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March 17, 2026

**VIA EMAIL &
ONLINE PUBLIC COMMENT PORTAL**

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Re: Appellant SAFER's Comment on the Recirculated Partial Final Supplemental Environmental Impact Report for the NorthLake Specific Plan Project

Dear Chair Solis, Honorable Board of Supervisors, and Ms. Sackett:

This comment is submitted on behalf of Appellant **Supporters Alliance for Environmental Responsibility ("SAFER")** regarding the Recirculated Partial Final Supplemental Environmental Impact Report ("RPFSEIR") for the NorthLake Specific Plan Project (SCH No. 2015031080, Project No. R2015-00408-(5), Vesting Tentative Tract Map No. 07336, Tentative Parcel Map No. 07335, Conditional Use Permit No. RPPL2023004316, Environmental Assessment No. RPPL2023004887), including all actions related or referring to the proposed development of 2,295 dwelling units, located east of Interstate (I) 5, west of Castaic Lake, and north of the community of Castaic, California in unincorporated Los Angeles County ("Project"). The Project is scheduled to be heard on appeal at the Los Angeles County Board of Supervisor's March 24, 2026 meeting.

As a result of *Center for Biological Diversity et al. v. County of Los Angeles et al.*, Case No. 19STCP01610, the Court ordered Los Angeles County ("County") to set aside its approval of the Project and decertify the 2018 Supplemental EIR ("2018 SEIR" or "SEIR"). The County is attempting to recirculate a legally compliant EIR by revising the vehicle miles traveled ("VMT")

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analysis, among other sections in the 2018 SEIR. However, the VMT analysis is still inadequate, and must be updated to account for significant new information since the certification of the 2018 SEIR.

SAFER's review of the RPFSEIR was also assisted by transportation expert Norman Marshall of Smart Mobility, whose written comments and CV are attached as Exhibit A. As discussed below, based on Mr. Marshall's review of the RPFSEIR and Recirculated Partial Draft Supplemental Environmental Impact Report ("RPDSEIR"), he concluded that:

1. The residential component would result in a highly significant VMT impact.
2. The NorthLake Specific Plan VMT is almost entirely residential.
3. The residential component should be analyzed using home-based VMT per capita.
4. VMT per service population is an invalid metric.
5. Maximum possible VMT mitigation is required. (*See Ex. A, pp. 1-10.*)

Because there is substantial expert evidence that the Project will result in significant VMT impacts; the RPFSEIR lacks substantial evidence that the Project will not result in significant VMT impacts; and the RPFSEIR fails to adequately mitigate VMT impacts, the County must revise and recirculate a complete EIR that fully analyzes and mitigates the Project's significant VMT impacts.

LEGAL STANDARD

I. CEQA AND ENVIRONMENTAL IMPACT REPORT

CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. (14 CCR § 15002(a)(1).) "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'" (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564.) Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring "environmentally superior" alternatives and all feasible mitigation measures. (14 CCR § 15002(a)(2) and (3); *see also Berkeley Jets Over the Bay Com. v. Board of Port Cmrs.* (2001) 91 Cal.App.4th 1349,1354; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564.)

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an Environmental Impact Report (EIR) except in certain limited circumstances. (*See, e.g., Pub. Resources Code, § 21100.*) The EIR is the very heart of CEQA. (*Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652. The EIR is an "environmental 'alarm bell' whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return." (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004), 124 Cal.App.4th 1184, 1220.) The EIR also functions as a "document of accountability," intended to "demonstrate to an apprehensive citizenry that the

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agency has, in fact, analyzed and considered the ecological implications of its action.” (*Laurel Heights Improvements Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392.)

While the courts review an EIR using an “abuse of discretion” standard, “the reviewing court is not to ‘uncritically rely on every study or analysis presented by a project proponent in support of its position. A ‘clearly inadequate or unsupported study is entitled to no judicial deference.’” (*Berkeley Jets*, 91 Cal.App.4th at 1355 (quoting, *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 391 409, fn. 12).) A prejudicial abuse of discretion occurs “if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process.” (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1117; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946.) As discussed below and in Mr. Marshall’s attached expert comment letter, the RPFSEIR for this Project fails to adequately analyze and mitigate the Project’s significant VMT impacts. Here, the RPFSEIR evaluates the NorthLake Specific Plan and revises and tiers from the 2018 SEIR, which tiers from the 1992 NorthLake Specific Plan EIR. (RPDSEIR, p. 1-3.) However, we found that the RPFSEIR prepared by the County here is inadequate for several reasons set forth below.

