project.

24 I also represent my wife Frances Let who lives
25 at the same address, and she is the Malibu Homeowners'

1 Association president, and she asked me to read a letter
2 since she couldn't take off work also today to you. It's
3 quick.

4 Dear Commissioners, I oppose the development of
5 Ahmanson Ranch. I wish I could state a single reason for
6 my opposition, but there are so many reasons why this
7 development should not be built. Ahmanson Ranch may not
8 have the national recognition of Yosemite, but for many of
9 us, it resonates with the same intensity.

10 Many of us are living with the consequences of
11 urban sprawl. You should oppose this development because
12 to raze one of the few remaining pristine open spaces in
13 Ventura County is wrong. It is also wrong to attempt
14 passing off this project as one that will ease the crisis
15 in affordable housing. A large percentage of the
16 affordable units that developer use for their numbers are
17 in luxury homes. Will a condition of sale be that the
18 buyers rent out these units to lower income workers?

19 Using this approach to make the project
20 palatable to the public reeks of false advertising. There
21 is a true shortage of affordable housing in Southern
22 California, and claiming that Ahmanson Ranch will help
23 only mocks the problem.

24 In a similar vein, to claim that this
25 development will not reek havoc upon our highways is also

1 wrong. The Ahmanson Land Company's own Web sites state
2 that California commute times have increased because,
3 quote, affordable housing was pushed further and further
4 from job centers or near urbanized coastal areas, end
5 quote.

6 Wouldn't it make more sense to revitalize
7 already existing urban areas rather than pushing
8 development out even further? Common sense tells us what
9 will happen to our commute times when there are an
10 additional 45,000 car trips to contend with.

11 The Ahmanson Land Company states that the
12 development will be closer to the Warner Center in
13 Woodland Hills. Will employment there be a condition for
14 buying a home in Ahmanson?

15 The Ahmanson Land Company also boasts that it
16 will spend 14 million in traffic improvements, with 3.7
17 million going to Los Angeles County. Did we just suddenly
18 revert to a 1950's economy? This is equivalent of
19 throwing a Bandaid on someone who has an arterial cut.

20 The discovery of perchlorate in water should be
21 of the utmost concern. Tim McGary was quoted in
22 yesterday's Daily News as saying, and I quote, a one-time
23 measurement of perchlorate was never an indication of a
24 health threat because the water was only intended for
25 irrigation. We believe the county has resolved the issue,

1 end quote.

2 I wonder what home sales will be like if this is
3 disclosed to prospective buyers. If Ventura County takes
4 the same lax attitude of Mr. McGary, I'm certain it will
5 be exposing itself to huge liability, unless it can show
6 that exhaustive testing has been done to determine the
7 extent of the perchlorate contamination. The testing of
8 only one well cannot be described as barely adequate.

9 Information to -- informed decisions cannot be
10 made with insufficient data, which is what we have right
11 now. This project has become the Pandora's box of
12 development. I think we heard that before tonight.

13 We can also touch upon the other virtually
14 countless environmental problems that this project will
15 cause, but I would like to limit the length of my letter.

16 Suffice it to say, all things cannot be
17 mitigated. Once this area is paved, there's no going
18 back.

19 And then there's legacy. I'm going to slow with
20 this. I do not want my daughter's legacy to be a golf
21 course, some office space, mansions and a couple
22 endangered species. I would hope that you wish for a
23 greater legacy for your own families. And courage can
24 also be a legacy. I urge you to have the courage to say
25 no to a multi-billion dollar corporation because that is

1 the right thing to do. Sincerely, Frances Let.

2 Thank you for your time.

3 CHAIRMAN WESNER: Janet Bridges, followed by
4 former supervisor Lacey. Thank you for your patience.

5 MS. BRIDGERS: Members of the Commission, I'm
6 Janet Bridgers. I live at 114 South I Street in Oxnard.
7 I'm founder and director of Earth Alert. And we're here
8 to ask you not to certify the Supplemental EIR, commenting
9 specifically on the responsibility under CEQA to demand an
10 updated traffic study.

11 It's very clear that the numbers in the 1992
12 study are not adequate. A new traffic study would require
13 the developer to mitigate 100 percent of the project's
14 specific impacts. And that is only fair to everyone else
15 in Los Angeles and Ventura Counties that must use the same
16 roads. Traffic has impacts that are economic. For every
17 business that gets slow-down, there's a cost. It has
18 impacts that are quality of life issues for every family
19 member who must drive and finds that their commute time
20 gets slower and slower and slower. That steals time from
21 their families.

