



● **Board of Directors**
Engineering and Operations Committee

1/11/2011 Board Meeting

8-1

Subject

Appropriate \$6.3 million; and authorize: (1) final design of the Jensen Solids Dewatering Facility and Lagoons; (2) new agreement with MWH Americas; and (3) amendment to existing agreement with Environmental Science Associates (Approp. 15371)

Description

This action authorizes final design of the Solids Dewatering Facility and Lagoons project at the Joseph Jensen Water Treatment Plant. This project will enable on-site dewatering of water treatment residual solids, increase washwater recovery, and improve plant operational flexibility and reliability. This action also authorizes a new professional services agreement for technical support services during final design, and amendment of an existing agreement for preparation of environmental documentation and permitting.

Timing and Urgency

The Jensen facility is Metropolitan's only water treatment plant which does not have on-site solids dewatering to process thickened residual solids. Currently, the Jensen plant relies on a combination of two processes for solids handling: air-drying of solids in lagoons leased from the Los Angeles Department of Water and Power (LADWP), and discharge to a city of Los Angeles sanitary sewer. Under design conditions, the existing LADWP lagoons can accommodate only 15 percent of the Jensen plant's solids disposal needs, while sewer discharge can only accommodate an additional 25 percent. Thus, unless improvements are undertaken, the long-term, reliable Jensen flowrate may be reduced from 750 million gallons per day (mgd) to 300 mgd.

Due to the recent restrictions on State Water Project supplies, reduced demands in the Jensen service area, and favorable raw water quality, all residual solids have been handled in recent years with the LADWP solids lagoons. Air-drying of residual solids in lagoons represents the lowest-cost option for dewatering of water treatment solids, so this option is relied upon as much as possible. The LADWP lagoons have insufficient capacity to process residual solids expected at higher plant flows, or during periods of poor water quality following major storm events. When solids production increases beyond the capacity of the LADWP solids lagoons, Metropolitan's only other option at this time is to discharge excess solids into the sanitary sewer. The cost of sewer discharge is approximately six times the cost to air-dry solids in the lagoons.

In addition to their low operating cost, lagoons provide critical temporary storage capacity for excess solids following storm events, when the Jensen plant's raw water turbidity increases and higher chemical dosages are applied. Since the Jensen plant commenced operation in 1972, nine high-turbidity events have occurred which required either temporary storage of solids in lagoons or excessive discharge to the sanitary sewer. At the present time, any increased sewer discharges above the limitations contained in Metropolitan's discharge permit would require discretionary approval by the city of Los Angeles. Sewer disposal is not considered a feasible alternative for accommodating short-term, high-solids loading.

Metropolitan's long-term plan for solids handling at the Jensen plant is to thicken and dewater all residual solids on-site. This plan will be executed in two stages. During Stage 1, Metropolitan will add an on-site solids dewatering facility and lagoons to provide cost-effective, reliable solids handling of up to two-thirds of the Jensen

plant's 750 mgd water treatment capacity. These facilities will support near-term plant water production. In the future, additional belt presses and ancillary equipment will be added during Stage 2 to process the remaining one-third of plant capacity. When Stages 1 and 2 are complete, Metropolitan will no longer be reliant on the LADWP lagoons nor will discharge residual solids to the sanitary sewer.

Staff recommends moving forward with Stage 1 of this project to provide on-site solids dewatering facilities to support 500 mgd of plant capacity. This project has been reviewed with Metropolitan's updated Capital Investment Plan (CIP) prioritization criteria and is categorized as a Cost Efficiency/Productivity project. The project is budgeted within Metropolitan's CIP for fiscal year 2010/2011.

Background

The Jensen plant was placed into service in 1972 with an initial capacity of 400 mgd. The plant was expanded in the early 1990s to its current capacity of 750 mgd. The Jensen plant exclusively treats water from the West Branch of the State Water Project, and delivers it to Metropolitan's Central Pool portion of the distribution system and to service areas in the western portion of the distribution system.

Residual chemicals and settled solids collected from the Jensen plant's sedimentation basins are currently thickened on-site and then air-dried at the nearby LADWP lagoons. This cooperative arrangement was initiated in February 2005 and is under negotiation to be extended, pending construction of the Jensen on-site lagoons. Under the existing Metropolitan-LADWP agreement, Metropolitan may use two of LADWP's lagoons while Metropolitan's land for on-site Jensen lagoons is leased for recreational purposes. Currently, the LADWP lagoons have sufficient capacity to process only 15 percent of the solids generated at the Jensen plant's maximum flowrate at design conditions. Solids produced at the Jensen plant may also be discharged to the sanitary sewer. However, sewer disposal is expensive and is limited by the discharge permit. For example, in 2005, when all of the Jensen plant's solids were discharged into the sanitary sewer for several days in a row, the discharge fees totaled approximately \$70,000 per day. Under maximum plant capacity of 750 mgd, the sewer discharge can only accommodate approximately 25 percent of the solids generated at the plant's maximum flowrate. Thus, unless improvements are undertaken and the Metropolitan – LADWP agreement to lease the lagoons is extended, the long-term, reliable Jensen flowrate may be reduced from 750 mgd to 300 mgd.

In September 2008, Metropolitan's Board authorized preliminary design phase activities for the Jensen Solids Dewatering Facility and Lagoons project. A combination of on-site mechanical dewatering and air-drying lagoons was selected to improve plant operational flexibility and reliability. A combination of these two processes is required because a lagoon-only option would require excessive amounts of land, while a mechanical-dewatering-only option could not process the very high volumes of solids produced during storm events, which can double the solids generated under normal design conditions. Based on an assessment of future process space needs and geotechnical conditions at the Jensen plant, staff recommends that the on-site lagoons and the mechanical dewatering facility be located at the southern portion of the plant. The proposed location for the on-site lagoons is currently leased to the Los Angeles Department of Recreation and Parks, which subleases the property to the Granada Hills Youth Recreation Center, Inc. (GHYRC). GHYRC operates and maintains several soccer and baseball fields for youth sports on this subleased property. Per discussions between Metropolitan and LADWP, the city of Los Angeles will relocate the GHYRC facilities. In the interim, Metropolitan intends to renew the lease with Los Angeles Department of Recreation and Parks through August 2012, in exchange for an extension on the use of the LADWP lagoons.

Jensen Solids Dewatering Facility and Lagoons, Stage 1 – Final Design Phase (\$6.3 million)

Preliminary design of the Jensen solids handling facilities has been completed, and staff recommends proceeding with final design. The scope of the planned Stage 1 project includes the addition of a new solids dewatering facility, lagoons, decant and filtrate pumping stations, and support facilities; modifications to the existing dry polymer building and solids thickening system; electrical ductbank replacement; and relocation of 1,000 feet of city of Los Angeles sanitary sewer pipes which traverse the Jensen plant. The lagoons and solids dewatering facility will be sized to process two-thirds of the residual solids produced at the Jensen plant's maximum flowrate. For the remaining one-third of solids production, this option requires that the city of Los Angeles sewer permit be revised to increase the allowable annual volume of solids discharged to the sewer until the Jensen solids

dewatering capacity is expanded to process all residual solids on-site. Revision of Metropolitan's permit is subject to discretionary approval of the city of Los Angeles.

The lagoons will be sized to process approximately 30 percent of the residual solids produced at the Jensen plant's maximum flowrate, while the solids dewatering facility will be sized to process the remaining amount. The capacity of the lagoons has been determined based on the available on-site space. The lagoons will be used as the primary means to dewater solids because of their lower operation and maintenance cost. In addition, the lagoons will be used to process peak solids production resulting from extreme water quality events, such as occurred in the winter of 2004/05, when highly turbid water entered the Jensen plant and required greatly increased application of coagulants and polymers to treat the water.

Final design phase activities will include site characterization, engineering design, preparation of drawings and specifications, preparation of environmental-related documents, acquisition of permits, development of a construction cost estimate, receipt of competitive bids, and all other activities in advance of award of a construction contract. The site characterization activities will include: site dewatering pump tests to confirm the feasibility of site stabilization alternatives; groundwater quality analyses; hazardous material testing; and utility potholing. The environmental documentation will include preparation of mitigation monitoring plans and any necessary addenda to the project's environmental impact report.

This action appropriates \$6.3 million and authorizes final design phase activities for Stage 1 of the Jensen Solids Dewatering Facility and Lagoons project. Final design will be conducted by Metropolitan staff with specialized assistance from MWH Americas, as described below. Staff also recommends that environmental documentation be prepared by Environmental Science Associates, as described below. The requested funds include \$4,000,000 for final design; \$492,000 for the site characterization activities; \$255,000 for permitting and environmental documentation; \$80,000 for third-party constructability review; \$72,000 for utility easements and right-of-way support; \$570,000 for project management, bid advertisement and award, and project controls; and \$831,000 for remaining budget.

All final design activities will be performed by Metropolitan staff, except for the specialized support discussed below. The anticipated cost of final design is approximately 12 percent of the estimated total construction cost. Engineering Services' goal for design of projects with construction cost greater than \$3 million is 9 to 12 percent. The construction cost for this project is anticipated to range from \$31 million to \$37 million. Staff will return to the Board at a later date for award of a construction contract.

Technical Engineering Support – New Professional Services Agreement (MWH Americas)

MWH Americas prepared the preliminary design report for the Jensen Solids Dewatering Facility and Lagoons project, and is recommended to provide technical support, including electrical system design, under a new professional services agreement. This work is highly specialized, and Metropolitan has insufficient technical staff in-house to conduct the electrical system design. MWH was selected through a competitive process (Request for Qualifications No. 927). For this agreement, Metropolitan has established a Small Business Enterprise (SBE) participation level of 18 percent. The scope of work will include electrical system design, specialized technical support relating to solids handling, and updates to preliminary design documents.

This action authorizes an agreement with MWH Americas, in an amount not to exceed \$860,000, to provide design and technical support services for the Jensen Solids Dewatering Facility and Lagoons project.

Environmental Documentation – Amendment to Existing Agreement (ESA)

Environmental Science Associates (ESA) prepared the environmental impact report for the Jensen Solids Handling Project and is recommended to prepare environmental mitigation monitoring plans during final design, under an existing professional services agreement. This work is highly specialized, and Metropolitan has insufficient staff in-house to prepare the environmental documents. ESA was selected through a competitive process (Request for Qualifications No. 763). Amendment of the existing ESA agreement is consistent with the agreement's scope of work, and with the planned approach for project implementation. For this agreement, Metropolitan has established an SBE participation level of 18 percent.

This action authorizes an increase of \$90,000 to the existing agreement with Environmental Science Associates, for a new not-to-exceed total of \$420,000, to prepare environmental documentation for the Jensen Solids Dewatering Facility and Lagoons project.

Other Specialized Support – No Actions Required

Hydraulic surge analyses for the Jensen Solids Dewatering Facility and Lagoons project is recommended to be performed by Flow Science, Inc. under an existing professional services agreement. Flow Science, Inc. was selected through a competitive process via Request for Proposals No. 791. The estimated cost for these services is \$20,000. Flow Science is an SBE firm, and thus achieves 100 percent SBE participation.

Geotechnical investigations and pump tests will be performed by a geotechnical consultant under a new professional services agreement, selected via Request for Qualifications No. 931. This agreement is planned to be awarded by the General Manager under his Administrative Code authority. For this agreement, Metropolitan has established an SBE participation level of 18 percent. The estimated cost for these services during the final design phase is \$194,000.

A value engineering session which addresses constructability of the Jensen Solids Dewatering Facility and Lagoons project will be performed by a value engineering consultant under a new professional services agreement, selected via Requests for Qualifications No. 949. This agreement is planned to be awarded by the General Manager under his Administrative Code authority. For this agreement, Metropolitan has established an SBE participation level of 18 percent. The estimated cost for these services is \$47,000.

Aerial surveying will be performed by a surveying consultant under a new professional services agreement, selected via Requests for Qualifications No. 961. This agreement is planned to be awarded by the General Manager under his Administrative Code authority. For this agreement, Metropolitan has established an SBE participation level of 18 percent. The estimated cost for these services is \$26,000.

Groundwater sampling and water quality analyses are recommended to be performed by WorleyParsons under an existing professional services agreement. WorleyParsons was selected via Request for Qualifications No. 846; no amendment to the existing agreement is required. For this project, Metropolitan has established an SBE participation level of 18 percent. The estimated cost for these services is \$60,000.

Summary

This action appropriates \$6.3 million; authorizes final design phase activities for Stage 1 of the Jensen Solids Dewatering Facility and Lagoons project; authorizes an agreement with MWH Americas; and authorizes an amendment to the existing agreement with Environmental Science Associates. This work has been evaluated and recommended by Metropolitan's CIP Evaluation Team, and funds have been included in the fiscal year 2010/11 capital budget. See [Attachment 1](#) for the Financial Statement, and [Attachment 2](#) for the Location Map.

This project is included within capital Appropriation No. 15371, the Jensen Improvements Program, which was initiated in fiscal year 2001/02. Appropriation No. 15371 also includes other projects such as the Jensen Ferric Chloride Retrofit, Filter Media Replacement, Solids Thickeners Nos. 5 & 6, and the Administration Building Seismic Upgrades. With the present action for the Jensen Solids Dewatering Facility and Lagoons, the total funding for Appropriation No. 15371 will increase from \$31,474,000 to \$37,774,000.

This project is consistent with Metropolitan's goals for sustainability by protecting water quality and enhancing the reliability of the existing treatment plant system in order to maintain reliable water deliveries in the future.

Project Milestones

May 2012 - Completion of final design

June 2014 – Completion of construction

Policy

Metropolitan Water District Administrative Code Section 5108: Appropriations

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

As required under CEQA and the State CEQA Guidelines, a Notice of Preparation (NOP) was prepared and circulated for public review on November 19, 2009. The NOP indicated that the proposed project had the potential to cause one or more significant effects on the physical environment and that Metropolitan would prepare a Draft Environmental Impact Report (EIR). The 30-day public review period for the NOP ended on December 23, 2009. During the review period, comments and input were solicited from federal, state and local government agencies that may have an interest in the proposed project. The NOP is included as Appendix A of the Draft EIR.

On July 6, 2010, Metropolitan released the Draft EIR for public review for a period of 45 days and filed the Notice of Completion. The Notice of Availability of the Draft EIR was published in the Los Angeles Daily News on July 6, 2010, and copies of the Draft EIR were provided to Metropolitan's Reference and Research Center and the Porter Ranch Library, Granada Hills Library, Sylmar Branch Library, and the San Fernando Library. Moreover, Metropolitan distributed approximately 20 copies of the Draft EIR to responsible agencies, trustee agencies and affected public agencies. Nearby property owners and other interested public groups were sent copies of the Notice of Availability directing them to the Metropolitan webpage with the posted documents. The public review period ended on August 20, 2010. Metropolitan received five letters commenting on the Draft EIR. These comment letters and responses to comments are included in the Final EIR.

During the certification process, the Board must certify that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines. The Board also must certify that it has reviewed and considered the information presented in the Final EIR. Finally, the Board must certify that the Final EIR reflects Metropolitan's independent judgment and analysis.

CEQA requires that public agencies adopt a mitigation monitoring and reporting program (MMRP) when they approve a project that contains mitigation measures to reduce or avoid significant environmental impacts (Public Resources Code § 21081.6). The Final EIR evaluated potentially significant environmental impacts and proposed feasible mitigation measures. Hence, feasible mitigation measures were prepared and included in the MMRP.

Metropolitan staff will be responsible for administering the MMRP. With respect to impact analyses for the Final EIR, three environmental categories were identified that could not be mitigated to less-than-significant levels. These environmental categories were Air Quality, Noise, and Cumulative Effects (related to Air Quality from construction activities). These impacts can be reduced by the adoption of feasible mitigation measures; however, because it was found that these impacts could not be feasibly mitigated to below a level of significance, the Board will need to consider adoption of a Statement of Overriding Considerations (SOC). The SOC concludes that the benefits of the proposed project substantially outweigh the unavoidable significant adverse impacts that would result from project implementation. The Board will also need to adopt the Findings of Fact (findings) and the MMRP.

See **Attachment 3** for the Draft EIR; **Attachment 4** for the Final EIR (Responses to Comments and clarifications to the Draft EIR); and **Attachment 5** for the findings, the SOC, and the MMRP. Hard copies of the complete environmental documentation are also available for review in the Board Executive Secretary's office.

The CEQA determination is: Certify that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines; certify that the Board has reviewed and considered the information presented in the Final EIR; certify that the Final EIR reflects Metropolitan's independent judgment and analysis; and adopt the findings, the SOC, and the MMRP.

CEQA determination for Option # 2:

None required

Board Options

Option #1

Adopt the CEQA determination and

- a. Appropriate \$6.3 million;
- b. Authorize final design of Stage 1 of the Jensen Solids Dewatering Facility and Lagoons project to support 500 mgd of plant operation;
- c. Authorize agreement with MWH Americas in an amount not to exceed \$860,000; and
- d. Authorize increase of \$90,000 to the existing agreement with Environmental Science Associates, for a new not-to-exceed total of \$420,000.

Fiscal Impact: \$6.3 million of budgeted funds under Approp. 15371

Business Analysis: This option will provide reliable treatment plant operations with two-thirds of the normally expected Jensen solids dewatering capacity at full plant flow. Additional flow capacity at Jensen is unlikely over the next 20 years based on projected system demand.

Option #2

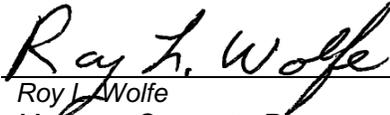
Do not authorize the Jensen Solids Dewatering Facility and Lagoons project.

Fiscal Impact: Average of \$4 million-\$5 million per year in sewer disposal fees at an annual average flowrate of 300 mgd, under favorable source water quality conditions. If source water quality degrades due to storm events, the monthly sewer disposal fees could exceed \$1 million.

Business Analysis: This option would delay completion of the on-site solids lagoons and dewatering facility. After the agreement for use of the LADWP lagoons expires, the Jensen plant would discharge to the sanitary sewer. The city of Los Angeles sewer permit would need to be revised to increase the allowable annual volume of solids discharged to the sewer. Revision of Metropolitan's permit is subject to the discretionary approval of the city of Los Angeles.