II. RECIRCULATION OF AN ENVIRONMENTAL IMPACT REPORT UNDER CEQA

Moreover, CEQA Guidelines Section 15088.5 sets forth the standard requiring recirculation prior to final project approval. Recirculation of an EIR is required when “significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification [of the Final EIR].” (14 CCR § 15088.5(a).) New information added to an EIR is significant when “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” (*Id.*) The Guidelines require recirculation when:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (14 CCR § 15088.5(a); *Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043)

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Based on Mr. Marshall's review, the Project would result in a substantial increase in the severity of VMT impacts than previously analyzed under the 2018 SEIR and feasible mitigation measures to reduce the severity of VMT impacts have not been properly evaluated and disclosed to the public. Therefore, in accordance with Section 15088.5 of the CEQA Guidelines, the County must revise and recirculate a complete EIR that fully analyzes and mitigates the Project's significant VMT impacts and provide the public with a meaningful opportunity to comment upon the substantial adverse VMT impacts of the Project.

DISCUSSION

I. THE RPFSEIR FAILS TO ADEQUATELY ANALYZE AND MITIGATE THE PROJECT'S SIGNIFICANT VMT IMPACTS.

Transportation expert Norm Marshall reviewed the County's analysis of the Project's VMT impacts. Mr. Marshall's comment letter and CV are attached as Exhibit A and his comments are briefly summarized here.

A. The Project would result in a substantial increase in the severity of VMT impacts than previously analyzed under the 2018 SEIR.

Mr. Marshall found that the RPFSEIR fails to disclose a very significant impact from the Project's residential component, requiring the County to revise its VMT analysis and recirculate a draft EIR. (*See* Ex. A, pp. 2-5.)

According to Mr. Marshall, the Transportation Analysis included in Appendix C-1 of the RPDSEIR includes outputs from the Los Angeles County VMT Tool demonstrating that the Project's residential component would result in a highly significant VMT impact. (Ex. A, p. 2.) Mr. Marshall's comment letter reproduces the VMT Tool outputs for the Project's Single-Family Housing, Multifamily Housing, and the entire Project at Figures 1, 2 and 3. (*Id.*, pp. 3-5.)

Mr. Marshall explains that "Los Angeles County has a higher VMT threshold for the northern portion of the county than for the more densely populated southern portion of the county." (Ex. A, p. 2.) The North County Residential VMT per capita Baseline is 20.7, with a significance threshold of 17.2 (16.8 percent below the baseline). (*Id.*) Based on the VMT Tool outputs, Mr. Marshall concluded that the Project's residential uses substantially exceed this threshold:

- Single-family 28.9 exceeds the threshold of 17.2 by 68%
- Multi-family 21.7 exceeds the threshold of 17.2 by 26%
- Combined uses 25.9 exceeds the threshold of 17.2 by 51%

(Ex. A, p. 2.) In addition, the VMT Tool relied upon in the RPDSEIR's Transportation Analysis also concludes that "project is not presumed to have a less than significant impact on VMT." (pp.

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10-11, 13-15; Ex. A, pp. 3-5.) As such, Mr. Marshall concluded that the Project's residential component will result in substantially more severe VMT impacts than previously analyzed in the 2018 SEIR. (Ex. A, p. 2.) Because the RPDSEIR's Transportation Analysis and Mr. Marshall expert comments are substantial evidence of a significant VMT impact, the County must revise and recirculate a complete draft supplemental EIR that fully analyzes and mitigates the Project's significant VMT impacts.

B. The RPFSEIR's conclusion that the Project will not have a significant VMT impact is not supported by substantial evidence because it erroneously relies on an outdated VMT per service population metric.

Mr. Marshall explains that Los Angeles County requires VMT to be analyzed as follows:

Residential projects are to be analyzed using the residential threshold. In mixed-use projects, each component is to be analyzed separately, i.e., the residential components are to be analyzed using the residential threshold. The residential component should be analyzed using home-based VMT per capita. (Ex. A, pp. 7-8.)

As discussed below, the RPFSEIR improperly relies on the invalid "VMT per service population" metric to evaluate VMT impacts under CEQA. (Ex. A, pp. 8-9.)

Mr. Marshall notes that the RPFSEIR's analysis of the Project's VMT impacts relies on a "VMT per service population" metric, which is defined as "[t]he total service population is the sum of the number residents and the number of employees." (Ex. A, p. 8.) However, Mr. Marshall explains that this approach is flawed because it obscures the Project's actual VMT impacts. (*id.*, pp. 8-9.) According to Mr. Marshall, combining the Project's residential and commercial employee VMT into a single service population "is a misguided attempt to reduce complex VMT issues to a single metric," especially given that the Project is "is more a residential project than a mixed use project." (*Id.*, p. 8.) He further explains that:

Adding residents and employees together makes no sense because the VMT generated by an average employee is significantly larger than the VMT generated by an average resident. "Residents" include many nondrivers including children. Therefore, if there is a higher proportion of employees relative to the residents, calculated VMT per service population will be higher, and if there is a lower proportion of employees relative to residents, a lower VMT per service population will result. These differences do not represent real information about the VMT impacts of either the residential or employment components. (*Id.*)