22 It also has health-associated costs. Traffic
23 causes stress. Stress is one of the major causes of
24 chronic illnesses. Traffic leads to higher rates of air
25 pollution. People stuck in traffic have to breathe more

1 polluted air. None of this is being adequately addressed
2 under the 1992 study.

3 And as Planning Commissioners, you have
4 responsibility to address the long-term impacts. At what
5 point does that road become non-functional? We're very
6 close to it already. I think this project could push it
7 right over. And there's no adequate public -- I mean, it
8 doesn't exist. You cannot get public transportation from
9 here into L.A. along that corridor. It simply doesn't
10 exist. So we're forced to use that road.

11 I urge you to ask for an updated traffic study.

12 CHAIRMAN WESNER: Thank you, Ms. Bridgers. And,
13 again, thank you for your patience.

14 Susan Lacey, followed by Scott Albright.

15 MS. LACEY: Susan Lacey. I live at 3700 Dean
16 Drive in the City of San Buenaventura.

17 I'm here today to just kind of reemphasize some
18 of the history of this project, and that is that the
19 original staff analysis showed that it should not be
20 approved for many reasons. The Planning Commission voted
21 four to one not to approve for very good reasons. And
22 basically those reasons are the fact that it runs counter
23 to all of the principles of planning that we have shared
24 in this county, the things that we built, the ten cities
25 with the county not intruding on that and respecting those

1 boundaries and respecting growth within those boundaries
2 and respecting our relationship as the county to the
3 cities to be one family. And I think that's very
4 important.

5 Since that time when this was then overruled
6 four to one I might tell you at the Board of Supervisors,
7 bad things have happened directly and indirectly because
8 of that. We have had a lot of planning that's been taking
9 place at the ballot box. Now, perhaps that had to come
10 when this decision was made, but I do think ballot box
11 planning, county planning, property planning happens when
12 the community feels that they've not been listened to.
13 And I think that's very sad because I would rather invest
14 that in you folks who are here, who are listening. And
15 may I say, you've been very attentive. I'm terribly
16 impressed with the amount of few breaks you've taken and
17 the really great listening that you've done and your
18 questions.

19 Finally, I would just like to say one thing that
20 is very important to me, and that is affordable housing.
21 In this plan, there is a boarding house for single people.
22 That's not affordable housing in our terminology.

23 In this plan, there are some outbuildings that
24 folks can live in, be they family or hired help. That's
25 not our definition in Ventura County of affordable

1 housing. So I'm trusting you to take that into account
2 and make this a better Ventura County because all of you
3 are serving here to do that. So thank you for your time.
4 And, really, thank you for your graciousness.

5 CHAIRMAN WESNER: Thank you, Ms. Lacey.

6 Scott Albright. Okay. Bob Nystrom, followed by
7 Birgit Nystrom.

8 Okay. Maureen Edwards. Sujatha Jahagadar.

9 MS. JAHAGADAR: It was close.

10 Thank you very much. My name is Sujatha
11 Jahagadar. I am here on behalf of the California Public
12 Interest Research Group, CalPIRG, which is a statewide
13 public interest group with about 70,000 members, many of
14 whom live here in Ventura County. I'm CalPIRG's safe
15 drinking water advocate.

16 I'm also a founding member of the perchlorate
17 action group, which is a coalition of 22 state and
18 national environmental and public health groups that are
19 concerned with widespread perchlorate contaminate both in
20 California and across the country.

21 There are two points that I will make today.
22 The first is that perchlorate is a serious public health
23 issue that needs to be completely addressed before the
24 public can be fully protected.

25 The second point that I will make is that

1 perchlorate contamination is also a complicated issue that
2 cannot be addressed by ten sentences in the current staff
3 recommendations that I looked over this week.

4 First, the issue of perchlorate is a public
5 health issue. Perchlorate is a dangerous poison that in
6 adults affects the thyroid gland. The thyroid gland
7 regulates hormones in the human body that are responsible
8 for metabolism, responsible for growth, responsible for
9 mood such as depression and anxiety. And interference
10 with the thyroid gland by perchlorate cannot only lead to
11 impacts on these parameters, but can also lead to cancer.
12 And those are the impacts of perchlorate on adults.