Staff Recommendation

Option #1

 <hr/> Roy J. Wolfe Manager, Corporate Resources	12/22/2010 Date
 <hr/> Jeffrey Nightlinger General Manager	12/28/2010 Date

Attachment 1 – Financial Statement

Attachment 2 – Location Map

Attachment 3 – Draft Environmental Impact Report

Attachment 4 – Final Environmental Impact Report

Attachment 5 – Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program

Financial Statement for Jensen Improvements Program

A breakdown of Board Action No. 16 for Appropriation 15371 for the Jensen Solids Dewatering Facility and Lagoons project* is as follows:

	Previous Total Appropriated Amount (Apr. 2009)		Current Board Action No. 16 (Jan. 2011)		New Total Appropriated Amount
Labor					
Studies and Investigations (Site characterization)	\$ 977,350 **	\$	117,000	\$	1,094,350
Final Design	2,162,151 **		3,079,000		5,241,151
Owner Costs (Program mgmt., permitting, envir. doc., bidding process)	3,032,396 **		861,000		3,893,396
Construction Inspection and Support	1,950,000		-		1,950,000
Metropolitan Force Construction	2,096,400		-		2,096,400
Materials and Supplies	2,236,219 **		-		2,236,219
Incidental Expenses	144,180 **		45,000		189,180
Professional/Technical Services	3,898,527 **		-		3,898,527
MWH Americas	-		860,000		860,000
Environmental Science Associates	-		90,000		90,000
Flow Science	-		20,000		20,000
Geotechnical Consultant	-		194,000		194,000
Value Engineering Consultant	-		47,000		47,000
Surveying Consultant	-		26,000		26,000
WorleyParsons	-		60,000		60,000
Underground Utility Investigation Firm	-		60,000		60,000
Hazardous Material Testing Firm	-		10,000		10,000
Equipment Use	104,000 **		-		104,000
Contracts	14,199,746 **		-		14,199,746
Remaining Budget	673,031 **		831,000		1,504,031
Total	\$ 31,474,000	\$	6,300,000	\$	37,774,000

Funding Request

Program Name:	Jensen Improvements Program		
Source of Funds:	Revenue Bonds, Replacement and Refurbishment or General Funds		
Appropriation No.:	15371	Board Action No.:	16
Requested Amount:	\$ 6,300,000	Capital Program No.:	15371-I
Total Appropriated Amount:	\$ 37,774,000	Capital Program Page No.:	294
Total Program Estimate:	\$ 121,935,000	Program Goal:	I-Infrastructure Reliability

* The total amount expended to date on the Jensen Solids Dewatering Facility and Lagoons project is approximately \$2,640,000.

** Includes previous reallocation of \$84,312 from three completed projects to Remaining Budget for work completed below budget; and from Remaining Budget to the following projects: (1) \$93,600 for the Jensen Module No. 1 Filter Valve Refurbishment project pilot test to evaluate the feasibility of refurbishing filter valves rather than replacing the valves at a substantially greater cost; (2) \$294,570 for value engineering and incorporating cost-saving recommendations into the Jensen Entrance Improvements project and the Jensen Solids Dewatering Facility and Lagoons project; (3) \$315,338 for the board-approved Jensen Basin No. 3 hazardous material abatement; and (4) \$177,182 for the Jensen Solids Thickeners Nos. 5 and 6 unanticipated revisions due to differing site conditions during construction.

Joseph Jensen Water Treatment Plant





JENSEN SOLIDS HANDLING FACILITY PROJECT

Final Environmental Impact Report
SCH No. 2009111081

Metropolitan Water District
of Southern California
Report No. 1359

November 2010





JENSEN SOLIDS HANDLING FACILITY PROJECT

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REVISED EXECUTIVE SUMMARY

ES.1 Introduction

The Metropolitan Water District of Southern California (Metropolitan) has prepared this Final Environmental Impact Report (Final EIR) to provide the public, responsible and trustee agencies and Metropolitan decision-makers information about the potential adverse effects on the local and regional environment associated with construction and operation of the Jensen Solids Handling Facility Project (proposed project). This Final EIR has been prepared pursuant to the California Environmental Quality Act (CEQA).

ES.2 Background

The Joseph Jensen Water Treatment Plant (Jensen Plant) treats raw water delivered from Castaic Lake and if necessary, water from the Los Angeles Department of Water and Power (LADWP) Los Angeles Aqueduct (LAA). Castaic Lake is supplied by the West Branch of the State Water Project (SWP) via Pyramid Lake, and the LAA is supplied by water from the Eastern Sierra Nevada Mountains and the Owens Valley in east-central California. The Jensen Plant provides drinking water to a large portion of Los Angeles County including the cities of Beverly Hills, Burbank, Los Angeles, San Fernando, and Santa Monica and portions of Orange County. The Las Virgenes Municipal Water District and the Calleguas Municipal Water District in Ventura County also receive treated water from the Jensen Plant.

Under a cooperative agreement between LADWP and Metropolitan initiated in April 2005, solids produced at the Jensen Plant currently are conveyed via a 6-inch pipeline to drying lagoons on LADWP's Los Angeles Aqueduct Filtration Plant (LAAFP) located adjacent to the Jensen Plant. The Metropolitan-LADWP agreement expires in 2014, at which time Metropolitan must have an alternative solids handling facility constructed. The LADWP lagoons are inadequate to meet Metropolitan's long term solids processing needs, providing approximately 15 percent of the total Jensen Plant treatment capacity of 750 million gallons per day (mgd). The proposed project would provide solids handling and drying facilities on the Jensen Plant site sufficient to accommodate the full 750 mgd treatment capacity.

ES.3 Project Objectives

The objectives of implementing the proposed project are as follows:

- Provide permanent facilities at the Jensen Plant with sufficient capacity to accommodate dewatering of solids generated from the water treatment process under design plant flow conditions (750 mgd);
- Replace temporary off-site capacity at the LADWP lagoons that will be lost on the expiration of the Metropolitan-LADWP agreement in 2014; and
- Reduce the need to discharge water treatment solids to the sanitary sewer.

ES.4 Project Description

The Jensen Plant is located at 13100 Balboa Boulevard in the community of Granada Hills in the City of Los Angeles, California. The Jensen Plant is bordered by Balboa Boulevard on the west, Interstate 5 (I-5) and San Fernando Road on the north, the LAAFP on the east, and single-family residential land uses on the south. The proposed project would be constructed entirely within the existing Jensen Plant site.

The proposed project would construct a new solids dewatering facility and new solids drying lagoons in the south-eastern portion of the Jensen Plant. This area is currently leased¹ to the City of Los Angeles Department of Recreation and Parks (LADRP) and is developed with ball fields used for local youth baseball and soccer. The site consists of five baseball diamonds with infield fences and small equipment buildings behind home plate and four soccer fields. The ball fields are maintained by the LADRP. The lease will expire by January 1, 2011, at which time the lessee is obligated to remove all structures and improvements; however, Metropolitan is currently in negotiation with LADRP to extend the lease for a maximum term of 18 months. Under the current schedule, the proposed project would not be constructed until after the proposed 18-month lease extension expires and the recreation improvements have been removed by the lessee. Construction activities do not include minor, pre-construction activities such as feasibility studies and investigations that may occur prior to removal of the ball field improvements. However, if the schedule changes for construction or for the lease expiration, Metropolitan will conduct any further CEQA analysis, as required at that time, to address new or different potential environmental impacts, if any. The proposed project would not be constructed until after the lease expires and the recreation improvements have been removed by the lessee. Even if Metropolitan is forced to remove LADRP's improvements, should LADRP fail to do so as required in the lease, the physical impacts of this removal would be less than significant. However, since the facilities were present at the time the NOP was issued, they and the lease are included in the baseline condition as required by CEQA Section 15125, and this EIR provides an assessment of the facilities, and concludes that the potential physical impacts of removal of these facilities would be less than significant.

¹ Referred to in Metropolitan's records as Revenue Lease No. 2300.

Solids Dewatering Facility

A new solids dewatering facility would be constructed on a portion of a 5-acre site within the portion of the Jensen Plant just south of the Administration Building. This new facility would include the belt press building, solids cake storage area, rainwater retention/percolation basins, decant/filtrate pump station, truck loading area, thickened solids equalization tanks, and miscellaneous roads, parking areas, and utilities. Currently, approximately 40 percent of this site is fenced off for storing salvaged equipment, and the remainder of the site is vacant and unpaved. The belt press building would house the following components:

- Four two-meter belt presses to dewater the thickened solids;
- A conveyor system to transfer dewatered solids cake from the belt press building to the solids cake storage area;
- Polymer storage and feed system to condition the thickened solids upstream of the belt presses for optimal dewatering;
- Electrical and control equipment to power and control electrical and mechanical equipment; and
- Operator work station to monitor and control the belt presses and associated equipment.

The belt press building would have a footprint of approximately 80 feet by 110 feet and a height of up to 30 feet. The exterior of the building would be constructed with a painted steel roof deck over steel beams with some brick work incorporated on the reinforced concrete walls to resemble other existing structures at the Jensen Plant. The roofing would include skylights and vents, and roof top equipment would be screened behind exterior parapet walls. Lighting would be limited, to the extent feasible, to wall-mounted lighting fixtures on exterior walls of buildings. Next to the belt press building would be the solids cake storage area and rainwater retention/percolation basins. Once the solids go through the dewatering process, they would be placed on conveyer belts and placed in the solids cake storage area for additional drying and temporary storage prior to being hauled-off for disposal.

The estimated size of solids cake storage area is 130 feet by 210 feet and its floor would be concreted. The truck loading area, an inclined screw conveyor, and two radial belt stackers would be within the solids cake storage area. The rainwater retention/percolation basins would occupy approximately 12,000 square feet east of the solids cake storage area. The rainwater retention basin would be a concrete basin and the rainwater percolation basin would have earthen floor and concrete berms. The decant/filtrate pump station would be located near the belt press building.

Two new 12,000-gallon thickened solids equalization tanks would be constructed near the belt press building. The tanks would provide suction head for the belt press feed pumps and serve as an operational buffer between these pumps and thickened solids pump stations next to the gravity thickeners so that the rate and quality of solids fed onto the belt presses are consistent.

Lagoons

Five lagoons, approximately three to four acres each with a service road around each lagoon, would be constructed south of the solids dewatering facility site. Each lagoon size and shape

would be different to maximize existing Jensen Plant facilities and project boundary. The approximate average size of the lagoon would be 320 feet wide by 440 feet long and 8 feet deep. Each of the five lagoons would have an inlet system, concrete lined lagoon banks with a truck ramp, and an earthen bottom. The lagoons would include a decant system to collect clear water at the top of the lagoon and an underdrain system at the bottom to capture the water percolating through the lagoon floor. A new decant pump station and a supporting pipe system would also be constructed to convey water collected from the lagoons to the existing washwater reclamation plants (WWRPs) at the Jensen Plant.

The solids in the lagoons would be allowed to settle as they enter the lagoons and collection of clear water at the top of the lagoons and water percolating through the lagoon floor would continue. The collected water would be returned to the existing WWRPs by a new decant pump station and through a supporting pipe system. Once sufficient solids have been collected in a lagoon, the lagoon inlet valve would be closed to stop the flow of solids. The clear water decanting and underdrain water collection would continue until a few feet of solids are left at the lagoon floor and the air drying process would start. During this drying phase, a front-loader could be used to turn over the solids to decrease the drying time. The dewatered solids would be loaded onto trucks using a front-loader for off-site disposal.

Soft-bottomed (earthen) lagoons would require periodic maintenance to prevent growth of weeds and vegetation. Lagoons would be concrete-lined on the sides. Therefore, any vegetation would be removed when the air dried solids are loaded onto trucks for off-haul. Another time when vegetation control would be needed is when the lagoons are not used for extended periods of time and there is growth on the lagoon floor, which would have to be cleared away before putting the lagoon in service.

Existing Dry Polymer Building Modification

In addition to constructing new solids dewatering facility and lagoons, the existing dry polymer building would need to be modified to supply the polymer required at the new belt press building and for the new lagoons. The descriptions of such modifications are listed below.

- Replace an existing 650-gallon polymer mixing tank with a new 1,500-gallon tank;
- Replace an existing polymer transfer pump, which pumps the mixed polymer from the mixing tank to the storage tank in the dry polymer building, with a new pump with higher pumping capacity; and
- Replace two existing polymer transfer pumps, which will pump the polymer solution from the dry polymer building to the belt press building, with two new pumps with higher pumping capacity.

Pipelines and Other Minor Facilities

The following pipelines and other minor facilities would also be constructed in association with the proposed solids dewatering facility and lagoons:

- A pipeline (10 to 12 inches in diameter and approximately 4,000-foot long) to convey solids from the existing and new thickeners to the new solids dewatering facility and lagoons;
- A pipeline (12-inches in diameter and approximately 2,000-foot long) to convey filtrate from the belt presses and decant water as well as underdrainage flow from the lagoons to the WWRPs;
- A pipeline (8 inch in diameter and approximately 2,000-foot long) to convey lagoon decant and underdrainage flow from the lagoons to Decant/Filtrate Pump Station;
- New utilities (potable, fire protection and service water lines; sewer line; power, communications, security, and control systems ductbank; filtrate/decant/underdrain line, surface water drainage line);
- Miscellaneous new structures (underdrain lines for lagoons, surface water drainage lines);
- Relocation of existing utilities (sanitary sewer, storm drain, electrical conduit, and water lines); and
- Remove or properly abandon in place chlorine and sample lines and oil line.

ES.5 Analysis of Alternatives

CEQA requires that an EIR evaluate a reasonable range of alternatives to the proposed project that could attain the basic objectives of the project, but would avoid or reduce significant environmental effects of the project. This EIR evaluates a No Project alternative and the Lagoon and Sewer Alternative. These alternatives are discussed further in Chapter 6, Analysis of Alternatives. The EIR concludes Lagoons and Sewer Alternative is the environmentally superior alternative to the proposed project because it would result in fewer adverse environmental impacts and would avoid the significant and unavoidable air and noise impacts directly caused by the proposed project. However, this alternative would not meet all of the objectives.

ES.6 Summary of Impacts

Table ES-1, at the end of this chapter, presents a summary of the impacts and mitigation measures identified for the proposed Jensen Solids Handling Facility Project. The complete impact statements and mitigation measures are presented in Chapter 3, Environmental Setting, Impacts, and Mitigation Measures. The level of significance for each impact was determined using significance criteria (thresholds) developed for each category of impacts; these criteria are presented in the appropriate sections of Chapter 3. Significant impacts are those adverse environmental impacts that meet or exceed the significance thresholds; less than significant impacts would not exceed the thresholds. Table ES-1 indicates the measures that would be implemented to avoid, minimize, or otherwise reduce significant impacts to a less than significant level.

The EIR finds only two significant and unavoidable impacts associated with implementation of the proposed project: 1) construction activities would likely exceed daily thresholds of

significance for criteria air pollutants, and 2) noise thresholds would be exceeded during construction. All other potentially significant impacts identified would be reduced to less than significant levels with proposed mitigation measures.

ES.7 Organization of this EIR

This EIR has been organized into the following chapters:

- ES Executive Summary.** This chapter summarizes the contents of the EIR.
- 1. Introduction.** This section discusses the CEQA process and the purpose of the EIR.
 - 2. Project Description.** This section provides an overview of the proposed project, describes the need for and objectives of the proposed project, and provides detail on the characteristics of the proposed project.
 - 3. Environmental Setting, Impacts and Mitigation Measures.** This chapter describes the environmental setting and identifies impacts of the proposed project for each of the following environmental resource areas: Aesthetics; Agricultural and Forest Resources; Air Quality; Biological Resources; Cultural Resources; Geology, Soils and Mineral Resources; Greenhouse Gas Emissions, Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise and Vibration; Population and Housing; Public Services and Utilities; Recreation; and Transportation and Traffic. Measures to mitigate the significant impacts of the proposed project are presented for each resource area.
 - 4. Cumulative Impacts.** This chapter describes the potential impacts of the proposed project when considered together with other related projects in the project area.
 - 5. Growth Inducement.** This chapter describes the potential for the proposed project to induce growth.
 - 6. Analysis of Alternatives.** This chapter presents an overview of the alternatives development process and describes the alternatives to the proposed project that were considered.
 - 7. Report Preparers.** This chapter identifies authors and consultants involved in preparing this EIR, including persons and organizations consulted.

**TABLE ES-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Significance after Mitigation
Aesthetics		
Implementation of the proposed project would not result in significant impacts to Aesthetic. No mitigation measures are required.		
Agricultural Resources		
Implementation of the proposed project would not result in significant impacts to Agricultural Resource. No mitigation measures are required.		
Air Quality		
Impact 3.3-1: Project construction would emit air pollutants that could violate air quality standards or contribute substantially to an existing or projected air quality violation during the short-term duration of construction.	<p>Mitigation Measure AQ-1: Water or a stabilizing agent shall be applied to exposed surfaces at least two times per day to prevent generation of dust plumes.</p> <p>Mitigation Measure AQ-2: The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:</p> <ul style="list-style-type: none"> • Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long; • Pave the surface extending at least 100 feet and at least 20 feet wide; • Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or <p>Mitigation Measure AQ-3: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).</p> <p>Mitigation Measure AQ-4: Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.</p> <p>Mitigation Measure AQ-5: Ground cover in disturbed areas shall be replaced as quickly as possible.</p> <p>Mitigation Measure AQ-6: Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour or less.</p> <p>Mitigation Measure AQ-7: Streets shall be swept at the end of the day if visible soil is carried onto adjacent public paved roads.</p> <p>Mitigation Measure AQ-8: Construction equipment powered by 150-horsepower diesel engines or greater (e.g., graders and scrapers) shall require minimum of Tier III diesel particulate filters.</p>	Significant and unavoidable

Environmental Impact	Mitigation Measures	Significance after Mitigation
	<p>Mitigation Measure AQ-9: All diesel-powered construction equipment shall require control equipment that meets at a minimum Tier III emissions requirements. In the event Tier III equipment is not available, diesel powered construction equipment in use shall require emissions control equipment with a minimum of Tier II diesel standards.</p> <p>Mitigation Measure AQ-10: Contractors shall maintain equipment and vehicle engines in good condition and in proper tune per manufacturers' specifications.</p>	
Biological Resources		
<p>Impact 3.4-21: The proposed project could conflict with local, state, or federal policies or ordinances protecting biological resources, such as the Migratory Bird Treaty Act, or California Fish and Game Code Sections 3503, 3503.5, and 3513.</p>	<p>Mitigation Measure BIO-1: Preconstruction Nest Survey. If project construction activities are undertaken between February 1 and August 31, a qualified biologist shall survey the project site no more than three days prior to commencement of disturbance and determine whether the proposed activities could disrupt the nesting of any <u>native listed migratory bird species under the MBTA</u>. Disruption of nesting could be caused by the physical removal of <u>an active nest</u>, increased human activity near <u>an active nest</u>, loud noises, etc. If project construction cannot be initiated during this time period, site grubbing and grading during this time period can minimize the potential for bird nesting during the remainder of the construction period.</p> <p>If an active nest is discovered, the monitor shall observe the birds' behaviors when construction activities commence to determine whether construction activity should be ceased by <u>Metropolitan</u> or altered by <u>Metropolitan</u> in the nest vicinity in order to avoid nest failure. The monitor shall be authorized to cease construction activities until the situation can be evaluated and an alternative course of action identified, if necessary. If the monitor determines that any areas should need to be avoided, the limits of avoidance may be demarcated with flagging or fencing. Nesting birds that are observed within impact areas shall be avoided until all nestlings have fledged and nesting activities have been concluded.</p>	Less than significant
<p>Impact 3.4-2: The proposed project could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS.</p>	Implement Mitigation Measure AQ 1 through AQ 7.	<u>Less than significant</u>
Cultural Resources		
<p>Impact 3.5-1: Project construction could adversely affect known or unknown cultural resources, including unique archaeological resources and historic resources.</p>	<p>Mitigation Measure CUL-1: Monitoring by a qualified archaeologist during ground disturbing activities. A qualified archaeologist shall be retained to monitor during construction-related excavation activities within native alluvial materials. The duration and timing of monitoring shall be determined by the qualified archaeologist in consultation with Metropolitan and based on the grading plans. In the event that cultural</p>	Less than significant