Additionally, the VMT per service population metric is meaningless without knowing the percentages of residents and employees. (Ex. A, p. 8.) Here, 97 percent of the Project is residential. (*See id.*, p. 6 [Figure 4].) Nevertheless, the RPFSEIR relies on the combined VMT service population metric to assert that removing employment uses—including over 545,000

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square feet of industrial uses and 99,000 square feet of commercial uses—reduces the Project’s VMT impacts. (*Id.*, p. 9.) As Mr. Marshall explains:

[T]his result is just a computational quirk that results from removing employees with higher VMT per employment and leaving mostly residents with lower VMT per resident. As documented above, the predominant residential VMT component in the NorthLake project is highly significant, and this VMT per service population calculation does not address this issue.

In fact, the RPFSEIR uses the VMT per service population metric to support the opposite conclusion than what should be drawn. The reason for the highly-significant residential VMT is that the planned housing is far from job centers, and this necessitates long commutes and trips to services. Removing most of the jobs will not improve this situation and would likely aggravate it. (*Id.*)

Therefore, Mr. Marshall concludes that “[i]t is invalid to apply a VMT per service population rate that is inflated by the higher VMT per employee component embodied in the combined rate.” (*Id.*, p. 8.) Instead, these Project components must be analyzed separately, with the residential component analyzed using home-based VMT per capita. (*Id.*, pp. 7-8.)

Moreover, even if the VMT per service population metric should be applied, the RPFSEIR still failed to adequately analyze VMT impacts because it applied an incorrect and outdated threshold of significance to measure impacts. The Department of Transportation’s (“DOT”) May 29, 2025 comment on the Draft SEIR states that the County applied an outdated threshold to measure VMT impacts. (RPFSEIR, p. A.2-3.) Specifically, the DOT explains that the County incorrectly applied the prior Northlake Specific Plan VMT per service population (27.03) as the significance threshold for determining an impact. However, the VMT per Service Population (27.03) is the baseline for comparison to the previously approved Project. The County was required to apply the VMT per Service Population (25.70) per the methodology required by the County Department of Public Works. As such, even if the incorrect VMT per service population metric is used, the Project’s VMT impacts—using DOT’s recommended lower VMT per service population threshold—would still exceed the significance threshold.

Thus, the RPFSEIR’s less-than-significant conclusion for VMT impacts cannot be relied upon. A revised and complete draft supplemental EIR should be prepared and recirculated that includes an adequate analysis of the Project’s VMT impacts using the proper threshold of significance.

C. The RPFSEIR fails to include feasible mitigation to reduce the Project’s significant VMT impacts.

As discussed above, the Project’s residential component will result in significant VMT impacts. (*See Ex. A*, p. 2.) However, the RPFSEIR requires no mitigation to reduce VMT impacts, even though the RPFSEIR includes a Caltrans comment letter dated May 29, 2025, stating:

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To further support VMT reduction and for the County's consideration, we recommend that the project incorporate a Transportation Demand Management (TDM) program. TDM strategies such as enhanced transit connectivity, subsidized transit passes, carpool/vanpool programs, employer-based trip reduction incentives, bicycle and pedestrian infrastructure, and telecommuting support can materially reduce project-level VMT. These measures should be quantified, monitored, and integrated into project conditions or mitigation measures to ensure accountability and effectiveness. (RPFSEIR, p. A.2-4.)

Rather than including mitigation measures to reduce VMT impacts as recommended by Caltrans, the RPFSEIR provided the following inadequate response to Caltrans' comment:

While TDM programs are effective in reducing VMT, here, VMT impacts were determined to be less than significant, and therefore no mitigation is necessary or required. (RPFSEIR, p. 2-11.)

As Mr. Marshall concludes, "[t]his response is woefully inadequate." (Ex. A, p. 10.) Moreover, Caltrans recommended a comprehensive TDM program should be developed and: "These measures should be quantified, monitored, and integrated into project conditions or mitigation measures to ensure accountability and effectiveness." (RPFSEIR, p. A.2-4.) Therefore, the RPFSEIR fails to include feasible mitigation measures to reduce the severity of VMT impacts, which have not been properly evaluated and disclosed to the public. (14 CCR § 15088.5(a).) A revised and complete draft supplemental EIR should be prepared and recirculated that includes adequate mitigation measures to reduce the Project's significant VMT impacts

CONCLUSION

SAFER requests that the Board of Supervisors grant the appeal and deny approving this Project, and instead, direct staff to address these shortcomings in a revised and recirculated complete SEIR that fully analyzes and mitigates the Project's significant VMT impacts prior to considering approvals for the Project. SAFER reserves the right to supplement these comments during the administrative process. (*Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1121.)

Sincerely,

Victoria Yundt
Lozeau Drury LLP