13 What's even more scarier than the impacts of
14 perchlorate on adults is the impact of perchlorate on
15 developing fetuses. According to the federal EPA,
16 perchlorate exposure in the womb can lead to severe
17 impacts on neurological development in developing fetuses.
18 In the words of Jonathan Par, the executive director of
19 Physicians for Social Responsibility, perchlorate, quote,
20 unquote, makes your kids more stupid.

21 And that is the type of chemical that we are
22 dealing with here. And these health risks have been
23 documented by the federal EPA at levels that are 30 times
24 weaker than what we have found here in Ventura County.
25 Let me just say that again. The levels of perchlorate

1 that were found in Ahmanson Ranch, well number 1, are 30
2 times higher than what the federal EPA is saying may be
3 safe.

4 The stakes here, ladies and gentlemen, are
5 extremely high. The stakes are so high that several basic
6 questions must be answered before we can even contemplate
7 moving forward with this project.

8 The first question is, how much contamination is
9 there? The staff recommendations mentions that there has
10 been one test that has shown 28 parts per billion of
11 perchlorate. There has been no mention of any additional
12 testing that has been done either on Ahmanson well number
13 1 or any additional wells in Ahmanson Ranch. I find that
14 almost unbelievable.

15 The second question that must be answered is,
16 where is this contamination coming from? Perchlorate
17 as -- is inaccurately stated in the staff recommendations
18 as not a naturally occurring contaminant and, also, is
19 often found in association with several other contaminants
20 in the San Gabriel Valley. Perchlorate is found in
21 association with a lot of volatile organic compounds like
22 PCE and TCE that cause cancer. We also have no idea of
23 the plume or the shape of perchlorate contamination.

24 Thirdly, is there -- I think the third most
25 important question that hasn't been brought up yet at all

1 today is how much will it cost to clean up this
2 contamination. There's no mention of cost issues in the
3 staff recommendations at all. The experience that I've
4 had working with other communities that are dealing with
5 perchlorate contamination in the San Gabriel Valley and in
6 the Inland Empire put astronomical figures on the cost of
7 perchlorate cleanup. Estimates in the San Gabriel Valley
8 range from 350 million to a billion dollars. Granted
9 that's a much larger watershed that we're dealing with,
10 but even in the Inland Empire, we're talking about cost
11 estimates of 16 to 20 million just to clean up a fraction
12 of the problem.

13 So before I can believe that there is any sort
14 of credible plan to deal with perchlorate contamination, I
15 have to know how much this is going to cost and where is
16 this money going to come from. And I think that the
17 Planning Commission should be asking the same questions.

18 So, in summary, there are several basic
19 questions that need to be answered here before this
20 process can go forward. And the public really deserves
21 these answers because the problem can be so serious.
22 Thank you very much.

23 CHAIRMAN WESNER: Thank you for your time.
24 Appreciate it.

25 Jim Nelson, followed by Robby Gelt.

1 MR. NELSON: Good evening. Jim Nelson. I live
2 at 21 Los Vientos Drive in Newbury Park, 91320.

3 I think it's unbelievable that the SEIR as it is
4 now has made it thus far in the process with a vastly and
5 adequate traffic mitigation that is proposed in the
6 document. How could the Environmental Review Committee
7 call a ten-year-old traffic study adequate?

8 The study that is being used to determine
9 traffic mitigation was conducted in '92 and was based on
10 data from the '80s. Anyone who has lived in Ventura
11 County over the past few decades knows that we have had
12 incredible growth in that time period. It seems like
13 every day that you pass some new construction site.

14 This county is such a different place than it
15 used to be when I first moved here 26 years ago. I'm no
16 traffic expert, but I don't think you need to be an expert
17 to report on what you can see with your own eyes. There's
18 a lot more traffic on our streets and freeways than there
19 was 10 or 20 years ago. That's the bottom line. How
20 could this study which is ten years old and is already
21 inaccurate in showing what is going on now account for the
22 growth that Ventura County has seen?

23 Speaking for all those who drive on the 101
24 freeway to get to work every day, I think it would be
25 absolutely unconscionable for this Commission to approve

1 the traffic study and mitigation in its current form.
2 Hold the developer accountant for what the results will be
3 for the people who live and work in this community. Do a
4 new traffic study for Ahmanson Ranch so that the true
5 impacts of the traffic that this new city will create can
6 be known and dealt with.

7 An estimate based on old facts, an outdated
8 guess about how many cars this development will dump onto
9 our already overcrowded freeways and roads, this is no way
10 to plan for growth in our community.