Environmental Impact	Mitigation Measures	Significance after Mitigation
	<p>resources are unearthed during ground-disturbing activities, <u>all work must be halted in the vicinity of the discovery until the qualified archaeologist can assess the significance of the resources, and if necessary, have such resources recovered. the archaeological monitor shall redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated and possibly recovered.</u></p> <p>Mitigation Measure CUL-2: Avoidance of cultural resources. If archaeological artifacts, sites, or features are observed. <u>Prior to construction,</u> Metropolitan shall prepare or have a Cultural Resources Monitoring and Mitigation Plan (CRMMP) and/or Treatment Plan (TP) prepared, per <i>State CEQA Guidelines</i> Sections 15064.5 and 15126.4, to outline the appropriate action needed to recover the cultural materials in a professional manner. The CRMMP/TP shall establish the criteria utilized to evaluate the historic significance (per CEQA and NHPA) of the unanticipated discoveries of unknown archaeological resources identified during construction activities, as well as identify the appropriate data recovery methods and procedures to mitigate the effect of the project upon those resources determined historically significant. If prehistoric or historic sites are encountered during construction-related earth-moving activities, the CRMMP/TP shall address the recovery, analysis, laboratory procedures, and final Report of Findings requirements that are necessary to meet the CEQA, and all state, city, and local regulations.</p>	
<p>Impact 3.5-2: Implementation of the proposed project could adversely affect paleontological resources.</p>	<p>Mitigation Measure CUL-3: Monitoring by a qualified paleontologist during ground disturbing activities. A qualified paleontologist shall be retained to monitor during construction-related excavation activities in native deposits. The duration and timing of monitoring shall be determined by the paleontologist in consultation with Metropolitan and based on the construction-related excavation activities.</p> <p>Mitigation Measure CUL-4: Accidental discovery of paleontological resources. If paleontological resources such as fossil remains or fossiliferous sediment are encountered during the course of construction and monitoring, ground-disturbing activities <u>shall be directed away from the vicinity of the find so that the paleontologist can evaluate the resources and recover them as appropriate.</u> The paleontologist shall collect the material and record stratigraphic cross sections as well as map/graph pertinent geologic units. Fossils must be cleaned, analyzed and catalogued in order to be accessioned for curation at an <u>appropriate repository.</u> A final report shall be prepared that discusses any findings of paleontological resources.</p>	<p>Less than significant</p>
<p>Impact 3.5-3: Implementation of the proposed project could result in the disturbance of human remains.</p>	<p>Mitigation Measure CUL-5: Halt Work if Human Skeletal Remains are Identified During Construction. If human skeletal remains are encountered during the course of construction activities, Metropolitan shall immediately halt all construction activities and contact the Los</p>	<p>Less than significant</p>

Environmental Impact	Mitigation Measures	Significance after Mitigation
	<p>Angeles County coroner in order to evaluate the skeletal remains, as well as comply with the regulatory requirements of Section 15064.5 (e)(1) of the <i>State CEQA Guidelines</i>. If it is determined the skeletal remains are Native American, Metropolitan shall consult with the NAHC, pursuant to the Health and Safety Code Section 7050.5 (c), and Public Resource Code 5097.98 (as amended by AB 2641). Public Resource Code 5097.8 provides that the landowner will ensure that the Native American remains, and the immediate vicinity, are protected from damage or further construction disturbances until consultation between Metropolitan and the Most Likely Descendant has transpired, resulting in a determination regarding the handling of the uncovered remains and any future unanticipated human remains discoveries in the immediate vicinity. If human remains are unearthed, or a Native American site is located, a Native American monitor must be retained and on site for all future construction-related ground-disturbing activities in native soil within the top ten feet of native soil.</p>	
Geology, Soils, and Mineral Resources		
Implementation of the proposed project would not result in significant impacts to Geology, Soils, and Mineral Resources. No mitigation measures are required.		
Greenhouse Gases		
Implementation of the proposed project would not result in significant impacts to Greenhouse Gases. No mitigation measures are required.		
Hazards and Hazardous Materials		
<p>Impact 3.8-2: Accidental upset of hazardous materials used during project construction may increase the risk of exposure to the environment, workers, and the public.</p>	<p>Mitigation Measure HAZ-1: Metropolitan shall require the construction contractor(s) to implement best management practices (BMPs) for handling hazardous materials during construction of the project. The use of the construction BMPs shall minimize negative effects on groundwater and soils, workers, and the public, and will include the following:</p> <ul style="list-style-type: none"> • Follow manufacturers' recommendations and regulatory requirements for use, storage, and disposal of chemical products and hazardous materials used in construction. • During routine maintenance of construction equipment, properly contain and remove used grease and oils. • Properly dispose of discarded containers of fuels and other chemicals. <p>Mitigation Measure HAZ-2: Metropolitan shall require the construction contractor(s) to implement safety measures in accordance with General Industry Safety Orders for Spill and Overflow Control (CCR Title 8, Sections 5163-5167) to protect the project area from contamination due to accidental release of hazardous materials. The safety measures</p>	<p>Less than significant</p>

Environmental Impact	Mitigation Measures	Significance after Mitigation
	<p>shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • Hazardous materials shall be stored in containers that are chemically inert to and appropriate for the type and quantity of the hazardous substance. • Containers shall not be stored where they are exposed to heat sufficient enough to rupture the containers or cause leakage. • Specific information shall be provided regarding safe procedures and other precautions before cleaning or subsequent use or disposal of hazardous materials containers. <p>Disposal of all hazardous materials shall be in compliance with applicable California hazardous waste disposal laws. The construction contractor(s) shall contact the local fire agency and the Los Angeles City Fire Department, for any site-specific requirements regarding hazardous materials or hazardous waste containment or handling.</p> <p>Mitigation Measure HAZ-3: In the event of an accidental release of hazardous materials during construction, containment and clean up shall occur in accordance with applicable regulatory requirements.</p> <p>Mitigation Measure HAZ-4: Oil and other solvents used during maintenance of construction equipment shall be recycled or disposed of in accordance with applicable regulatory requirements. All hazardous materials shall be transported, handled, and disposed of in accordance with applicable regulatory requirements.</p> <p>Mitigation Measure HAZ-5: Metropolitan shall require the construction contractor(s) to prepare and implement a Safety Program to ensure the health and safety of construction workers and the public during project construction. The Safety Program shall include an injury and illness prevention program, as site-specific safety plan, and information on the appropriate personal protective equipment to be used during construction.</p>	
Hydrology and Water Quality		
<p>Impact 3.9-1: Construction and operation of the proposed project could result in violations of water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality.</p>	<p>Mitigation Measure HYDRO-1: Metropolitan shall require its construction contractor(s) to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the California General Permit 2009-009-SWQ, that identifies specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities.</p> <p>Mitigation Measure HYDRO-2: If groundwater dewatering is required for construction and the groundwater cannot be pumped to the WWRPs, Metropolitan’s construction contractor(s) shall obtain the required NPDES discharge permit from the Los Angeles RWQCB -</p>	<p>Less than significant</p>

Environmental Impact	Mitigation Measures	Significance after Mitigation
	WDRs for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Board Order No. R4-2008-0032, General NPDES Permit No. CAG994004).	
Impact 3.9-3: The proposed project would alter the existing drainage pattern of the project site in a manner that could result in substantial erosion or siltation.	Implement Mitigation Measure HYDRO-1.	Less than significant
Land Use		
Implementation of the proposed project would not result in significant impacts to Land Use. No mitigation measures are required.		
Noise and Vibration		
Impact 3.11-1: Project construction could expose persons to or generate noise levels in excess of standards.	<p>Mitigation Measure NOISE-1: All construction equipment shall be equipped with mufflers and noise attenuation devices.</p> <p>Mitigation Measure NOISE-2: The construction contractor shall locate noise-generating construction equipment and locate construction staging areas away from sensitive uses.</p> <p>Mitigation Measure NOISE-3: All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet, shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.</p> <p>Mitigation Measure NOISE-4: Noise control barriers eight feet tall or higher shall be used to line the perimeter of the concrete batch plant. The portion of the batch plant accessed by trucks shall be left open.</p> <p>Mitigation Measure NOISE-5: Noise control barriers eight feet tall or higher shall surround drill rigs during drilling operations.</p>	Significant and unavoidable
Population and Housing		
Implementation of the proposed project would not result in significant impacts to Population and Housing. No mitigation measures are required.		
Public Services and Utilities		
Implementation of the proposed project would not result in significant impacts to Public Services and Utilities. No mitigation measures are required.		
Recreation		
Implementation of the proposed project would not result in significant impacts to Recreation. No mitigation measures are required.		

Environmental Impact	Mitigation Measures	Significance after Mitigation
<p>Transportation and Traffic</p> <p>Impact 3.15-1: The proposed project would add daily trips during construction and operations to the local roadways that already experience poor levels of service.</p>	<p>Mitigation Measure TR-1: Prior to construction, Metropolitan shall require the contractor(s) to prepare a Traffic Management Plan in accordance with professional engineering standards and the guidelines for safety and traffic provided in the Caltrans Construction Manual (revised 2008). The Traffic Management Plan would include, but not be limited to, the following strategies:</p> <ul style="list-style-type: none"> • Develop truck route plans to minimize impact to the significantly impact intersection of San Fernando Road/Sierra Highway during the p.m. peak hour, San Fernando Road/I-16-SR14 southbound off-ramp during a.m. and p.m. peak hours, San Fernando Road/Balboa Boulevard during p.m. peak hours, and I-5 southbound ramps/Roxford Street during p.m. peak hours. • Avoid construction-related traffic to occur during peak travel periods. • Implementation of staggered construction worker shifts to minimize project traffic during the peak hours. 	<p>Less than significant</p>
<p>Cumulative Effects</p> <p>Impact 4-1: Construction of the proposed project in conjunction with other projects in the area could result in cumulative short-term impacts to air quality associated with construction activities.</p>	<ul style="list-style-type: none"> • Implement Mitigation Measures AQ-1 through AQ-10. 	<p>Significant and unavoidable</p>

CHAPTER 1

Errata

This chapter contains the revised pages of the Draft Environmental Impact Report (EIR). Metropolitan Water District of Southern California (Metropolitan) has proposed minor changes to the proposed project since publication of the Draft EIR. Accordingly, the first section of this chapter contains revisions to the Draft EIR based on changes proposed by Metropolitan. The second section of this chapter presents revisions to the Draft EIR based on comments received during the formal comment period.

The following corrections and changes are made to the Draft EIR, and are incorporated herein as part of the Final EIR. Revised language or new language is underlined. Deleted language is indicated by ~~strikethrough~~ text.

Revisions in this chapter do not change any of the conclusions presented in the Draft EIR.

1.1 Metropolitan Initiated Revisions

- 1) *Section 3.13 Public Services, Impact 3.13-1 Parks and Recreation*, page 3.13-8 has an inadvertent typographical error. The significance statement concludes the proposed project would have a Significant and unavoidable impact to parks and recreation. As analyzed and concluded in Section 3.14 Recreation, the proposed project would have a less than significant impact to recreation. As a result, the Final EIR analysis has been revised to conclude Less than significant, as follows:

Park and Recreation

Currently, the proposed project site is used for recreational soccer and baseball through a lease agreement with LAD~~PRRP~~ (Revenue Lease No. 2300). However, the existing lease will expire January 1, 2011, at which time the lessee is obligated to remove all structures and improvements as required in the lease agreement. However, since the DEIR was published, Metropolitan has entered into negotiations with LADRP to extend the lease for a maximum term of 18 months. Once the lease expires, the proposed project site will become managed open area until construction of the proposed project commences. Installation of the proposed project would not impact recreation or park public services. ~~However, expiration of the lease, which is not a condition of the proposed project, would result in a significant impact to parks that are LAD~~PRRP~~'s responsibility to mitigate. The potential impacts are addressed here~~ This information is provided here because it is a change from the baseline conditions. However, ~~this ese changes are caused by~~ is a

result of the expiration of the lease rather than the proposed project. (See Section 3.14, Recreation)

Significance: ~~Significant and unavoidable~~ Less than significant

- 2) Since the circulation of the Draft EIR for public review, Metropolitan has entered into negotiations with the City of Los Angeles Department of Recreation and Parks on extending the lease for a maximum term of 18 months. As a result, the text within the Draft EIR pages ES-2, 2-2, 3.13-8, 3.14-1, 3.14-6, 3.14-8, 6-4, 6-7, 6-8, and 6-12 has been revised to reflect this change. These text changes are provided below:

Page ES-2: The proposed project would construct a new solids dewatering facility and new solids drying lagoons in the south-eastern portion of the Jensen Plant. This area is currently leased to the City of Los Angeles Department of Recreation and Parks (LADRP) and is developed with ball fields used for local youth baseball and soccer. The site consists of five baseball diamonds with infield fences and small equipment buildings behind home plate and four soccer fields. The ball fields are maintained by the LADRP. The lease will expire by January 1, 2011, at which time the lessee is obligated to remove all structures and improvements; however, Metropolitan is currently in negotiation with LADRP to extend the lease for a maximum term of 18 months. Under the current schedule, the proposed project would not be constructed until after the proposed 18-month lease extension expires and the recreation improvements have been removed by the lessee. Construction activities do not include minor, pre-construction activities such as feasibility studies and investigations that may occur prior to removal of the ball field improvements. However, if the schedule changes for construction or for the lease expiration, Metropolitan will conduct any further CEQA analysis, as required at that time, to address new or different potential environmental impacts, if any. ~~The proposed project would not be constructed until after the lease expires and the recreation improvements have been removed by the lessee.~~ Even if Metropolitan is forced to remove LADRP's improvements, should LADRP fail to do so as required in the lease, the physical impacts of this removal would be less than significant. However, since the facilities were present at the time the NOP was issued, they and the lease are included in the baseline condition as required by CEQA Section 15125, and this Draft EIR provides an assessment of the facilities, and concludes that the potential physical impacts of removal of these facilities would be less than significant.

Page 2-2: The proposed project would construct a new solids dewatering facility and new solids drying lagoons in the south-eastern portion of the Jensen Plant. This area is currently leased to the City of Los Angeles Department of Recreation and Parks (LADRP) and is developed with ball fields used for local youth baseball and soccer. The site consists of five baseball diamonds with infield fences and small equipment buildings behind home plate, and four soccer

fields. The ball fields are maintained by the LADRP. The lease will expire by January 1, 2011, at which time the lessee is obligated to remove all structures and improvements; however, Metropolitan is currently in negotiation with LADRP to extend the lease for a maximum term of 18 months. Under the current schedule, the proposed project would not be constructed until after the proposed 18-month lease extension expires and the recreation improvements have been removed by the lessee. Construction activities do not include minor, pre-construction activities such as feasibility studies and investigations that may occur prior to removal of the ball field improvements. However, if the schedule changes for construction or for the lease expiration, Metropolitan will conduct any further CEQA analysis, as required at that time, to address new or different potential environmental impacts, if any. ~~The proposed project would not be constructed until after the lease expires and the recreation improvements have been removed by the lessee.~~ Even if Metropolitan is forced to remove LADRP's improvements, should LADRP fail to do so as required in the lease, the physical impacts of this removal would be less than significant. However, since the facilities were present at the time the NOP was issued, they and the lease are included in the baseline condition as required by CEQA Section 15125, and this Draft EIR provides an assessment of removing the facilities and concludes that the potential physical impacts of removal of these facilities would be less than significant.

Page 3.13-8: Currently, the proposed project site is used for recreational soccer and baseball through a lease agreement with ~~LADPRRP~~ (Revenue Lease No. 2300). However, the existing lease will expire January 1, 2011, at which time the lessee is obligated to remove all structures and improvements as required in the lease agreement; however, Metropolitan is currently in negotiation with LADRP to extend the lease for a maximum term of 18 months. Once the lease expires, the proposed project site will become managed open area until construction of the proposed project commences. Installation of the proposed project would not impact recreation or park public services. However, expiration of the lease, which is not a condition of the proposed project, would result in a significant impact to parks that are ~~LADPRRP's~~ responsibility to mitigate. The potential impacts are addressed here because it is a change from the baseline conditions. However, these changes are caused by the expiration of the lease rather than the proposed project. (See Chapter 3.14, Recreation)

Page 3.14-1: Subsequent agreements were drafted and the lease was extended several times, the last of which was Lease No. 2300 in 2004, which extended the lease until January 1, 2011; however, Metropolitan is currently in negotiation with LADRP to extend the lease for a maximum term of 18 months. Per the lease agreement, LADRP is required to remove all ball field related equipment and structures on or before the termination of the lease. If not

removed by LADRP, Metropolitan may remove any such personal property or improvements and LADRP would be liable to Metropolitan for the costs of such removal (See R.L. 2300, §§ 11 [Removal of Improvements], 17 [Termination]). As identified within the lease, the ball fields and related facilities were never intended to be permanent. The property subject to the lease was also never meant to be considered a public neighborhood or community park.

Page 3.14-6: It is also not reasonably foreseeable that any significant indirect effects would result from the proposed project on recreation as considered under CEQA. Currently, the proposed project site is developed with ball fields and related facilities including a snack shop, shortage shed, dug-outs, score boards, goal posts, and fencing (hereinafter referred to as “incidental facilities”), that are used by the local community. The existing ball fields and incidental facilities were constructed on the site as part of a lease agreement between LADRP and Metropolitan. As explained above, in accordance with the terms of the lease, the ball fields and incidental facilities must be removed on or before expiration of the Lease Agreement on January 1, 2011; however, Metropolitan is currently in negotiation with LADRP to extend the lease for a maximum term of 18 months. The temporary nature of the ball fields and incidental facilities was therefore determined when LADRP originally signed the lease agreement in 1991 and the 2004 extension. It is not unreasonable for Metropolitan to presume LADRP will comply with the lease terms and that the land would be restored and improvements removed as required therein.

Construction associated with the proposed project would not start until the second half of 2011 (after expiration of the lease and removal of the ball fields and incidental facilities); however, if the lease is extended by 18 months then construction of the lagoons would begin after the lease expires. Under the current schedule, the proposed project would not be constructed until after the proposed 18-month lease extension expires and the recreation improvements have been removed by the lessee. Construction activities do not include minor, pre-construction activities such as feasibility studies and investigations that may occur prior to removal of the ball field improvements. However, if the schedule changes for construction or for the lease expiration, Metropolitan will conduct any further CEQA analysis, as required at that time, to address new or different potential environmental impacts, if any. As such, relocation of the ball fields and incidental facilities would be required, if at all, from expiration of the lease and not as a result of the proposed project. Any obligation to mitigate the loss of the temporary recreational resources constructed under the lease is therefore the sole responsibility of LADRP.