11 I'm asking you to do the right thing here for
12 the people of Ventura County. Insist on a new traffic
13 study for this development so that we can get an accurate
14 forecast about how the development will actually affect
15 our freeways and roads, and then have the developer
16 mitigate them. Or the people of this county, all of us
17 and our children, will have to live with the consequences.
18 Thank you.

19 CHAIRMAN WESNER: Thank you, sir.

20 Sharon Miret, followed by Alan Sanders. And
21 last will be Siegfried Huer I believe it is.

22 MS. MIRET: Sharon Miret, 4438 Camino de las
23 Estrellas, Newbury Park, California.

24 A new EIR is required to deal fairly with the
25 residents of Ventura County to address current conditions

1 that confront Ventura County residents that are not
2 covered by the old antiquated EIR. Please hold an
3 additional hearing in the evening in East Ventura County
4 so that the elderly, the disabled and those who commute to
5 work can be heard.

6 Taking the freeway flier bus to downtown L.A.
7 only solves the expense of parking the car, but fails to
8 address the fact that the bus is subject to the same
9 traffic conditions as are the cars on the Ventura freeway.
10 The traffic gridlock on the Ventura freeway is a severe
11 problem already.

12 Camarillo, Oxnard, Simi Valley, Moorpark and
13 Ventura all are inconvenienced by having the Metrolink.
14 Where is parity for East Ventura County residents? Where
15 are East Ventura County property taxes going? We need the
16 dollars to finance transportation solutions to the
17 gridlock on the Ventura freeway. The Ventura County Board
18 of Supervisors need to focus on this, not on compounding
19 the problem by approving this massive project.

20 I wrote to the Ahmanson Ranch Corporation when I
21 began to see articles regarding the red-legged frog. I
22 asked them questions regarding how they intend to mitigate
23 the severe traffic impact as well as dealing with the
24 problems that we are facing now with the critical shortage
25 of water and electricity and the abundance of smog. I

1 welcome their response, but there was none.

2 I could only conclude that they are interested
3 in the bottom line, profit, and have no real solution to
4 the problems that their development would impose.

5 Throwing an assessment fee of 10,000 or a
6 hundred thousand additional on each house built will not
7 mitigate traffic congestion. We need to work with L.A.
8 County and find grants and matching funds to fund a
9 monorail system along the Ventura freeway to reduce
10 gridlock and aid our current problems, not add to the
11 problem by approving this massive project. If grants can
12 be used to buy this land as open space, then that should
13 be the option rather than assist in pushing the Ahmanson
14 Ranch project forward. Open space will benefit our
15 heritage, our native heritage and the generations to come.

16 Yesterday I went to work downtown, and it took
17 two hours when I started at 7:06 a.m. A significant
18 additional time spent on the road will deprive families
19 with unnecessary burdens and further erode the quality of
20 life. Traffic is unpredictable. If you start just a few
21 minutes later, it can add many minutes to your commute
22 time.

23 The decision made will determine whether the
24 Ventura County Board of Supervisors and their Planning
25 Commission will go down in history as creating a disaster

1 or acclaimed for their responsible actions to their
2 citizens. Thank you.

3 CHAIRMAN WESNER: Thank you, Sharon. We
4 appreciate your coming.

5 Alan Sanders. You look like how I feel.

6 MR. SANDERS: That sounds like a slam.

7 My name's Alan Sanders. I reside at 232 North
8 Third, Port Hueneme 93041. I serve as conservation chair
9 of the Sierra Club Los Padres Chapter.

10 And in 1992, the Sierra Club was on record as
11 being supportive of the process. It was moving this
12 project forward. In fact, our legal chair, David Gold,
13 worked very closely with the county staff, the Angeles
14 chapters of the developers and others to help formulate
15 some of the mitigation packages that were developed at
16 that time. So the Los Padres chapter is quite well
17 invested in this process and in this project.

18 It was only this past year that we took steps to
19 alter our position on this. And this has come in large
20 part because of what we consider substantial evidence
21 brought forward to you that shows that a subsequent EIR
22 was necessary for this process. And we can see that that
23 wasn't being done.

24 Through this hearing, I believe that you have
25 received substantial evidence in regards to several areas:

1 Biological resources, stream ecology and hydrology, water
2 quality, traffic and air impacts, public health and
3 cultural resources.

4 It appears to me that the significant item
5 before you is indeed whether this particular Supplemental
6 EIR is adequate for the task at hand. And I believe the
7 criteria goes to the term major changes in the knowledge
8 of -- in the information that was brought forward after it
9 was found that there were two endangered species or
10 threatened species that were not addressed in the original
11 review. And I have to speak to that because I find it
12 quite appalling that we so frequently find ourselves in a
13 situation like this. And, actually, almost every project
14 I comment on follows the same scenario where there are
15 endangered or threatened species that weren't addressed in
16 the original process, and then there is revision of
17 documents, and this whole process plays itself out like
18 this.

19 Usually there are a lot of people commenting
20 that the document is at that point quite long and the
21 process has taken a long time. And I can only say that
22 it's very frustrating for those of us who depend upon the
23 veracity of this process to find that time after time
24 endangered species are not addressed in the original
25 review. And that happened here. And I think that's why

1 it's taken all this time for this to get to you. And I
2 think there's a price to pay when that happens. I think
3 there's a loss of credibility. It certainly has caused
4 our group to revise our position on this.

5 There were a couple of other areas where you
6 heard really important testimony today. And I thought
7 that the area of cultural resources was very important.
8 Chester King is a person to most of us as being a very
9 credible source. I hope you take his testimony to heart.

10 I involve myself with enough anthropology to
11 become familiar with the term cultural genocide. And I'm
12 sure none of us want to associate ourselves with something
13 like that, and certainly none of us would support it, and
14 yet without even thinking about it, it seems like we
15 incrementally take these small steps that lead us in that
16 direction.

17 I just made a trip back to my home town which is
18 in Ohio and a group of people called the Mountain Builders
19 live there. And we've replaced everything that they left
20 behind. And I think if people from Ventura County went
21 there and saw what those people have done, we would be
22 very critical of the way they have acted in regards to
23 cultural resources. And we have an opportunity here as
24 part of this process to make a decision that we need more
25 information because just like biological resources, you

1 need more information in that area. Thank you very much.

2 CHAIRMAN WESNER: We have a question for you,
3 Alan.

4 COMMISSIONER BARTELS: Can you detail the
5 process which your group went through quickly to change
6 its position and the specific -- I mean, you changed your
7 position. I just heard you say that you have -- this
8 process creates this thing where all of a sudden we're
9 looking a little harder so something else shows up, at
10 least I think that's what I heard you say. Is that a
11 fair --

12 MR. SANDERS: Yes.

13 I would say key to our revisiting -- our
14 position on this was our finding that the water rights
15 were not included in some of the dedications. And there
16 was a feeling that that was not present in any of the
17 information presented to any of us originally. And so
18 there was some sense of being deceived. And I think it
19 goes to the issue of finding red-legged frogs and the
20 spineflower. And we haven't heard very much dialogue
21 about that, but it has meaning to me because, as you know,
22 this was a species that was thought to be extinct. And
23 I'm involved with another species, Ventura Marsh
24 Milkvetch, two species in Ventura County thought to be
25 extent. And it's an incredible thing to find something

1 that we thought we had lost and have an opportunity to do
2 a better job the second time around than what had been
3 done the first time around.

4 And, frankly, I think we were all disappointed
5 that the project proponents wouldn't do the right thing
6 and themselves recognize that at the very least, a
7 subsequent EIR needed to be done, because the relationship
8 between this plant and the ecology of the area is -- I'm
9 sure it's so complex that the cursory work done in a
10 Supplemental EIR couldn't possibly be adequate. Remember,
11 we missed our opportunity the first time around to do what
12 was necessary to not make this plant go extinct. And I
13 think if you look at the terminology, major changes, you
14 would have to agree that finding a plant thought to be
15 extinct is a major change. And the knowledge was
16 available about the biology of the area.

17 So -- and then we have the red-legged frog. How
18 could you possibly miss that? I'm not a biologist, but I
19 think all of this work in a world where missing something
20 like that would usually carry a penalty. Most of us would
21 lose our jobs for those kind of omissions. And we see
22 this time after time where apparently there's not enough
23 penalty placed on failing to recognize or to disclose that
24 there are threatened or endangered species as part of a
25 project. So time after time, our public agencies are put

1 in this long process where you have hearing after hearing,
2 and then go through the process again.