Page 3.14-8: The only potential physical impacts Metropolitan may have to address would be the removal of any of the improvements LADRP placed on the property if it fails to remove them prior to January 1, 2011 as required in the lease or at the end of the 18 month lease extension if agreed upon. The impacts associated with the potential removal of these incidental facilities, as analyzed through this Draft EIR, are less than significant.

Page 6-4: Similar to the proposed project, under the No Project Alternative, the Metropolitan-LADWP agreement would expire in 2014 and Revenue Lease No. 2300 with LADRP would expire in 2011; however, Metropolitan is currently in negotiation with LADRP to extend the lease for a maximum term of 18 months. The ball fields and associated equipment would be removed and the proposed project area would become a managed open area within the Jensen Plant property.

Page 6-7: The No Project Alternative would not impact recreation. The expiration of the lease agreement with LADRP would result in the removal of ball fields and associated improvements from the site. The removal of the ball fields would occur upon the expiration of the lease ~~in January 2011~~ with or without the proposed project. Therefore, the No Project Alternative would have a similar impact to recreation to the proposed project.

Page 6-8: The construction duration would be decreased since the Lagoons and Sewer Alternative would not require the soil stabilization for the belt press building. Similar to the proposed project, under this alternative, the Metropolitan-LADWP agreement would expire in 2014 and Revenue Lease No. 2300 with LADRP would expire in 2011; however, Metropolitan is currently in negotiation with LADRP to extend the lease for a maximum term of 18 months.

Page 6-12: The Lagoons and Sewer Alternative would not impact recreation. However, expiration of the lease agreement with the LADRP would still occur and result in the removal of the ball fields and associated improvements from the site. The removal of the ball fields would occur upon the expiration of the lease ~~in January 2011~~ with or without the proposed project or Lagoons and Sewer Alternative. Therefore, the Lagoons and Sewer Alternative would have a similar impact to recreation.

- 3) The distance measurements for the sensitive receptors were originally taken from the Jensen Plant's property boundary rather than the actual proposed project site boundary. As a result, the text has been revised to reflect the distance from the proposed project boundary. This text change to page 3.3-9 is provided below:

Sensitive receptors within one-quarter mile (1,320 feet) of the project site include the following:

- Single-family residences located approximately ~~340~~ 1,380 feet west of construction activity
 - Single-family residences located approximately 680 feet southwest of construction activity
 - Single-family residences located approximately ~~750~~ 830 feet south of construction activity
 - Bee Canyon Park located approximately 980 feet west of construction activity
 - Van Gogh Elementary School located approximately ~~1,245~~ 1,800 feet southwest of construction activity
- 4) Since the circulation of the Draft EIR for public review, Metropolitan has made minor text revisions to Mitigation Measures BIO-1, CUL-1, CUL-2, CUL-4, CUL-5, and TR-1. The revisions do not change the effectiveness or purpose of the mitigation measures. The text within the Draft EIR pages ES-8, ES-9, ES-10, ES-12, 3.4-9, 3.4-10, 3.5-12, 3.5-13, 3.5-14, and 3.15-30 has been revised. This text changes to the mitigation measures are provided below:

Mitigation Measure BIO-1: Preconstruction Nest Survey. If project construction activities are undertaken between February 1 and August 31, a qualified biologist shall survey the project site no more than three days prior to commencement of disturbance and determine whether the proposed activities could disrupt the nesting of any ~~native~~listed migratory bird species under the MBTA. Disruption of nesting could be caused by the physical removal of ~~an~~ active nest, increased human activity near ~~an~~ active nest, loud noises, etc. If project construction cannot be initiated during this time period, site grubbing and grading during this time period can minimize the potential for bird nesting during the remainder of the construction period.

If an active nest is discovered, the monitor shall observe the birds' behaviors when construction activities commence to determine whether construction activity should be ceased by Metropolitan or altered by Metropolitan in the nest vicinity in order to avoid nest failure. ~~The monitor shall be authorized to cease construction activities until the situation can be evaluated and an alternative course of action identified, if necessary.~~ If the monitor determines that any areas ~~should need to~~ be avoided, the limits of avoidance may be demarcated with flagging or fencing. Nesting birds that are observed within impact areas shall be avoided until all nestlings have fledged and nesting activities have been concluded.

Mitigation Measure CUL-1: Monitoring by a qualified archaeologist during ground disturbing activities. A qualified archaeologist shall be retained to monitor during construction-related excavation activities within native alluvial materials. The duration and timing of monitoring shall be determined by the qualified archaeologist in consultation with Metropolitan and based on the grading plans. In the event that cultural resources are

unearthed during ground-disturbing activities, all work must be halted in the vicinity of the discovery until the qualified archaeologist can assess the significance of the resources, and if necessary, have such resources recovered. ~~the archaeological monitor shall redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated and possibly recovered.~~

Mitigation Measure CUL-2: Avoidance of cultural resources. ~~If archaeological artifacts, sites, or features are observed,~~ Prior to construction, Metropolitan shall prepare or have a Cultural Resources Monitoring and Mitigation Plan (CRMMP) and/or Treatment Plan (TP) prepared, per *State CEQA Guidelines* Sections 15064.5 and 15126.4, to outline the appropriate action needed to recover the cultural materials in a professional manner. [The CRMMP/TP shall establish the criteria utilized to evaluate the historic significance (per CEQA and NHPA) of the unanticipated discoveries of unknown archaeological resources identified during construction activities, as well as identify the appropriate data recovery methods and procedures to mitigate the effect of the project upon those resources determined historically significant. If prehistoric or historic sites are encountered during construction-related earth-moving activities, the CRMMP/TP shall address the recovery, analysis, laboratory procedures, and final Report of Findings requirements that are necessary to meet the CEQA, and all state, city, and local regulations

Mitigation Measure CUL-4: Accidental discovery of paleontological resources. If paleontological resources such as fossil remains or fossiliferous sediment are encountered during the course of construction and monitoring, ground-disturbing activities shall be directed away from the vicinity of the find so that the paleontologist can evaluate the resources and recover them as appropriate. The paleontologist shall collect the material and record stratigraphic cross sections as well as map/graph pertinent geologic units. Fossils must be cleaned, analyzed and catalogued in order to be accessioned for curation at an appropriate repository. A final report shall be prepared that discusses any findings of paleontological resources.

Mitigation Measure CUL-5: Halt Work if Human Skeletal Remains are Identified During Construction. If human skeletal remains are encountered during the course of construction activities, Metropolitan shall immediately halt all construction activities and contact the Los Angeles County coroner in order to evaluate the skeletal remains, as well as comply with the regulatory requirements of Section 15064.5 (e)(1) of the *State CEQA Guidelines*. If it is determined the skeletal remains are Native American, Metropolitan shall consult with the NAHC, pursuant to the Health and Safety Code Section 7050.5 (c), and Public Resource Code 5097.98 (as amended by AB 2641). Public Resource Code 5097.8 provides that the landowner will ensure that the Native American remains, and the immediate vicinity, are protected from damage or further construction disturbances until consultation between Metropolitan and the Most Likely Descendant has transpired, resulting in a determination regarding the handling of the uncovered remains and any future unanticipated human remains discoveries in the immediate vicinity. ~~If~~

~~human remains are unearthed, or a Native American site is located, a Native American monitor must be retained and on site for all future construction-related ground disturbing activities in native soil within the top ten feet of native soil.~~

Mitigation Measure TR-1: Prior to construction, Metropolitan shall require the contractor(s) to prepare a Traffic Management Plan in accordance with professional engineering standards and the guidelines for safety and traffic provided in the Caltrans Construction Manual (revised 2008). The Traffic Management Plan would include, but not be limited to, the following strategies:

- Develop truck route plans to minimize impact to the significantly impact intersection of San Fernando Road/Sierra Highway during the p.m. peak hour, San Fernando Road/ I-16-SR14 southbound off-ramp during a.m. and p.m. peak hours, San Fernando Road/Balboa Boulevard during p.m. peak hours, and I-5 southbound ramps/Roxford Street during p.m. peak hours.
- Avoid construction-related traffic to occur during peak travel periods.
- Implementation of staggered construction worker shifts to minimize project traffic during the peak hours.

- 5) *Executive Summary Table ES-1 Summary of Impacts and Mitigation Measures*, page ES-8 has been revised to include Biological Resource Impact 3.4-2, as follows:

<u>Impact 3.4-2: The proposed project could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS.</u>	<u>Implement Mitigation Measure AQ 1 through AQ 7.</u>	<u>Less than significant</u>
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- 6) *Chapter 4 Cumulative Impacts*, page 4-5 has an inadvertent typographical error. The Air Quality discussion includes a reference to Mitigation Measures AQ-1 through AQ-11. The proposed project does not include Mitigation Measure AQ-11. As a result, the Final EIR has been revised to remove Mitigation Measure AQ-11, as follows:

Construction

The geographic scope of cumulative air quality impacts is the South Coast Air Basin. Construction of the proposed project would generate significant and unavoidable short-term emissions of criteria pollutants from excavation activity and use of heavy-duty construction equipment. Concurrent construction of the project with other projects in the air basin would generate short-term emissions of criteria pollutants and toxic air contaminants, including suspended and inhalable particulate matter and equipment exhaust emissions. Other projects that would

contribute to cumulative impacts on air quality are shown in Table 4-1. Implementation of Mitigation Measures AQ-1 through AQ-~~11~~10 would ensure implementation of the SCAQMD requirements to control fugitive dust at construction sites and other measures to limit construction dust and vehicle and equipment emissions. However, as discussed in Section 3.3, Air Quality, the project nevertheless would exceed regional and localized construction emission thresholds, resulting in significant and unavoidable air quality impacts. Because the proposed project construction would exceed significance thresholds established by SCAQMD for activities within the air basin for pollutants that are already in non-attainment of federal standards, the proposed project's contribution to cumulative air quality impacts would be cumulatively considerable.

1.2 Revisions to Draft EIR in Response to Comments Received

The changes below were made to the Draft EIR in response to comments received. These corrections and clarifications do not significantly alter the proposed project, change the Draft EIR's significance conclusions, or result in a conclusion that substantially more adverse environmental impacts will result from the proposed project. The errata to the Draft EIR below merely "clarifies or amplifies or makes insignificant modifications" in the Draft EIR, as permitted by *State CEQA Guidelines* Section 15088.5(b).

Specifically, *State CEQA Guidelines* Section 15088.5 requires the lead agency to recirculate an EIR only when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review. New information added to an EIR is not significant unless the EIR has 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 that the project's proponents have declined to implement (*State CEQA Guidelines* Section 15088.5).

In summary, significant new information consists of: (1) disclosure of a new significant impact; (2) disclosure of a substantial increase in the severity of an environmental impact; (3) disclosure of a feasible project alternative or mitigation measure considerably different from the others previously analyzed that would clearly lessen environmental impacts of the project, but the project proponent declines to adopt it; and/or (4) the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (*State CEQA Guidelines* Section 15088.5). Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR (*State CEQA Guidelines* Section 15088.5).

The errata below present information that clarifies the scope of the proposed project and the analysis of the proposed project's impacts, but do not fundamentally alter the overall significance conclusions presented in the Draft EIR circulated for public review. Additionally, the errata present information and analysis in response to requests from commenters. This analysis, however, merely provides further details on the analysis already provided in the Draft EIR.

- 7) The text on page 2-7 has been revised to strike the word “several”. The Jensen Plant currently stores four railcars on-site as documented in Table 2-1. The Draft EIR Table 2-1 has been revised to show the railcars’ capacity is 17,340 gallons. This text change to page 2-7 and Table 2-1 is provided below:

The Jensen Plant currently uses and stores ~~several~~ different types of chemicals for day to day treatment operations. **Table 2-1** identifies the current chemicals, storage facilities and capacity of each chemical used on-site.

**TABLE 2-1
JENSEN CHEMICAL AND STORAGE FACILITIES**

Chemical	Storage Facilities
Aqueous Ammonia	3 tanks @ 25,000 gal
Caustic Soda (NaOH) Filter Effluent	4 tanks @ 120,000 gal
Chlorine	4 railcars @ 44,000 17,340 gal
Ferric Chloride (Ferric) / Aluminum Sulfate (Alum)	4 tanks @ 60,000 gal
Fluorosilicic Acid	2 tanks @ 8,350 gal
Hydrogen Peroxide	2 tanks @ 2,000 gal
Liquid Oxygen (LOX)	3 tanks @ 44,300 gal
Polyacrylamide Polymer (Nonionic Dry Filter Aid)	5 tanks @ 1,930 gal
PolyDADMAC Polymer (coagulant aid)	4 tanks @ 2,800 gal
Sodium Hypochlorite	2 tanks @ 3,000 gal
Sulfuric Acid	80,000 gal and 25,000 gal

- 8) Table 3.3-12 has been revised to include the emission from operating a front loader for one hour per day. The URBEMIS model for the front loader operations can be found in Appendix A of this Final EIR. The following are the revisions to Table 3.3-12:

**TABLE 3.3-12
ESTIMATED DAILY OPERATIONS EMISSIONS
(pounds per day)**

Project Data	VOC	NOx	CO	PM ₁₀	PM _{2.5}
Operational Emissions	<u>2.07</u>	<u>19.43</u>	<u>10.53</u>	<u>1.04</u>	<1
SCAQMD Thresholds of Significance	55	55	550	150	55
Significant (Yes or No)?	No	No	No	No	No

SOURCE: TAHA, 2010; ESA 2010.

- 9) Page 3.3-9 has been modified to add Bee Canyon Park to the list of sensitive receptors located within one-quarter mile of the project.

Sensitive receptors within one-quarter mile (1,320 feet) of the project site include the following:

- Single-family residences located approximately ~~340~~1,380 feet west of construction activity
 - Single-family residences located approximately 680 feet southwest of construction activity
 - Single-family residences located approximately ~~750~~ 830 feet south of construction activity
 - Bee Canyon Park located approximately 980 feet west of construction activity
 - Van Gogh Elementary School located approximately ~~1,245~~1,800 feet southwest of construction activity
- 10) The Draft EIR text on page 3.15-5 has been revised to include Los Angeles Department of Transportation (LADOT) 236 and 237 Bus Services. See below:
- There are no public transit service bus routes that serve the ~~immediate~~ proposed project site off of San Fernando Road, and surrounding area. However, LADOT 236 Bus Service uses Balboa Boulevard to service the Encino to Sylmar route, and the LADOT 237 Bus Service for Encino to Van Nuys is approximately two miles south of the proposed project. However ~~In addition~~, approximately three miles south of the proposed project site, the LADOT operates Commuter Express Route 574 which provides service to the Sylmar Metrolink Station.
- 11) The Draft EIR Figure 2-4 has been revised to include the words “Module 4” under Stockpile Area to clarify its location. See attached Figure 2-4.



SOURCE: MWH; Richard Brady & Associates, 2010.

Jensen Solids Handling Facility

Figure 2-4
Conceptual Site Plan

CHAPTER 2

Response to Public Comments

The responses to comments included in this section are numbered to correspond to the number of each comment as it appears in the margins of each comment letter.

Where the responses indicate additions or deletions to the text of the Draft Environmental Impact Report (EIR), additions are included as underlined text, deletions as ~~stricken text~~. The revisions do not substantially alter the conclusions in the Draft EIR.

Comment letter(s) were received from the following agencies and interested parties during the public review period for the Draft EIR:

1. Mr. Bill Bridges – August 7, 2010;
2. Mr. Jason Reid – July 22, 2010;
3. Knollwood Property Owners Association – August 19, 2010;
4. Granada Hills North Neighborhood Council – August 19, 2010; and
5. Native American Heritage Commission – July 19, 2010.

As noted above, individual comments are noted and numbered in the margin of each comment letter and the responses to the individual comments follow the letter.

Mr. Bill Bridges

- 1) The proposed property is owned by Metropolitan Water District of Southern California (Metropolitan) for water treatment purposes. This location and various others within the Jensen Plant have been made available for recreational use through short-term leases with the City of Los Angeles (City) since 1976. The current lease will soon expire; however, since the Draft EIR was published, Metropolitan has entered into negotiations with the Los Angeles Department of Recreation and Parks (LADRP) to extend the lease for a maximum term of 18 months. The land that is currently used as ball fields is needed for the Jensen Plant to handle the solids produced during the water treatment process at the rated capacity of 750 million gallons per day (mgd). As identified in Sections 3.10 Land Use, 3.13 Public Services and Utilities, and 3.15 Recreation, the proposed project would not result in a significant impact in accordance with the California Environmental Quality Act (CEQA) significance threshold criteria as identified in Appendix G of the *State CEQA Guidelines*. Further, ensuring the provision of adequate public recreational

- resources within a particular community is the purview of LADRP, not Metropolitan, whose primary purpose is water treatment and conveyance.
- 2) Please see response to comment 1 above. The Draft EIR was prepared in accordance with the criteria used in Appendix G of the *State CEQA Guidelines*. Under the *State CEQA Guidelines*, the criteria used to evaluate wetlands differs from the criteria used for other environmental issues. The Draft EIR analyzed and identified the potential impacts associated with construction of the proposed project and the issues associated with removal of the ball fields, as required by Appendix G. The proposed project site does not include any wetlands. The potential to impact wetlands is evaluated on page 3.4-7 of the Draft EIR.
 - 3) The proposed project site was purchased to support the water treatment process. As a result, the land that is currently used as ball fields is needed for the Jensen Plant to handle the solids produced during the water treatment process at the rated capacity of 750 mgd. As identified in Sections 3.10 Land Use, 3.13 Public Services and Utilities, and 3.15 Recreation, the proposed project would not result in a significant impact in accordance with the CEQA significance threshold criteria identified in Appendix G of the *State CEQA Guidelines*. Furthermore, effects analyzed under CEQA must be related to a physical change in the environment. Economic and social effects are not considered environmental effects under CEQA (*State CEQA Guidelines* Section 15131).
 - 4) Several feasible alternatives were considered and analyzed pursuant to the *State CEQA Guidelines* in Chapter 6, Alternatives Analysis, of the Draft EIR. The alternative technologies that were rejected included a larger belt press building, centrifuge system, and a thermal drying system. The analysis can be found on pages 6-3 and 6-4 of the Draft EIR. Further, ensuring the provision of adequate public recreational resources within a particular community is the purview of LADRP, not Metropolitan, whose primary purpose is water treatment and conveyance. Please also see the criteria used in Appendix G of the *State CEQA Guidelines* to evaluate environmental impacts and the response to comment 3, above.
 - 5) Ensuring the provision of adequate public recreational resources within a particular community is the purview of the LADRP, not Metropolitan, whose primary purpose is water treatment and conveyance. In addition, please see the criteria used in Appendix G of the *State CEQA Guidelines* to evaluate environmental impacts.
 - 6) As described in Chapter 2.0, Project Description, Metropolitan is also in a lease with the City of Los Angeles Department Water and Power (LADWP) for use of the solids lagoons at the Los Angeles Aqueduct Filtration Plant (LAAFP). The lease will expire in 2014, at which time Metropolitan must have an alternative solids handling facility constructed or the Jensen Plant could potentially incur extraordinary costs for solids handling. Under this scenario, the Jensen Plant's ability to treat drinking water may be constrained. In addition, please see the criteria used in Appendix G of the *State CEQA Guidelines* to evaluate environmental impacts.

- 7) Metropolitan understands Commenter's concerns and appreciates the time spent on commenting on the Draft EIR. Certification of this EIR and approval of the Jensen Solids Handling Facility Project are to be considered by the Board of Directors at committee and board meetings on November 8, 2010 and November 9, 2010. Details regarding these meetings may be found at <http://www.mwdh2o.com/>.

Mr. Jason Reid

- 8) The proposed project would not result in a substantial adverse impact on scenic vistas since the belt press building and solids cake storage area would result in no substantial change to the existing visual character of the Jensen Plant facilities, including landscaping, already surrounding the project area. The lagoons would be similar to the LAAFP drying lagoons already located southeast of the proposed project site.

As stated on page 3.3-21 of the Draft EIR, construction and operational impacts would result in less-than-significant impacts related to odors. Construction related activities would be temporary and would comply with applicable South Coast Air Quality Management District (SCAQMD) Rules. Solids are removed during the water treatment process and are currently dried at the LAAFP lagoons, which are located approximately 1,800 feet to the east of the intersection of Woodley Avenue and Balboa Boulevard, and no objectionable odors are emitted. The drying of solids within the proposed lagoons and solids cake drying area would also not emit objectionable odors.

- 9) Please see response to comment 8, above. The proposed project would not result in a substantial adverse impact on scenic vistas since the belt press building and solids cake storage area would resemble the industrial character of the Jensen Plant facilities already surrounding the project area. Furthermore, effects analyzed under CEQA must be related to a physical change in the environment. Economic and social effects are not considered environmental effects under CEQA (*State CEQA Guidelines* Section 15131).

Knollwood Property Owners Association

- 10) The proposed project would produce solids that would contain from 20 percent to 25 percent solids by weight with the remaining 75 percent to 80 percent being water when loaded into trucks for off-hauling. The moisture content would prevent the solids from becoming a wind-borne nuisance. Operationally, Metropolitan is required to comply with SCAQMD Rule 403 for control of fugitive dust so that no observable dust leaves the property. Furthermore, the proposed project would not produce or handle hazardous materials as part of the dewatering process. Metropolitan's most current solids sampling results from 2007-2008 (using U.S. Environmental Protection Agency (EPA) procedures) are identified in the table below. All of the constituents are substantially (at least 1 to 2 orders of magnitude) below the total threshold limit concentrations.

JENSEN PLANT SOLIDS ANALYSES^a TOTAL THRESHOLD LIMIT CONCENTRATIONS (TTLC)

Constituents	Regulatory Limit (mg/kg) ^b	Range (Average) (mg/kg)
Antimony	500	1.1–1.3 (1.2)
Arsenic	500	14–27 (20)
Barium	10,000	23–36 (31)
Beryllium	75	Not detected
Cadmium	100	1.1–1.5 (1.3)
Chromium	500	3.1–7.2 (5.7)
Cobalt	8,000	1.3–2.2 (1.8)
Copper	2,500	49–81 (63)
Lead	1,000	Not detected
Mercury	20	Not detected
Molybdenum	3,500	Not detected
Nickel	2,000	2.6–5.8 (4.5)
Selenium	100	1.2–2.0 (1.6)
Silver	500	0.51–0.56 (.54)
Thallium	700	Not detected
Vanadium	2,400	7.1–14 (11)
Zinc	5,000	7.4–17 (14)
Total Iron	(not regulated)	3,500– 6,400 (5,000)

^a Based on sampling conducted in 2007 and 2008

^b milligrams/kilograms

SOURCE: Metropolitan, 2010

Section 3.3, page 3.3-12 Air Quality under Operational Impacts states that:

Operational emissions (i.e., mobile and area sources) were calculated using EMFAC2007 emission rates and assumptions found in URBEMIS2007 for haul truck and delivery truck trip distances. EMFAC2007 is the latest emission inventory model for motor vehicles operating on roads in California. This model reflects the CARB’s current understanding of how vehicles travel and how much they pollute.

The air calculations included stationary and mobile sources and concluded that the proposed project would not result in a significant impact in accordance with CEQA significance threshold criteria as identified in Appendix G of the *State CEQA Guidelines*.

- 11) See response to comment 10, above. Please refer to Figure 2-3 Process Flow Diagram in the Draft EIR.
- 12) Turning of the solids in the lagoons for drying will be regulated by SCAQMD Rule 403. Furthermore, the solids would not fully dry out. The solids that are ready to be off-hauled to the landfill or nurseries would contain approximate 20 percent to 25 percent solids by weight and the remaining 75 percent to 80 percent would be water, which would prevent the solids from becoming a wind-borne nuisance.

- 13) Please see response to comment 7, above. Metropolitan will mail the responses to the Knollwood Property Owners Association comment letter prior to the Board of Directors hearing.

Granada Hills North Neighborhood Council

- 14) The circulation of the Notice of Preparation (NOP) and Draft EIR complied with *State CEQA Guidelines* Sections 15082 and 15085. The noticing for the Draft EIR was advertised in the local newspaper, and notices were posted at the ball fields and on Metropolitan’s website. As requested, the Granada Hill North Neighborhood Council (GHNNC) will be included in all future notifications regarding the Jensen Plant.
- 15) The text has been revised to strike the word “several.” The Jensen Plant currently stores four railcars on-site as documented in Table 2-1. The Draft EIR has been revised to show the railcars’ capacity is 17,340 gallons. Table 2-1 has been revised to reflect the new capacity number of 17,340 gallons. See below:

**TABLE 2-1
JENSEN CHEMICAL AND STORAGE FACILITIES**

Chemical	Storage Facilities
Aqueous Ammonia	3 tanks @ 25,000 gal
Caustic Soda (NaOH) Filter Effluent	4 tanks @ 120,000 gal
Chlorine	4 railcars @ 44,000 <u>17,340</u> gal
Ferric Chloride (Ferric) / Aluminum Sulfate (Alum)	4 tanks @ 60,000 gal
Fluorosilicic Acid	2 tanks @ 8,350 gal
Hydrogen Peroxide	2 tanks @ 2,000 gal
Liquid Oxygen (LOX)	3 tanks @ 44,300 gal
Polyacrylamide Polymer (Nonionic Dry Filter Aid)	5 tanks @ 1,930 gal
PolyDADMAC Polymer (coagulant aid)	4 tanks @ 2,800 gal
Sodium Hypochlorite	2 tanks @ 3,000 gal
Sulfuric Acid	80,000 gal and 25,000 gal

- 16) Table 3.3-12 has been revised to include the emission from operating a front loader for one hour a day for a year. The print-out of the URBEMIS modeling for the front loader operations can be found in Appendix A of the Final EIR. Following are revisions to Table 3.3-12. The impacts from operations-related emissions remain at a less-than-significant level.

**TABLE 3.3-12
ESTIMATED DAILY OPERATIONS EMISSIONS
(pounds per day)**

Project Data	VOC	NOx	CO	PM₁₀	PM_{2.5}
Operational Emissions	<u>2.07</u>	<u>19.43</u>	<u>10.53</u>	<u>1.04</u>	<1
SCAQMD Thresholds of Significance	55	55	550	150	55
Significant (Yes or No)?	No	No	No	No	No

SOURCE: TAHA, 2010; ESA 2010.

- The lagoons would be used as a primary solids dewatering mechanism to process solids generated at the Jensen Plant. The lagoon system will be in constant operational use. When the lagoon system reaches its design capacity, the excess solids would be diverted to the belt press system for processing. The air-dried solids cake in the lagoons would be hauled-out directly from the lagoons. The belt-press dewatered solids cake would be conveyed via mechanical conveyer system to the dewatered solids cake storage area where it would be stored until it is hauled out.
- 17) Please see response to comment 16 above.
- 18) In response to this comment, Figure 2-4 has been revised to include the words “Module 4” under Stockpile Area to clarify its location. Module No. 4 does not refer to lagoon 4.
- 19) See response to comment 18 above. The “(2)” was intended as consecutive numbering for the two major components of the proposed project and not intended to indicate the number of lagoons to be constructed.
- 20) All construction equipment for a specific construction phase would stay on-site for the duration of that construction phase. Construction access will be from San Fernando Road and any truck traffic generated by the existing Jensen Plant is prohibited on Balboa Boulevard. No construction vehicles or construction workers will be able to enter or exit the site through the gates on Balboa Boulevard. Meals for construction workers would not occur during A.M. or P.M. peak hours. Further, the southern end of the ball fields will not be used as construction workers parking area.
- 21) The use of the cranes would be temporary and would not be a long-term feature of the project.
- 22) If necessary, Metropolitan would obtain the applicable noise permit for construction from the City. Construction noise is evaluated on page 3.11-10 of the Draft EIR.
- 23) Metropolitan will comply with all applicable permit requirements.
- 24) Section 3.1 Aesthetics, identifies eight photo locations from public locations. Due to the topographical elevation variation and the existing vegetation, the proposed project site would not be publicly visible. The Jensen Plant is partially visible from these photo locations, but the proposed site would not be visible. The project would not include any structure taller than 30 feet.

Comments regarding the Ozone Retrofit Project are noted, but do not address the accuracy or adequacy of this EIR.

The Jensen Plant currently has a design capacity of 750 mgd. This EIR addresses the handling of solids at the 750 mgd design capacity. Metropolitan’s solids needs have

- evolved over time in relation to changing technology and drinking water treatment regulations. The Jensen Plant was originally designed to send all solids to the sanitary sewer; however, with new regulations for treating water and increasing costs and environmental effects of disposing solids via the sanitary sewer, Metropolitan has been required to find an alternative to discharging solids to the sewer.
- 25) Please see response to comment 21, above.
- 26) As identified in Section 3.1, Aesthetics, the proposed project would not be visible from any designated scenic vistas. Currently, the ball fields are within the boundaries of the Jensen Plant and are surrounded by industrial uses on the north, east, and west sides. As a result, the proposed project would be consistent with the visual character of the industrial uses in the surrounding area.
- 27) Appendices-Volume I, Appendix B of the Draft EIR is the Air Quality and Noise Impact Report conducted by Terry A. Hayes Associates (TAHA).
- 28) The Reseda Monitoring Station is the closest station operated, maintained and calibrated by SCAQMD. The data from the SCAQMD is the most accurate information to include in the Draft EIR. The operational and site specific requirements of the conditional use permit (CUP) for the landfill are not relevant to the Jensen Plant.
- 29) Please see response to comment 28, above.
- 30) In response to this comment, Bee Canyon Park has been added to the list of sensitive receptors within one-quarter mile of the project on Page 3.3-9.

Sensitive receptors within ~~one-quarter mile (1,320 feet)~~ 1,800 feet of the project site include the following:

- Single-family residences located approximately 1,3180 feet west of construction activity
 - Single-family residences located approximately 680 feet southwest of construction activity
 - Single-family residences located approximately ~~750~~ 830 feet south of construction activity
 - Bee Canyon Park located approximately 980 feet west of construction activity
 - Van Gogh Elementary School located approximately ~~1,245~~800 feet southwest of construction activity
- 31) The Draft EIR concluded in Section 3.3 Air Quality that the proposed construction activities would have a significant and unavoidable air quality impact. In turn, this finding would require Metropolitan to prepare a statement of overriding considerations for air quality impacts resulting from the construction phase. However, the operation of the proposed project would have a less-than-significant operational air quality impact.

- The Air Quality section of the Draft EIR analyzed the potential impacts of the proposed project in accordance with Appendix G of the *State CEQA Guidelines*. The removal of the turf fields and trees would not have a substantial incremental adverse effect on air quality, which is analyzed on a regional basis.
- 32) Metropolitan is unaware of any complaints of dust storms that were allegedly produced by Metropolitan or its contractors in 2003-2004. Under Metropolitan's forthcoming construction specifications, the contractor will be obligated to comply with SCAQMD Rule 403 which requires the contractor to employ best available control measures specified within Rule 403. Control measures will include the application of water to control or prevent generation of dust.
- 33) As described in Section 3.3 Air Quality, the drying lagoons would not result in any objectionable odors (see page 3.3-21). See response to comment 16, above, for revisions to Table 3.3-12, which include the calculations for the front loader.
- 34) Please see response to comment 10, above.
- 35) Metropolitan has implemented test monitoring wells to sample the ground water within the proposed project site. There was no odor associated with the water and core samples extracted from the wells. There is no evidence that petroleum sites are located on-site and it is not anticipated that the implementation of the proposed project would not encounter or disturb petroleum deposits.
- 36) LAAFP lagoons are located approximately 1,800 feet east of the intersection of Woodley Avenue and Balboa Boulevard, and no objectionable odors are emitted from this site. The proposed project's lagoon #1 is located approximately 1,000 feet north of the intersection of Woodley Avenue and Balboa Boulevard. As described in Section 3.3 Air Quality, the drying lagoons would not result in any objectionable odors (see page 3.3-21). The Metropolitan lagoons would be operated similarly to the existing LADWP lagoons and there has not been an odor issue related to these lagoons. The taste and odor associated with the blue-green algae in the source water will be controlled at the Jensen Plant with the addition of ozone.
- 37) As described in Section 3.4 Biological Resources, Metropolitan has surveyed the ball fields for two consecutive years and has not visually observed any geese on-site. Page 3.4-9 of the Draft EIR states:

According to field surveys, it appears that the ball fields are visited occasionally by Canada geese since geese feathers were identified during several visits. However, no Canada geese were observed during the past two years of field surveys at the proposed project site. The surveys did indicate that geese have utilized the surrounding areas such as the LADWP lagoons and have been observed at all other control sites. The failure to observe geese on the ball fields may be attributable to more desirable foraging areas in the surrounding region. Due to the presence of

geese at all of the control sites, removal of the ball fields would not be considered a significant impact to these migratory birds.

- 38) Please see response to comment 37, above. Further, wildlife corridors are pathways or habitat linkages that connect discrete areas of natural open space otherwise separated or fragmented by topography, changes in vegetation, and other natural or human-induced factors, such as urbanization. The project site does not act as a wildlife corridor.
- 39) Metropolitan will be required to comply with SCAQMD Rule 403 should the situation arise during construction. Construction dust will be temporary and will not occur during operation. Please see Section 3.9 Hydrology and Water Quality for information regarding on-site drainage.
- 40) Please see Section 3.6 Geology and Soils, page 3.6-4, which states:

The potential of seismic shaking hazard at the site was realized when the area that occupies the current project site sustained considerable ground deformation due to ground shaking from the 1971 San Fernando earthquake and the 1994 Northridge earthquake. Significant ground deformation, as a result of the 1971 San Fernando earthquake, occurred at the southeastern portion of the plant (or approximately equivalent to the current project site limit).

- 41) Please see response to comment 10, above. The lagoon subdrain system is designed to capture the majority of the water. The small percentage of the water that may percolate into the groundwater table would not be hazardous as the constituents are substantially below the EPA thresholds.
- 42) The Draft EIR addresses project Greenhouse Gas (GHG) impacts in Section 3.7 Greenhouse Gas Emission and concluded the project would have a less-than-significant impact. Further, the Draft EIR addressed the cumulative impacts of the proposed project in Chapter 4.0 Cumulative Impacts. The Sunshine Canyon Landfill was included as one of the related projects (see Table 4-1).
- 43) The Jensen Plant has the capacity to store chemicals on-site to treat the Jensen Plant's rated capacity of 750 mgd. The addition of the Solids Handling Facility Project would not change the existing need for or require more chlorine to be stored. Metropolitan prepared an environmental document in 1988 that included expanding the Jensen Plant to treat up to approximately 750 mgd. Treating water and the use of chemicals associated with the treatment process at the rated capacity of 750 mgd is independent from the proposed project.
- 44) Metropolitan has clearly disclosed within this Draft EIR that there is liquid chlorine on-site (see Table 2-1). The proposed project would not increase the need for chlorine (see response to comment 43, above). Further, Metropolitan has an emergency response plan on file with the City of Los Angeles Fire Department.

- 45) As described in the Chapter 2.0 Project Description, the Draft EIR states:

Under a cooperative agreement between LADWP and Metropolitan, signed in April 2005, solids produced at the Jensen Plant currently are conveyed via a 6-inch pipeline to drying lagoons on LADWP's Los Angeles Aqueduct Filtration Plant (LAAFP) located adjacent to the Jensen Plant. The Metropolitan-LADWP agreement expires in 2014, at which time Metropolitan must have an alternative solids handling facility constructed. The LADWP lagoons are inadequate to meet Metropolitan's long term solids processing needs, providing approximately 15 percent of the total Jensen Plant treatment capacity of 750 mgd. The proposed project would provide solids handling and drying facilities on the Jensen Plant site sufficient to accommodate the full 750 mgd treatment capacity.

Furthermore, ensuring the provision of adequate types and numbers of public recreational resources within a particular community is the purview of the LADRP, not Metropolitan, whose primary purpose is water treatment and conveyance.

Metropolitan's solids needs have evolved over time in relation to changing technology and drinking water treatment regulations. The Jensen Plant was originally designed to send all solids to the sanitary sewer; however, with new regulations for treating water and increasing costs and environmental effects of disposing solids via the sanitary sewer, Metropolitan has been required to find an alternative to discharging solids to the sewer.

- 46) As described in Section 3.15 Transportation and Traffic, the proposed project will use San Fernando Road for all construction traffic and delivery trucks; therefore, intersections along Balboa Boulevard will not be impacted.

- 47) The text on page 3.15-14 of the Draft EIR has been revised to include Los Angeles Department of Transportation (LADOT) 236 and 237 Bus Service. This text change is provided below:

There are no public transit service bus routes that serve the ~~immediate~~ proposed project site off of San Fernando Road, and surrounding area. However, LADOT 236 Bus Service uses Balboa Boulevard to service the Encino to Sylmar route and the LADOT 237 Bus Service for Encino to Van Nuys is approximately two miles south of the proposed project. However ~~In addition~~, approximately three miles south of the proposed project site, the LADOT operates Commuter Express Route 574 which provides service to the Sylmar Metrolink Station.

The addition of the above Bus Services does not change the conclusions within Section 3.15 Transportation and Traffic.