3 CHAIRMAN WESNER: Thank you.

4 Any other questions of Alan?

5 Again, thank you for your patience.

6 MR. SANDERS: One last thing. I noticed my
7 assembly member Fran Pavley slipped in here quietly, and
8 she may have slipped out, but I wanted to say thank you to
9 her for coming down here. Thank you.

10 CHAIRMAN WESNER: All right. Siegfried Fleuer.
11 Thank you, sir. You're the last speaker for this evening.

12 MR. OTHMER: Yes. And my brain is as scrambled
13 as yours.

14 I'll try to just bring some attention to some
15 important points that have not been mentioned. I am a
16 scientist with a background in nuclear science. I also --

17 CHAIRMAN WESNER: I'm sorry, Siegfried, if you
18 could state your name and address for the record.

19 MR. OTHMER: 3685 Meadville Drive, Sherman Oaks.
20 I'm selling my house. I'm contributing to the relief of
21 the housing shortage.

22 CHAIRMAN WESNER: Siegfried, I'm sorry, we're
23 all getting a little punchy, please say your name again.

24 MR. OTHMER: Siegfried Othmer, O-t-h-m-e-r.

25 I've been a member of Save Open Space since its

1 beginnings. And I was involved here in the early process,
2 1988 to 1992.

3 On the matter of perchlorate where Dennis
4 Hawkins said we don't know at this point whether the
5 source was really the Rocketdyne property, I suggest that
6 that's disingenuous, but in any event, it's an ambiguity
7 that can be scientifically resolved, and it can be done
8 relatively quickly.

9 I draw the analogy to the Mediterranean fruit
10 fly problem. If you discover a Mediterranean fruit fly,
11 you don't just swat it and say, Okay. We've dealt with
12 the problem. It alerts you to the fact that you have a
13 problem. You found this thing at 550 feet, okay, this
14 means ground water, plume, whatever. Pursue that
15 hypothesis because this means toxics are coming over. And
16 you really need to pursue that hypothesis. You can't say,
17 Well, we don't really know. That's your obligation.

18 But let me tie this into the radionuclide
19 problem because we're also seeing radionuclides. And I
20 should tell you that I'm up here as a person who has lost
21 a daughter at age 14 months to a brain tumor. This
22 happened 27 years ago. I was there for it, subject to a
23 study -- included in a study done by USC about brain
24 tumors in children and what they might be due to.

25 They found one cause, one statistically

1 significant cause, the occupation of the father. I was
2 involved at Oak Ridge Natural Laboratory in radiation
3 work. I was involved at Northrop with radiation work.
4 And here we are seeing radionuclides on Ahmanson, it
5 hasn't been mentioned terribly much, at the level of --
6 hundreds of times of the level of significance determined
7 by the EPA.

8 Now, the level of significance determined by the
9 EPA is at the level of one cancer estimated per million
10 people. If you multiply that by several hundred, now
11 you're at the level of a risk factor of one in 3,000. If
12 you put all the radionuclide risk factors together, you're
13 probably at the level of one in a thousand. This means
14 just the contamination that's already been identified
15 probably by people who are trying not to find it right,
16 but they found it anyway, probably already puts people at
17 risk on that land at a level of one in a thousand.

18 So if we put the data together, between the
19 radionuclides and the perchlorate, it makes it even
20 likelier that the source is Rocketdyne, not Chernobyl or
21 something like that. So let's be serious. What you got
22 here is Belmont in the making. So you've got a
23 responsibility here.

24 This issue will not go away. Sooner or later
25 somebody will measure some other well water. The wells

1 don't go away. Someone else is going to plumb the depths
2 and measure something, and you guys are going to be in the
3 suit because your county is going to be responsible. You
4 have been told that these risks exist, and you need to
5 follow that up.

6 With regard to traffic, what we're talking about
7 is a complex situation of what we call negative marginal
8 productivity. What do I mean? That means when the
9 freeway is at the threshold where traffic begins to
10 bottleneck and go stop and go, every additional car that's
11 entered onto that freeway lowers the throughput of the
12 whole freeway. This is like congested blood vessels. And
13 we manufacture it every day, and we've got that problem.
14 It's enormously difficult to calculate because it's
15 nonlinear, but we all know we got it. We all know we live
16 with it. And you're at that threshold where the Ventura
17 freeway simply -- you know, it's not elastic. We're at
18 the limit of what it can take. You add traffic. You
19 reduce throughput. That's where we are. That's why the
20 analysis needs to be done again.