- 48) The intersection of Foothill Boulevard/Balboa Boulevard was not analyzed since the proposed project would not create any measureable, if any, traffic impacts to this intersection. No project-related traffic (passenger-car and truck traffic) would utilize this intersection as access to northbound Interstate 5 (I-5) and State Route 14 (SR 14) since

- they would have direct access to San Fernando Road, which provides two northbound travel lanes to an on-ramp to I-5 and SR 14 on Sierra Highway. Access to Foothill Boulevard/Balboa Boulevard from the service driveway on San Fernando Road would be more circuitous as project traffic would be subject to more signalized intersections, as well as lesser capacity from a single northbound travel lane on Foothill Boulevard. Furthermore, as stated in Chapter 2, Project Description and noted in the discussion of project trip distribution in the Section 3.15, Transportation of the Draft EIR, all truck-related traffic associated with the proposed project would be prohibited on Balboa Boulevard, and would be required to follow construction truck traffic routes on San Fernando Road to and from the freeway ramps at Sierra Highway and Roxford Street.
- 49) LADOT supplied the related projects list that the traffic engineer used for the traffic technical report. The Sunshine Canyon Landfill expansion (Cumulative Project 1) was an approved project provided by LADOT per their traffic study guidelines. Although commenter noted that the facility has an approved permitted capacity of 12,500 tons per day, per the LADOT, up to 5,500 tons per day is currently planned to be in operation at the time of the start of construction of the proposed project (2013). The analysis of the full 12,500 tons per day capacity of this related project for the project construction year of 2013 would overstate future baseline traffic impacts. In addition, the commenter stated that the landfill has been diverting long haul vehicles since 2009. This traffic has already been accounted for in the existing traffic volumes collected in the study area in March 2010.
- 50) It is standard engineering practice to analyze the typical peak hour conditions for projects that generate consistent weekday traffic because typical peak hour conditions are tied to morning (A.M.) and afternoon/evening (P.M.) peak commute hours in most urban and suburban areas. During a typical week, these conditions are usually represented on either a Tuesday, Wednesday, and/or Thursday. Traffic on Mondays and Fridays is usually not indicative of typical weekday traffic patterns since they are affected by weekend travel patterns. In general, commuter traffic is concentrated in the middle of the week (Wednesday) since there is no influence by weekend travel patterns. Fridays are generally skewed because of 9/80 work schedules and shortened work days where people will travel for the weekend earlier in the day to avoid Friday rush-hour traffic. Review of traffic volumes along San Fernando Road show a consistent average daily traffic (ADT) volume of approximately 25,700 ADT north of Balboa Boulevard. Although the commenter indicated that Mondays are trash pickup days for the Granada Hills area, trash trucks travel along San Fernando Road to access the landfill during all days of the work week. These trash pickup trips and the diverted long haul trips to the landfill have been accounted for in the March 2010 existing traffic volumes of the traffic analysis.
- 51) Metropolitan will respond in a timely fashion to any noise complaint and will comply with the noise ordinance.
- 52) Metropolitan understands that LADWP needs the capacity of their existing lagoons to meet future operations and that it was not a feasible option to construct additional lagoons

on-site to accommodate Metropolitan's solids drying needs. In addition, other locations on the Jensen Plant are reserved for future technologies to meet the ever-changing drinking water requirements.

The related projects list for the cumulative impact analysis was compiled in coordination with LADOT.

- 53) The Draft EIR was prepared and organized in accordance with the *State CEQA Guidelines* Sections 15120 to 15132 (Article 9. Contents of Environmental Impact Reports). For quick reference please see either the Executive Summary or the Table of Content for analysis of each resource area. All comments received by Metropolitan during the circulation of the Draft EIR for public review have been addressed with corresponding responses.
- 54) Section 3.9 Hydrology and Water Quality addresses the pre- and post-construction flows from the project site. The site runoff would continue to flow to the Bull Creek through the existing Jensen Plant's storm drain system.

Native American Heritage Commission

- 55) All individuals and tribes included on the attached list were contacted via telephone and were mailed a package with detailed project information. In addition, a records search was conducted at the California Historical Resources Information System repository, at the South Central Coastal Information Center.
- 56) The Native American Heritage Commission (NAHC) was contacted and a list of interested parties was obtained. All parties indicated on the NAHC contact list received a package with detailed project information and a request for comments on the project, as described on page 3.5-4 of the Draft EIR.
- 57) In the event that archaeological and/or paleontological resources are encountered, Mitigation Measures CUL-1 through CUL-4 would reduce impacts to a less-than-significant level per CEQA requirements. Mitigation Measure CUL-5 requires all work be halted if human remains are found and requires compliance with Section 15064.5 (e)(1) of the *State CEQA Guidelines* in addition to consultation with the NAHC pursuant to Health and Safety Code Section 7050.5 and Public Resources Code 5097.98.

APPENDIX A

Air Quality Data Sheets (URBEMIS)

Page: 1

9/7/2010 7:42:40 AM

Urbemis 2007 Version 9.2.4

Detail Report for Summer Construction Unmitigated Emissions (Pounds/Day)

File Name:

Project Name: frontloader 1 hr day a year

Project Location: South Coast AQMD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES (Summer Pounds Per Day, Unmitigated)

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10 Total</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5 Total</u>	<u>CO2</u>
Time Slice 1/3/2011-12/30/2011 Active Days: 260	<u>0.07</u>	<u>0.43</u>	<u>0.53</u>	<u>0.00</u>	<u>0.00</u>	<u>0.04</u>	<u>0.04</u>	<u>0.00</u>	<u>0.04</u>	<u>0.04</u>	<u>72.02</u>
Fine Grading 01/01/2011- 12/31/2011	0.07	0.43	0.53	0.00	0.00	0.04	0.04	0.00	0.04	0.04	72.02
Fine Grading Dust	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Off Road Diesel	0.07	0.42	0.28	0.00	0.00	0.04	0.04	0.00	0.03	0.03	40.93
Fine Grading On Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fine Grading Worker Trips	0.01	0.01	0.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	31.09

Phase Assumptions

Phase: Fine Grading 1/1/2011 - 12/31/2011 - Default Fine Site Grading/Excavation

Total Acres Disturbed: 0

Maximum Daily Acreage Disturbed: 0

Fugitive Dust Level of Detail: Default

20 lbs per acre-day

On Road Truck Travel (VMT): 0

Off-Road Equipment:

1 Tractors/Loaders/Backhoes (108 hp) operating at a 0.55 load factor for 1 hours per day

Page: 1

9/7/2010 7:42:24 AM

Urbemis 2007 Version 9.2.4

Summary Report for Summer Emissions (Pounds/Day)

File Name:

Project Name: frontloader 1 hr day a year

Project Location: South Coast AQMD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
2011 TOTALS (lbs/day unmitigated)	0.07	0.43	0.53	0.00	0.00	0.04	0.04	0.00	0.04	0.04	72.02

APPENDIX B

Public Comments Received on the DEIR

From: bill.bridges@att.net [mailto:bill.bridges@att.net]
Posted At: Saturday, August 07, 2010 5:01 AM
Posted To: DEIR
Conversation: Jensen Plant EIR comments.
Subject: Jensen Plant EIR comments.

Jensen Plant EIR comments.

To whom it may concern.

I read your draft environmental impact report regarding the Jensen Plant sludge lagoon project that is proposed for 13100 Balboa Avenue. I am deeply concerned about your finding of "no significant impact" to "land use", "public service and utilities," and "recreation" when the project is being placed on land the is currently and has for many decades been used by the surrounding community for youth sports and recreation.

1

Irrespective of the lease agreement, ownership, and property rights, MWD has caused this land to be used for recreation and public service for many decades. The surrounding community has grown around this sports complex and it has become a critical part of the social fabric of the community. This is no different than if a constructed wetland would become habitat to endangered specie. The level of impact of filling in that constructed wetland to the endangered specie would be significant and require mitigation. Well, the conversion of a traditional sports facility to sludge lagoons has the same level of impact on the surrounding community.

2

I have been a professional athlete and have first-hand experience of the power of organized sports activities on the nurturing, development, and direction of our youth. As our youth mature in our urban communities, many of the choices before them will not lead them to a bright future. Sports and recreation does. It has been proven time and time again that organized sports and recreation keep kids off the streets out of trouble and focused on a bright future. Taking away sports and recreation from a community is, in essence, taking away part of their future, can result in increased crime rates, and rip the fabric of a community.

3

There have been hundreds of thousands of kids who have played at the Balboa Sports complex over the years and moved on to bright positive futures. To take the sports complex without mitigating this loss is a crime. To claim that the impact is not significant because the "lease is expiring anyway" is a travesty of justice.

4

We all know that leases are negotiable, can be extended, and that projects can be timed around lease expirations. Irrespective of leasing arrangements, MWD wants to build lagoons for additional solids separation and handling. Instead of considering alternative technologies (sludge thickeners, centrifuges, subsurface settlers, etc.), they have elected to utilize open lagoons, which if land acquisition costs are not necessary, are less expensive than other technologies. Since MWD owns the park land and can simply quit the lease, land acquisition costs have not been considered when developing the project. However, to say that taking the park out of service is "not significant" because the "lease is expiring" does not take into account the historical dependence that the surrounding community has developed on the park.

↑
4

Communities evolve, much like habitat, and cannot successfully adapt to rapid changes in their social environment. Therefore, at a minimum, taking the park out of service should be mitigated by the project proponent, particularly since the project proponent is electing to not extend the lease because of their desire to do the project using these less expensive lagoon technologies.

5

Please, do not simply walk away from this park and state that there is no significant impact that you do not need to mitigate. There are plenty of impacts associated with the loss of a central community feature like a park. Saying that there is no impact because the park was going away anyway is not fully disclosing the reasons for MWD electing not to extend the lease to the City. Please mitigate the impact or select an alternative that does not cause the impact.

6

Please, remember, that MWD is a government organization in a voluntary democracy and operates at the will of the people who elect their governing board - directly or indirectly. To take a park in order to use a less expensive sludge dewatering technology without a public hearing of the matter is a travesty of the ideals of democracy.

7

Sincerely,

Bill Bridges

Bill Bridges.

310 392 3460

From: Jason Reid [mailto:jasonreid2@hotmail.com]
Posted At: Thursday, July 22, 2010 10:37 PM
Posted To: DEIR
Conversation: Jensen Solids Handling Facility Project
Subject: Jensen Solids Handling Facility Project

Jason Reid
 12810 Woodley Ave
 Granada Hills, CA 91344

William Fong
 The Metropolitan Water District of Southern California
 P.O. box 54153
 Los Angeles, CA 90054-0153

Dear Mr. Fong,

My wife and I have received the notification of the proposed Jensen Solids Handling Facility Project. We wish to voice our concern of the proposed site. After years of searching for a new home, we found our current home, which we purchased just a little over a year ago. My wife and I with our daughter have enjoyed strolls through the existing grass fields and enjoying the views of the surrounding landscape from our backyard. We truly believed we had found the proverbial diamond in the rough with our new home. Plus, we felt it was a sound financial investment. The new proposed project we feel puts all of this at risk.

The proposed project will eliminate many of the benefits that lead us to the purchase of our new home. The soccer fields, which my daughter affectionate calls her fields, will be eliminated. The view, while somewhat eclectic, had a unique blend of grass fields and concrete structures. With the elimination of the fields, we'll be left with just metallic cylinders. Despite the environmental report claiming there would be no objectionable odors, this is now a really concern for us. Due to the nature of the facility, there is an inherent risk that we could experience odors.

Furthermore, there is the practical matter of resale value of our home. A project of this type will impact the number of people willing to purchase our home and so will impact the future sale price of the home. The appraisal report at the time of purchase of our home had the home's view as one of the key assets in the home's value. This again would be affected by the proposed project.

8
9

In conclusion, we'd wish to voice our objection of the project and hope that it can be relocated to a more remote area that will not impact homeowners. ↑ 9

Please feel free to contact me either by cell or e-mail. My e-mail is jasonreid2@hotmail.com. My cell home is (310) 989-2744. I'd appreciate notification of any public hearing relating to this matter. Thank you for taking our concerns into consideration.

Sincerely,

Jason Reid

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. [See how.](#)

Knollwood Property Owners Association
c/o Fidelity Management Services, Inc.
 9310 Topanga Canyon Blvd. Suite 220
 Chatsworth, CA 91311
 Tel: (818) 883-4442
 Fax: (818) 883-6761

August 19, 2010

Mr. William Fong
 The Metropolitan Water District of Southern California
 P.O. Box 54153
 Los Angeles, CA 90054-0153

cc: ept@mwdh2o.com

Dear Sir:

This letter is in reference to the Draft Environmental Impact Report (SCH No. 2009111081) dated July 2010 concerning the proposed Jensen Solids Handling Facility Project.

The Knollwood Property Owners Association (KPOA) consists of 251 single family residential homes that are adjacent to, and south of, the proposed project. Our Association boundaries are Woodley Avenue, Middlecoff Place, and the Knollwood Drive cul de sac on the northeast, Knollwood Drive on the south, and Balboa Boulevard on the west. The owners of an additional 240 homes that are located adjacent to the KPOA tracts are eligible to join KPOA voluntarily as Associate Members.

The Board of Directors of KPOA is concerned about the probable effect of wind-blown toxic emissions emanating from the proposed dewatering lagoons. This concern was not, but should be, addressed in the DEIR.

The DEIR, in Section 3.3.3, discusses the impacts and mitigation measures with respect to "Operational Emissions," but it confines its consideration solely to possible emissions from "stationary source air." This is inadequate, as there is virtually always a breeze or wind in this area, and it can come from any direction. To assume that there are no winds in this area, which is well-known for its windy conditions, is an error and it needs to be addressed in the EIR.

It is essential that the final EIR disclose the breakdown of the chemicals and other debris that comprise the solids removed from the water that is processed at the Jensen Water Treatment Plant. This breakdown should be by chemical and other substance, and by weight or volume per measure of water processed, or per cubic foot or yard of dried solids. This should be analyzed in conjunction with the prevailing wind velocity (typical, low, mean, and high) and wind direction at the site, together with an analysis of the potential for wind-blown particles of the dried solids to be picked up and carried through the air from the dewatering and drying processes.

10

11

Knollwood Property Owners Association

August 19, 2010

Page 2

The present dewatering lagoons, which are located on LADWP property adjacent to the proposed Jensen facility, are a considerable distance away from the residential area of KPOA and its adjacent Associate Member area. The existing LADWP dewatering lagoons are subject to different wind patterns from the proposed Jensen lagoons due to the hilly terrain to the north and south of the Jensen Plant. Moreover, the proposed Jensen lagoons are much larger than the LADWP's lagoons that the Jensen lagoons will replace.

12

Therefore, there must be significant discussion in the EIR of measures that will be taken to mitigate any such wind-blown dried solid particles upon inception of operations.

Kindly acknowledge receipt of these comments, and please notify us of the MWD's decision with regard to the foregoing request for inclusion in the final EIR.

13

Very truly yours,
BOARD OF DIRECTORS,
KNOLLWOOD PROPERTY OWNERS ASSOCIATION

By: Richard Bort, a Director of KPOA
Tel: (818) 360-2648
E-Mail: Board@OurKnollwood.com

BOARD MEMBERS**PRESIDENT**

Kim Thompson

VICE PRESIDENT

Scott Manatt

Carl Bueltner	Joshua Jordahl
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Gary Holmen	Steven Steinberg
Bill Hopkins	Jan Subar
Wayde Hunter	Anne Ziliak

CITY OF LOS ANGELES
CALIFORNIA



GRANADA HILLS
NORTH
NEIGHBORHOOD
COUNCIL

11862 Balboa Boulevard #137
 Granada Hills, CA 91344

Telephone (818) 360-4346
www.ghnnc.org

August 19, 2010

William Fong
 Metropolitan Water District of Southern California
 P.O. Box 54153
 Los Angeles, CA 90054-0153

Delivered via Email to wfong@mwadh2o.com and US Mail

Re: Jensen Solids Handling Facility Project – SCH # 2009111081: Draft Environmental Impact Report

Dear Sir:

The Granada Hills North Neighborhood Council (GHNNC) was certified by the City of Los Angeles on September 10, 2002, and has had a duly elected and installed Board of Directors since March 31, 2003. The area it represents and services is bounded by the Los Angeles City/County line and I-5 (Golden State Freeway) to the north, the 405 (San Diego Freeway) to the east, the 118 (Ronald Reagan Freeway) to the south, and to Aliso Canyon in the west. It is composed of 3 districts. District 1 - Sunshine Canyon Landfill, District 2 - DWP/MWD, and District 3 – All Residential Areas to the south, and encompassing approximately 28,600 stakeholders for who we now speak.

The GHNNC Planning and Land Use Management (PLUM) Committee reviewed this project proposal and on July 26, 2010 at a duly noticed meeting, the GHNNC Board approved the recommendation from the PLUM Committee to submit comments regarding our concern that the following would impact our community and must be fully addressed/assessed in the environmental analysis of this project:

- The impact of cumulative air quality impacts
- Particulates
- Carcinogens
- Odor
- Safety of chemical storage
- Non-completion of the mitigation of the previous ozone treatment project
- Subsequent the loss of recreational facilities

Please see the attached Response to JHSF Project following this cover letter.

In closing, I would like to inform you of the great concern expressed by our Board and stakeholders that we did not receive notice of an NOP nor a copy of the subsequent DEIR. Instead we received word through a third party whose attention it had come to. This lack of notification is particularly worrisome because as we noted above, not only are we an approved City agency representing the area residents but your agency, the MWD, is our District 2 which was at one time represented by the current manager of the site, David Dean.

14

Please consider that by way of this letter that we wish to be included in all future notifications.

Thank you for the opportunity to comment on this matter.

Respectfully,



Anne Ziliak, Vice President & Planning and Land Use Chair, Granada Hills North Neighborhood Council
For
Kim Thompson
President, Granada Hills North Neighborhood Council

Attachment

**GHNNC RESPONSE TO
 JENSEN SOLID HANDLING FACILITY PROJECT
 DRAFT ENVIRONMENTAL IMPACT REPORT
 SCH No. 2009111081
 Dated JULY 2010**

2.4 Background

Under Current Chemical List and Storage Facilities, Page 2 – 7, notes that *“The Jensen Plant currently uses and stores several different types of chemicals for day to day treatment..”* Given that Table 2.1 titled Jensen Chemical and Storage Facilities lists at least 11 different types of chemicals it hardly warrants a de minimus description of *“several”* and should be corrected. The dictionary defines *“several”* as an adjective meaning as *“being more than two but fewer than many in number or kind.”* Additionally this table notes that there are 4 railcars @ 14,000 gallons. The capacity of the railcars given during previous tours of this facility by the public was given as 90-ton tank cars of pressurize liquid chlorine. This equates to approximately 20,500 gallons/tank car for a total of 82,000 gallons. Please amend and/or explain the discrepancy.

15

2.5 Description of Proposed Project

Under Lagoons, Page 2-10 it states that *“During this drying phase, a front-loader could be used to turn the solids to decrease the drying time. The dewatered solids would be loaded onto trucks using a front-loader for off-site disposal”*. Why was this potential use of equipment to turn the solids not addressed in the generation of PM_{2.5} or PM₁₀ during regular operations? Additionally, this statement appears to be at directly at odds with subsequent statements that seem to indicate that dewatered solids would be removed monthly and transferred to the Belt Press Building and from there to the Dewatered Solids Cake Storage Area, and not transferred directly off-site unless capacity was exceeded. Please amend and explain why there is a discrepancy?

16

In the last sentence of this section there is yet another potentially harmful impact that does not appear to have been addressed for the generation of PM_{2.5} or PM₁₀ pollutants when it states that: *“Another time when vegetation control would be needed is when the lagoons are not used for extended periods of time and there is growth on the lagoon floor”*. Please explain why the proponent claims in other parts of this DEIR that these lagoons are needed to allow the design capacity of 750 mgd to be reached, that this project is needed now, and yet states that the lagoons might not be used for extended periods of time and how the potential impacts from particulate matter has been addressed?

17

2.6 Construction Characteristics

Under Option 1 – Complete Over-excavation and Recomposition, Page 2-12 which states that: *“The excavated soils will be stockpiled at future Module No. 4 site... .. (see Figure 2 ... 4)”*. Does the term *“Module”* refer to *“Lagoon #4?”* If so please amend and/or explain.

18

Under Option 2 – Deep Soil Mixing, Page 2-13. The same GHNNC comment as above under Option 1 in reference to *“Module #4”*. Please amend and/or explain..

19

Under Solids Dewatering Facility Construction Characteristics, Page 2-13 it states that: *“The proposed facility construction would involve construction for (1) solids dewatering facility and (2) lagoons”*. Why (2) lagoons and when is the balance of the (5) lagoons contemplated to be completed?

↑
19

Under Construction Equipment, Page 2-14 it states that: *“The types and approximate number of construction equipment needed for the proposed project are listed in Tables 2-2 through 2 -9.”* and *“Construction vehicles would access the proposed project site primarily via the service access road from San Fernando Road”* and *“The majority of the construction workers would park their vehicles at temporary lay-down areas located within the Jensen Plant immediately adjacent to the new solids dewatering facility sites. The remaining workers would use available parking spaces within the Jensen Plant.”* Under Table 2 -2 Estimated Quantities of Construction Vehicles and Equipment for the Site Preparation – Top Soil Removal Stage through Table 2 – 9 Estimated Quantities of Construction Vehicles and Equipment for the Site Preparation – Lagoon Perimeter Road Construction on Page 2 – 17 state that worker vehicles range from 29, 45, 25, 13, 31, 16, 28, 8, & 15 and the balance of the Utility Trucks, Water Trucks, Scrapers, Tractors Mass Excavators, Haul Trucks, and Wet Hose Service are listed. How many will remain on-site and how many will exit/enter daily? Since the numbers presented are vehicle counts how many trip ends are contemplated? How are the potential offsite trips for meals by construction workers being accounted for? Additionally wording such as *“primarily”* and *“majority”* is vague as there seems to be nothing that might definitively exclude the use of *“the main entrance on Balboa Boulevard”* or the use of the entrance to the ball fields also located on Balboa Boulevard (see Project Area Setting Page 3.1-2) as a potential entry/exit point. Is the use of the parking area at the southern end of the facility in the parking area used by the ball fields contemplated as one of those areas and if so have the potential impacts such as noise and dust et cetera been addressed? Is the use of this main entrance on Balboa contemplated for any purpose and have the all potential impacts to the neighboring community been addressed?

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On Table 2-3, Estimated Quantities of Construction Vehicles and Equipment for the Site Preparation – Belt Press Building Soil Stabilization, Page 2-15 it states that 3 Cranes are required for 165 days. The last time that the MWD undertook construction for a prior expansion/upgrade of their system a number of large multi-storied cranes were left for months until complaints regarding the view were registered by the surrounding community. Why is there no mention of the potential for this visibility of these cranes and how they can be mitigated?

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2.7 Construction Schedule

Under this section on Page 2 -17 it states that: *“Normal work hours 7:00 a.m. to 7:00 p.m. are envisioned”* over a 28 month period with slightly shorter hours on Saturdays. Under Option 2 it would be *“7:00 a.m to 11:00 p.m.”* for 11 months. The proposed hours for construction at night Under Option 2 are too long and present an unreasonable impact on the quality of life in the residential area surrounding the proposed project. While acknowledging that a noise permit would be required by the City Police Commission to work 16-hour workdays does the proponent recognized that this area of Granada Hills is in a Noise Abatement area, and if a hearing/meeting in which the permit is applied for, will it be a public hearing and would the public be notified? How far would that notification extend if it is given (i.e. 500-foot property boundaries)?

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2.9 Potential Discretionary Approvals

Table 2 – 10 Discretionary Permits Potentially Required, Page 2-18 lists the agencies and the permits required that would use this Draft EIR information to support the agency permitting processes. If a hearing/meeting in which the respective permit or other discretionary approvals is applied for will it be the project proponent who is responsible for notifying the public or will it be the respective agency? Who in each case would be responsible for notifying the public and how far would that notification if given extend (i.e. 500-foot property boundaries)?

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3.1.3 Impacts and Mitigation Measures

Under Scenic Vistas, Impact 2.1-1: The Project could have a substantial adverse effect on a scenic vista, Page 3.1-10 the proponent starts off claiming that while under construction that: *“(e)xisting vegetation along the perimeter fence and elevation from Balboa Boulevard to the proposed site would screen view s from Balboa Boulevard...”* This claim is not true as only partial screening has been provided. Not only has the proponent failed to meet the conditions of a prior EIR approval for properly screening the MWD property from the neighborhood for their last Ozone Treatment Expansion but they have also failed to replace the screening vegetation that was destroyed along Balboa - one year and a half after the Sayre Fire in November 2008. When will the screening vegetation be restored and when will the past commitment to properly screen the residences from the previously constructed Ozone Treatment Expansion (circa 2003 -2004) be completed? In the third sentence of the page the proponent seeks to minimize the ongoing visual impacts by switching to after construction has been completed claiming that: *“the public has limited views of the area.”* Nothing could be further from the truth as all the residences are aware of the now massif industrial nature of an area that was once open fields and a resting place for Canada Geese, approved by a process which amounts to “Incremental Approval” of the entire project and a violation of CEQA. The MWD has not provided the public at any time with any document analyzing the contemplated future build out of its facilities while knowing for many years the future planned capacity of such a facility and the ancillary infrastructure necessary to support such plans. Under 6.1.4 Alternatives Considered But Rejected, Page 6-3 it states that: *“During the planning process, Metropolitan considered but rejected several alternatives. These include a lease extension with LADWP for continued use of the existing LADWP lagoons. This alternative would not meet any of the project objectives, and is infeasible since the LADWP lagoons do not have enough capacity to serve the Jensen Plant to accommodate dewatering of solids generated from the water treatment process under design plant flow conditions.”* It goes on to say that: *“An off-site dewatering lagoons option that would construct new lagoons at the LAAFP property was deemed infeasible because it would conflict with LADWP’s future facility plans.”* Further it goes on to say that: *“an alternate location for the belt press building was considered on the western portion of the Jensen plan”* and *“this building location was rejected because it conflicts with Metropolitan’s future planning objectives”*. It is obvious that MWD knows what is needed to complete the design capacity of 750 mgd but have failed to provide this information seeking incremental approval of the entire project instead. Where is the environmental documentation to support a facility of this size? What are their future expansion plans and why have they also not been included? Why is the proponent allowed to only consider the existing conditions when their past approvals have contributed to the cumulative effects of the now deteriorated visual conditions? On Table 2-3,

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Estimated Quantities of Construction Vehicles and Equipment for the Site Preparation – Belt Press Building Soil Stabilization, Page 2-15 it states that 3 Cranes are required for 165 days. The last time that the MWD undertook construction for a prior expansion/upgrade of their system a number of large multi-storied cranes were left for months until complaints regarding the view were registered by the surrounding community. How and where are the impacts of the potential visibility been addressed?

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Under Visual Character, Impact 3.1-3: The proposed project could substantially degrade the existing visual character quality of the site and its surroundings. The proponent seems to be minimizing the nature of the project changes. While acknowledging that: *“the lagoons would be substantially different in appearance from the existing ball fields, the overall visual character for the general area would not be significantly degraded as seen from the surrounding views since these views are predominately industrial in character”*. The same comment as submitted above under Scenic Vistas, Impact 2.1-1: The Project could have a substantial adverse effect on a scenic vista, would be applicable here as well.

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3.3 Air Quality

Under this section, Page 3.3-1 reviewer was unable to locate Jensen Solids Handling Facility Air Quality and Noise Impact Report referred to as prepared by Terry A. Hayes Associates (TAHA) which indicated had been included in DEIR as Appendix B. Appendix B was Laboratory Test Results Technical – GeoLogic Associates.

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3.3.1 Environmental Setting

Under Local Climate, Page 3.3-1 the data from the Reseda Wind Monitoring Station does not represent the local wind conditions. Data is available from a number of sources such as studies already conducted by BFI/Allied Waste/Republic Sunshine Canyon Landfill and their consultants and presented to the City of Los Angeles Technical Advisory Committee (TAC) as a condition of their CUP to monitor the Van Gogh Elementary School since 2006. Additional information has also been presented to the South Coast Air Quality Management District (SCAQMD) in 2010 to satisfy an Abatement Order for Odors. Night drainage and inversion layers patterns have been identified and height increases at the landfill will potentially increase these conditions. Additional studies/tests/reports are also due to the SCAQMD this year. The location of the Reseda Monitoring Station is over 7 miles away and located to the south southwest (SSW) and does not represent nor typify the winds which blow out of the Newhall-Saugus Pass. The proposed facility is located at the mouth of this pass. Indeed the winds in this area are so bad that the trees in the area are permanently bent to the south east and which prompted a thesis at CSUN titled The Winds of the Newhall-Saugus Pass by Koutnik. Why was local data which is readily available not used or why were studies not commissioned when the MWD was aware that this data from Reseda was not representative of local conditions? Why were effects from the Sunshine Canyon Landfill not identified and taken into account when this landfill was sited with “Overriding Considerations” when the detrimental air quality impacts could not be mitigated?

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Existing Air Quality in the Project Vicinity

Under this section on Page 3.3-2 same comments as above. It should be noted that a County Health Study conducted by the County Department of Health Services in early 2000 indicated that there was increased upper respiratory distress in the area directly to the south of the Sunshine Canyon Landfill and directly west of the proposed project.

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3.3.2 Regulatory Framework

Under Sensitive Receptors, Page 3.3-9 the section fails to note that Bee Canyon Park lies within one-quarter mile (1320 feet) of the project site.

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3.3.3 Impacts and Mitigation Measures

Under Conflict with Air Quality Plan, Page 3.3-12 the proponent states that: *“The SCAQMD has designated two key indicators of consistency with air quality policies. The first criterion requires that the project not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations...”* and *“As described below in Impact 3.3-1, the proposed project would result in NOx, PM10, and PM2.5 emissions that would exceed the SCAQMD significant thresholds during the short-term duration of construction. Although the temporary emissions would contribute to air pollution in the Basin, the construction activities would not result in measurably more frequent or more severe air quality violations.* The proponent fails to address the fact that the Sunshine Canyon Landfill which is located directly to the northwest was approved with “Overriding Considerations” because the detrimental air quality impacts to the community adjacent to the proposed project could not be mitigated. Currently the landfill is under an Abatement Order for Odors from the South Coast Air Quality Management District (SCAQMD) and that the creation of any additional air quality problems will only exacerbate the fact that this community is being made to suffer a disproportionate share of cumulative emissions which are not being mitigated. Nowhere does the DEIR address or compensate for the loss of the cleaning affects on the quality of air that the 20 acres of grass and trees contribute to the existing air quality and which will ultimately result in an additional impact to air quality as a result of the project. Under 3.4.1 Environmental Setting, Vegetation, Page 3.4-1 it indicates that the site consists of turf grass, ornamental trees and shrubs, including pine (Pinus sp.), deodar cedar (Cedrus deodara), ash (Fraximus sp.) eucalyptus (Eucalyptus sp.), bottlebrush (Callistemon sp.), and bougainvillea (Bougainvillea sp.) along with numerous non-native weeds and grasses. Why is the loss of this resource not included in the ongoing air quality impacts for both construction and operation?

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Under Mitigation Measures, Page 3.3-19 the proponent offers a number of measures including AQ-1 which states that: *“Water or a stabilizing agent shall be applied to exposed surfaces at least two times per day to prevent generation of dust plumes.”* This mitigation is insufficient and without an onsite SCAQMD inspector will as has happened in the past not be adhered to. During the last expansion of the MWD’s Ozone Treatment Facility (circa 2003 -2004) the proponent failed to comply with a similar mitigation which resulted in producing not just dust devils but dust storms. As previously stated in other sections the wind patterns and wind velocities in this area have not been adequately addressed and again the question is why is the proponent failing to provide the correct data and why are mitigations which will not produce the desired results being offered when they failed the last time?

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Operational Emissions

Under Regional Emission, Page 3.3-20 it states that: *“Relocating the lagoons on the project site would generate a maximum of 25 new daily haul trucks and chemical delivery truck trips during the operation of the Jensen Plant at full capacity”*. Why does the proponent not address what seems to be the fact that the lagoons are moving much closer to the residential areas and winds that impacted the DWP lagoons and carried any emissions or odors from the solids (sludge) to the uninhabited areas of the DWP’s property will now directly impact the residences to the south, southeast, west and northwest of the facility? The proponent had also stated under Lagoons, Page 2-10 that *“During this drying phase, a front-loader could be used to turn the solids to decrease the drying time. The dewatered solids would be loaded onto trucks using a front-loader for off-site disposal”*. Have these turning operations which may occur daily been included in Table 3.3-12?

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Toxic Air Impacts

Under this section on Page 3.3-21 the proponent only considers vehicles as a source of toxics. Since this project is located in a high wind area and will involve air drying of solids (sludge) over 19 acres and since there has been no data offered as to what these solids (sludge) consists of (i.e. particulate size, heavy metals etc) this information should be included and a health risk assessment should be conducted. Such information is readily available. Studies like Delta Drinking Water Quality and Costs, Technical Appendix H, September 2008 from the Public Policy Institute of California (PPIC) by Chen, Haunschild & Lund available online at http://www.ppic.org/content/pubs/other/7081:HR_appendix11.pdf indicate that the constituents include electrical conductivity, bromide, chloride, total and dissolved organic carbon (TOC and DOC), nutrients (total nitrogen and phosphorous), and pesticides and herbicides. Table H.2 summarizes the main types of water quality concerns for each constituent. Why was an analysis of the sludge not provided, and why was the potential to generate toxics not considered? Apparently the MWD has not always been upfront when it comes to contamination (see excerpt below from San Jose Mercury News).

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Report: Metropolitan Water District kept mum about uranium levels

Posted by: Aqua Blog: May 16, 2008 at 6:52 am

From the San Jose Mercury News:

Southern California’s largest water agency moved forward with a groundwater extraction project without disclosing that the water is contaminated with uranium and other toxic chemicals, a newspaper reported Sunday.

The Metropolitan Water District of Southern California knew eight years ago about a “major stumbling block” with the proposed Hayfield Groundwater Storage Program but failed to inform key officials or the public, according to an Orange County Register investigation.

Objectionable Odors

Under Construction, Page 3.3-21 the proponent claims that: *“(n)o construction activities or materials are proposed that could create a significant level of objectionable odors.”* However, they fail to support that claim with any data or a discussion of conditions in the surrounding area. Given that the groundwater table is only 41 to 57-feet down and that extensive excavation is proposed that there may be a potential from stagnated or contaminated groundwater. Under Original Site Grading, Page 3.6-3 it notes that: *“The original geotechnical recommendation*

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specified excavations to remove all existing alluvial soils...” and *“During excavation, significant inflow of subsurface water was encountered.”* Additionally the area is located in proximity to the sole of the Santa Susana Fault, and the Sierra Madre (San Fernando) Fault. There are numerous oil wells also located just to the south of the Santa Susana Fault - even nearer to the project itself providing yet another potential source from disturbed petroleum deposits, methane et cetera. The SCAQMD has had numerous reports of odors in the area with a sulfurous odor which may emanate from oil deposits. Why were these potential causes of odors not addressed?

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Under Operation, Page 3.3-21 the proponent claims that: *“The drying of solids in the proposed lagoons and cake storage area would not emit adverse odors.”* This project will be located in a high wind area and will involve the air drying of solids (sludge) over 19 acres. There has been no data provide, studies or reliable testimony offered to order to support these claims as to what the sludge may or may not produce throughout the entire treatment processing cycle. Indeed the proponent seems to rely on the fact that the DWP lagoons which were located in a more remote area had not produced odor complaints. Some years ago the persistent growth of blue-green algae that produced a compound called geosmin and resulted in drinking water that was safe to drink, but unpleasant to taste and **smell** (emphasis added) showing that there is a potential for generating odors on site. Why was an independent study of the potential of the entire treatment process to generate odors not conducted or provided?

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Under Wildlife, Page 3.4-3, paragraph 4 the proponent indicates that: *“ESA conducted a series of focused geese surveys (ESA, 2010) of the proposed project site during the fall/winter and did not observe any geese, although on two occasions, the surveys documented signs of geese (feathers) on the ball fields”* and *“The surveys indicate that geese may occasionally visit the ball fields since feathers have been observed; however, they are much more likely to visit the control sites.”* The fact remains that Canada Geese (a migratory bird) do use the fields even though their numbers have been greatly reduced by the last expansion of the MWD’s Ozone Treatment Facility (circa 2003 -2004) and which also reduced the area by over 20+ acres. This along with the latest proposed project which consists of yet another 20 acres are creating cumulative impacts to the wildlife that have gone unaddressed, unmitigated, and were approved by a process which amounts to “incremental approval” of the entire project and a violation of CEQA. Appendix G of the State CEQA Guidelines states that a proposed project would result in a significant impact if it would: *“Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites.”*

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3.4.3 Impacts and Mitigation Measures

Under Interfere with Movements of Wildlife, Page 3.4-8 the proponent claims that: *“Given the disturbed nature of the proposed project site and the ongoing activity associated with the operation of the Jensen Plant”...* and *“...the proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with native resident or migratory wildlife corridors...”*. See comments on Wildlife, Page 3.4-3, paragraph 4 above.

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Under Riparian Habitat or Sensitive Natural Community, Page 3.4-10 it states that: *“Vegetation in the project vicinity, including riparian vegetation along Bull Creek, could be affected by dust*

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generated by construction vehicles during proposed project construction. However, as discussed in Section 3.3 Air Quality, dust impacts would be temporary and would not be considered potentially significant with implementation of Mitigation Measure AQ-1 through AQ-7.” The dust during construction cannot be considered temporary when construction will last a least one year and the comments regarding reliance on at least AQ-1 given they past poor performance in adhering to this measure (see previous comments under Mitigation Measures, Page 3.3-19). Additionally, there is no information or data regarding the drainage of this proposed site to Bull Creek and what contribution if any it has to supporting the flora and fauna in and around the creek.