21 Someone needs to look at the non-linearities.
22 The numbers haven't changed presumably about traffic
23 emanating from Ahmanson. But what the impact is
24 enormously different in 2002 than it was in 1992.

25 Okay. So with regard to the environment, the

1 spineflower, red-legged frog. We were supposed to in this
2 SEIR only talk about the new issues, but the fact of the
3 matter is the new issues should alert you to talk about
4 the context of the natural environment, and that context
5 is that there is a rare resource there, which is the
6 grasslands. And that grassland which we have on Ahmanson
7 is the best exemplar yet available in the State of
8 California, and it's one of only three such exemplars, and
9 it is special and nobody makes a case for the grasslands.
10 We save the mountains. We save the valleys and the
11 streams and the riparian. Nobody makes a case for
12 grasslands. In this one place, let us make the case for
13 the grasslands.

14 And it all goes together. In other words, I
15 want you to elevate the debate to an ecosystem
16 perspective. I know that the Endangered Species Act and
17 so forth compels us to a species perspective, but what we
18 have learned -- something else that has happened since
19 1992 is we have learned about the dangers of fragmentation
20 of habitat, and the development here fragments the habitat
21 to where it is almost ludicrous for them to be talking
22 about saving these species. So basically I'm calling you
23 to a higher level of stewardship.

24 Now, let me in closing -- I realize my time is
25 up, but this is very important. I want to give you a way

1 out. I want to give you a way out. I know you feel like
2 you've given the approvals that you now have to solute and
3 whatever from 1992, but there is a way out.

4 The original approval was subject to significant
5 misrepresentations by the developers. And Maria
6 Vandercolt who we put into office to oppose this project,
7 with the objective of opposing this project, she saw the
8 Ahmanson project as a way of saving Jordan Ranch. And
9 there was Patoma Partners and whatever -- the court cases
10 that subsequently followed revealed that there was no
11 Patoma Partners. They challenged us to find evidence that
12 there was. Well, they represented it at this hearing, the
13 December 15th hearing, that there was, in fact, a deal in
14 the works, which is why this process had to be rushed and
15 why we didn't have more than 45 days to look at those
16 three volumes of EIR data.

17 You had an expedited process because a deal on
18 the table was going to go away. Then we find out there
19 was no deal. There was no deal with Bob Hope. There was
20 no deal with Patoma Partners. There was no Patoma
21 Partners. There was a total misrepresentation by the
22 developer of the state of affairs, so here's your way out.
23 You don't have to buy into that. You voted for this under
24 false pretenses. This was not a way of saving Jordan
25 Ranch. There was not a mitigation here for which the

1 public didn't pay. And so you have all the excuse you
2 need. The process to now has been flawed. You have the
3 time, the opportunity now to rectify it. I urge you to
4 perfect the SEIR process before proceeding. Thank you.

5 CHAIRMAN WESNER: Thank you for your patience,
6 sir.

7 I want to thank those that have willingly
8 accepted to come back tomorrow. The Chair has decided to
9 not take any additional speaker cards tomorrow. I will
10 accept additional comment cards since we have 40 tomorrow
11 morning that graciously have agreed to come back.

12 So we have one other item we have to take care
13 of on the agenda.

14 Any Commissioners have anything?

15 All right. Then the Chair will direct the
16 secretary to post the adjournment until 8:30 tomorrow
17 morning. And at that time, ladies and gentlemen, we will
18 reconvene the Planning Commission and continue with the 40
19 speakers that remain. Then we will follow protocol, which
20 will be rebuttal by the applicant, comments by staff, and
21 then the Commission will make its determination what it
22 wants to do.

23 The meeting stands adjourned until 8:30 tomorrow
24 morning.

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1 (Whereupon the proceedings were concluded at
2 6:09 p.m.)
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1 STATE OF CALIFORNIA)
2 COUNTY OF VENTURA) ss.
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4 I, M. PATRICIA WARD, CSR No. 7605, do hereby
5 certify:

6 THAT the above-referenced hearing was taken at
7 the time and place therein named and was thereafter
8 reduced into printed form by computer-assisted
9 transcription;

10 THAT the foregoing pages numbered 7 through 338
11 consist of a full, true and correct transcription of my
12 notes so taken;

13 I further certify that I am not interested in
14 the event of this action.

15 IN WITNESS WHEREOF, I have hereunto subscribed
16 my name this 6th day of December, 2002.

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M. PATRICIA WARD
CSR License No. 7605

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