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3.6.3 Impacts and Mitigation Measures

Under Exposure to Seismic-Related Hazards, Liquefaction, Page 3.6-11 it states that: *“The proposed project site has experienced liquefaction-induced ground deformation in the past, during the 1994 Northridge earthquake.”* The project proponent gives the impression that this is the only earthquake to produce ground deformation to the project site and fails to mention that the San Fernando earthquake in 1971 also did extensive damage. Why wasn’t the information on the 1971 San Fernando earthquake included? (See EQE Summary Report below with underline added for emphasis).

 EQE Summary Report, March 1994

EQE reported that: “Water service to the San Fernando Valley is provided by the Metropolitan Water District (MWD) and the Los Angeles Department of Water and Power (DWP) via two water treatment plants. MWD’s Joseph Jensen Filtration Plant and DWP’s Los Angeles Aqueduct Filtration Plant are near the junction of Interstates 5 and 210 (about 11 km northeast of the epicenter). As in the 1971 San Fernando Earthquake, this area was subjected to very strong ground motions and had extensive soil liquefaction. The soil liquefaction and settlement in this earthquake led to moderate damage to the Los Angeles aqueduct, treatment plant structures and basins, and underground piping. Although both treatment plants were knocked out of service temporarily, storage reservoirs and other treatment plants outside the immediate area that remained on-line supplied water to most of the valley.” and “At the 400 million gallon per day (mgd) Jensen filtration plant, liquefaction-related soil settlement and lateral spreading, evident around the main control building and adjacent parking area, were again the primary cause of damage and plant shutdown. Settlements of up to 15 cm and lateral movements of more than 8 cm occurred. This soil failure damaged buried incoming electrical conduits; a 210-cm, welded steel, intake water supply line; and a 15-cm, PVC chlorine solution line. Other treatment structures and equipment had minor damage, except for the control building, which had extensive interior damage and moderate structural damage. Because of power loss to the plant and damage to the intake line, the treatment plant was taken off-line for 36 hours while repairs were made. Flow, however, continued out of the 50-million-gallon clearwell for 48 hours. This plant was back in full operation within a week after the earthquake.”

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In paragraph 3, Page 3.6-11 it states that: “The lagoons would have earthen bottoms which consist of drain rock on top of pea gravel. Underneath these materials would be an underdrain system that would collect water percolating into the ground. This design would minimize the percolation of water into the groundwater basin and would maximize water conservation.” The question that arises is that there is still a potential connection with the groundwater that is only 41 to 57-feet down and that extensive excavation is and that no data has been offered as to what these solids and liquids (sludge) consists of (i.e. particulate size, heavy metals etc) this information should be included. Such information is readily available. Studies like Delta Drinking Water Quality and Costs, Technical Appendix H, September 2008 from the Public Policy Institute of California (PPIC) by Chen, Haunschild & Lund is available online at http://www.ppic.org/content/pubs/other/708E11R_appendixH.pdf and indicate that the

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constituents include electrical conductivity, bromide, chloride, total and dissolved organic carbon (TOC and DOC), nutrients (total nitrogen and phosphorous), and pesticides and herbicides. Table H.2 summarizes the main types of water quality concerns for each constituent. Why was an analysis of the solid/liquid (sludge) not provided, and why was the potential to generate toxics and potentially contaminate groundwater not considered?

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3.7.3 Impacts and Mitigation Measures

Under Impacts Discussion, Page 3.7-13 last paragraph in which the proponent states that: *“With regard to Item B, proposed project construction GHG emissions were estimated by TAHA to be approximately 3,148 metric tons per year of CO₂ for Option 1 and 2,817 metric tons per year of CO₂ for Option 2. Operational haul trip emissions were estimated to generate 553 metric tons per year of CO₂.”* How much GHG generated within a community does the proponent and/or the agencies expect the Granada Hills community including the neighboring minority community of Sylmar to absorb? The Sunshine Canyon Landfill generates huge quantities of GHG within a mile of the project and produces impacts to the residential area adjacent to the proposed project (landfills are the largest single stationary source of GHG) and in 2010 the SCAQMD held a meeting December 2009 in Sylmar for a NOP Draft SEIR for Sunshine Canyon Landfill Gas Producer Renewable Energy Project (GAS TURBINES) that will produce additional GHG gases produced at the landfill by 30 tons per day or 10,950 tons per year. Why haven't the proponent and the agencies taken the proximity of the landfill and this new project and the GHG they produce along with the cumulative effects of these additional gases into account?

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3.8.3 Impacts and Mitigation Measures

Under Transportation of Hazardous Materials, Page 3.8-9 the proponent states that: *“The use of hazardous materials at the Jensen Plant would not change beyond what has been previously permitted during the operation of the Jensen Plant at 750 mgd.”* Since the project has stated in the DEIR that the project will facilitate increasing the current levels of treatment and therefore facilitate the increased usage of chlorine regardless of whether or not chlorine is used by the lagoons or the pressing facility on what document/permit or approval process do you base the claim that Jensen has been previously permitted and was it a part of any environmental review and was the public notified? Please provide/include requested documentation as a part of this DEIR submission to support claims.

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Under Hazardous Materials Database, Page 3.8-12 it states that: *“The proposed project would not be located on a known hazardous materials site identified in the LUST, Cortese, or EnvironStor database or within 0.5 miles of a know hazardous materials site.”* This statement is misleading to the public. These websites list sites that generate “hazardous waste” and do not provide lists of sites in which “hazardous materials” present. However, the public finds it hard to believe that the MWD which stores up to four 90-ton railcars of liquid chlorine, not to mention the adjoining LAAFP property which stores four to six similar 90-ton railcars of pressurized liquid chlorine each one with the potential to kill everything within a 15-mile long by 4-mile wide plume if breached are not listed on a website somewhere. (See Exhibit “A” NVC letter to MWD dated November 28, 2008). Additional stories can be found on the internet as to the concerns of others in the transportation and storage of pressurize liquid chlorine (see story Vancouver Observer, Canadian Counter Terrorism, the Vancouver 2010 Winter Olympics, and the World's Deadliest Chemical, August 25, 2009 at the following website

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<http://www.vancouverobserver.com/politics/2009/08/25/canadian-counter-terrorism-vancouver-2010-winter-olympics-and-worlds-deadliest> Are there any websites where facilities containing/using hazardous materials but not producing hazardous waste? Why was this type of information regarding chlorine not included when this proposed project would support the use of and/or the expanded use of this deadly chemical? Also see comments on 3.8.3 Impacts and Mitigation Measures under Transportation of Hazardous Materials, Page 3.8-9.

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3.14.3 Impacts and Mitigation Measures

Under Physical Deterioration of Recreation Facility, Page 3.14-8 and Construction or Expansion of Recreation Facility, Page 3.14-7 argue that it is not the responsibility of the MWD to provide mitigation for the loss of the facility but the LADRP. The MWD misrepresents circumstances that have triggered this proposed project causing certain actions to occur not only here but throughout the document. Reference to the cessation of leases is either used to justify actions and/or construction of the project and/or to not pursue the impacts of this proposed project because the problem goes away. For instance it is the MWD that seeks to end their agreement for use of the DWP settling ponds in 2014 and not the DWP. Comments submitted under It is the MWD that has said it would not renew the LADRP lease for the use by GYREC in 2010 as a result of the MWD's proposed project plan and not by any desire on the part of LADRP or GYREC/AYSO (who in turn lease the facilities) to vacate the ball fields. All of these actions and impacts are based on a timetable conceived by the MWD. Why was there no discussion of impacts if the LADRP including the DWP fails to provide suitable replacement recreational facilities (both local and completely accessible to those local organizations) and/or if replacement facilities are found if they would be available in time to prevent any interruption in their activities? Why is there no discussion of the fact that the amount of water being processed/sales has decreased by 20% due to either conservation and/or reduced water supplies being available or the need and subsequently the timetable for implementation of the proposed project and its impacts may not be necessary at this time? The MWD has not provided the public at any time with any document analyzing the contemplated future build out of its facilities while knowing for many years the future planned capacity of such a facility and the ancillary infrastructure necessary to support such plans. To support our contention that the MWD has had prior knowledge of future expansions to meet future capacity needs we cite the proponent under 6.1.4 Alternatives Considered But Rejected, Page 6-3 stated that: *"During the planning process, Metropolitan considered but rejected several alternatives. These include a lease extension with LADWP for continued use of the existing LADWP lagoons. This alternative would not meet any of the project objectives, and is infeasible since the LADWP lagoons do not have enough capacity to serve the Jensen Plant to accommodate dewatering of solids generated from the water treatment process under design plant flow conditions."* It goes on to say that: *"An off-site dewatering lagoons option that would construct new lagoons at the LAAFP property was deemed infeasible because it would conflict with LADWP's future facility plans."* Further it goes on to say that: *"an alternate location for the belt press building was considered on the western portion of the Jensen plan" and "this building location was rejected because it conflicts with Metropolitan's future planning objectives"*. It is obvious that MWD knows what is needed to complete the design capacity of 750 mgd but have failed to provide this information seeking instead seeking to obtain incremental approval of the entire project which is a violation of CEQA. What are their future expansions plans for any and all portions of the land that they own and why have they not been included?

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3.15 Transportation and Traffic

Under Regional Setting, Page 3.15.1 it states that: *“Truck traffic generated by the existing Jensen Plant is prohibited on Balboa Boulevard, and uses San Fernando Road to access the proposed site.”* Presumably the decision to select the intersections chosen for study was the erroneous assumption that only these intersections were indicative of the impacts to the major roads surrounding the site including Balboa Boulevard if the San Fernando Road access road was used. The traffic study is deficient and fails to address all the impacts. See 3.15-3 Impacts and Mitigation Measures comments below.

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3.15-3 Impacts and Mitigation Measures

Under Effects on Alternative Transportation Plans, Page 3.15-14 it states that: *“There are no public transit service bus routes that serve the immediate proposed project site. However, approximately three miles south of the proposed project site the LADOT operates Commuter Express Route 574....”* This assessment is not correct and does not account for LADOT 236 Bus Service from Encino to Sylmar via Balboa Boulevard and return which passes within 300-feet of the proposed site, and LADOT 237 Bus Service from Encino to Van Nuys which utilizes a Balboa Boulevard, Rinaldi and Woodley loop two miles to the south both of which were active during the review period (see Exhibit B Metro Bus Lines 236/237 attached or visit http://www.metro.net/riding_metro/bus_overview/images/236-237.pdf). Why were these routes not included in the impacts assessment?

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Under Effects to the Circulation System, Page 3.15-15 thru 3.15-33 the proponent has previously stated that: *“Truck traffic generated by the existing Jensen Plant is prohibited on Balboa Boulevard, and uses San Fernando Road to access the proposed site.”* Along with the acknowledged impacts to Balboa/San Fernando Road intersection and the San Fernando Road/Sierra Highway intersections and the traffic studies which are used to support the analysis, we believe that the omission of the traffic counts at Balboa Boulevard and Foothill Boulevard intersection during the study period, and for the subsequent analysis have skewed the potential impact results. All northbound traffic, north of Timber Ridge Drive is funneled down to two and then one lane, and have to exit Balboa Boulevard at either San Fernando Road (via Balboa Road ramp) or at Foothill Boulevard and any impacts to these roads results in a backup of northbound traffic on Balboa Boulevard (on occasions resulting in backups as far south as San Fernando Mission Boulevard some 3+ miles to the south). Cars approaching these two intersections automatically choose either one or the other exit depending on the level of congestion encountered. Since the majority of the traffic is either bound for the SR14 Freeway north, Sierra Highway north and/or the northbound I-5 Freeway and entrance ramps to both the freeway and the highway converge at the San Fernando Road/Sierra Highway and again approximately 200-feet away at the Sierra Highway/Foothill Boulevard. The result is that there is no way to bypass any impacts generated on San Fernando Road that does end up in impacting Balboa Boulevard. Also see other related comments (following) which are pertinent regarding the insufficiency of the Traffic Study.

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Table 3.15-3, Related Projects Trip Generation Estimates indicates that Related Project 1 – 14747 San Fernando Road – Sunshine Canyon Landfill has a size of 5,500 tons per day. This only represents the City side of the landfill. Most recently a combined City/County landfill has

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an approved permitted capacity for 12,500 tpd excluding recycled material tonnage (currently average 9,000 tpd and rising). Additionally, Sunshine Canyon Landfill has since late 2009 has been diverting and continues to divert all long haul vehicles from 6 a.m – 9 a.m. daily as mitigation under an Order of Abatement for Odors issued by the SCAQMD.

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In Appendix G, Traffic Study, June 29, 2010 provided by Arch Beach Consulting indicates that the raw traffic count studies were performed on Tuesday, March 9 thru Thursday March 11, 2010. This in effect would nullify the entire traffic study as it excludes the two busiest days of the week, namely Monday, March 8 and Friday, March 12, 2010. On Monday all curbside pickup of trash by the LA Department of Sanitation in the Granada Hills area is routed up Balboa Boulevard to the Sunshine Canyon Landfill and severely impacts the Balboa Boulevard/San Fernando Road in the A.M and P.M. On Fridays because of the failure of the LA City to extend Reseda Boulevard, Topanga Boulevard and Balboa Boulevard to the I-5 Freeway as originally planned, and with only Balboa Boulevard completed - all weekend holiday traffic seeking a short cut from the San Fernando Valley in order to avoid the congestion of interchanges to the I-5, I-405, SR14, SR210 Freeways uses Balboa Boulevard (on occasions resulting in backups as far south as San Fernando Mission Boulevard some 3+ miles to the south) and creating additional impacts to all of the intersections studied including the Balboa Boulevard/Foothill Boulevard. Since late 2009 Sunshine Canyon Landfill has diverted and continues to divert all long-haul trash vehicles from 6 a.m – 9 a.m. daily to other disposal sites as mitigation under an Order of Abatement for Odors issued by the SCAQMD. This traffic was absent form a.m. traffic studied. Why was Monday & Friday omitted as they would constitute the busiest days of the week? The traffic study for the reasons noted above is insufficient including all other related Sections, Tables, assumptions et cetera that rely on the study should be redone.

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4.3 Cumulative Effects

Under Noise and Vibration, Page 4-8 it states that: *“The proposed project’s construction activity would generate significant noise levels, particularly during the construction phase where excavation would be the primary activity and source of noise to nearby sensitive receptors.”* While this might not be necessarily the place to address our concerns and since no Section was found that specifically addresses Noise and Vibration it is our intent that our comments be applied to any other Section that we may have missed. In this particular Section the proponent has failed to comment on Vibration. There has been a history of past complaints from the residential area west of Balboa Boulevard/north of Sesnon Boulevard that excessive noise from backup warning devices (beepers) and vibrations from previous construction activities and the removal of material from ongoing operations such as the removal of filtration media were disturbing them during the a.m. and p.m.

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6.1.4 Alternatives Considered But Rejected

Under this section on Page 6-3 it states that: *“During the planning process, Metropolitan considered but rejected several alternatives. These include a lease extension with LADWP for continued use of the existing LADWP lagoons. This alternative would not meet any of the project objectives, and is infeasible since the LADWP lagoons do not have enough capacity to serve the Jensen Plant to accommodate the dewatering of solids generated from the water treatment process under design plant flow conditions.”* It goes on to say that: *“An off-site dewatering lagoons option that would construct new lagoons at the LAAFP property was deemed infeasible*

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because it would conflict with LADWP's future facility plans." It also goes on to say that: "*an alternate location for the belt press building was considered on the western portion of the Jensen plan*" and "*this building location was rejected because it conflicts with Metropolitan's future planning objectives*". The summary disqualification of these alternatives or variations of the same by spccious references and un-quantified external impacts by other projects has contributed to a less than desirable project and is not acceptable. Specifically what future plans of the LAAFP is the MWD referring to and why are those plans and dates of implementation not provided? The public has become aware that the DWP is currently preparing a DEIR. Is this the information that the MWD is aware of and why does the proponent fail to address/analyze the cumulative impacts (i.e. air quality, traffic et cetera) of the DWP's proposed project which will run from 2010 to 2020 starting with temporarily covering the LA Reservoir with 78,000,000 plastic balls at the end of 2010, diverting Bull Creek and constructing two new covered reservoirs, constructing a wetland area in the southern portion of their property, deconstructing the LA Reservoir in 2020 and finally rebuilding it into at least 2 additional covered reservoirs?

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OTHER DEIR COMMENTS

The commenter was unable to find an appropriate place to apply the following statements and/or questions and will leave it to the reviewer to place them in the appropriate context and/or respond:

- Due to the sheer volume of pages, the somewhat confusing presentation, and the array of data under many different subsections et cetera the commenter may have inadvertently submitted comments/questions which might not have been appropriately located and/or might differ slightly in content because it had a nexus or an presented an opportunity to segue to relevant information which the commenter needed to make know. It is our intent that these not be discounted but addressed, and as stated above, we expect the preparer/reviewer to place them in the appropriate context and/or to respond.
- How is the elimination and impacts of the existing drainage from the proposed construction area and the seasonal water that once contributed to the groundwater recharge at this site and/or flowed to Bull Creek addressed?

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GHNNC
RESPONSE TO
JENSEN SOLID HANDLING FACILITY PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT
SCH No. 2009111081
Dated JULY 2010

EXHIBIT A

NVC Letter to MWD dated November 28, 2008

Metropolitan Water District
P.O. Box 54153
Los Angeles, CA 90054
Attention: Brad Coffey, Water Treatment Section Manager

November 28, 2008

Dear Mr. Coffey:

A number of years ago our community met with the MWD at a community meeting in Granada Hills regarding the expansion of the treatment facilities at the Joseph Jensen Filtration Plant (see attached article). At that time we raised concerns as to the very presence of liquid chlorine and its storage in regards to seismic safety, protection from terrorist actions, and a warning system if there was ever a release.

At that time the community was assured that:

- that no more than two (2) 90-ton tank cars would ever be present.
- that the expansion underway at that time was for ozone treatment that would eventually replace the need for even that chlorine.
- retrofits had occurred to insure seismic safety of connections to the active rail tank car connections to include the derailment and upset of both (the second car being full and not connected).
- that the rail tank barn was enclosed to prevent anyone viewing and/or firing at the tank cars, and that additional security had been added.
- that the siren alert warning system requested by the residents was not practical (a MWD assessment we did not concur with) but that an alternate autodial phone system would be more practical and could be employed.

We now learn that according to testimony given by you in Washington DC on June 12, 2008 that there are now four (4) tank cars present. We also learned that the MWD has decided due to "monetary considerations" that they prefer to continue to use chlorine. These actions and a lack of any warning system compromise the health, safety, and welfare of the residents of Granada Hills and the surrounding communities. As you know according to the Chlorine Institute Pamphlet 74, page 26, 1998 Edition that a lethal killing cloud of chlorine gas 15 miles long by 4 miles wide could be released from just one (1) 90-ton tank car.

Recent disaster training drills conducted by the City and County of Los Angeles fire, police, and rescue services have not addressed such a contingency, indeed, the recent firestorms which have destroyed over 500 homes in the area immediately surrounding your facility call into question the ability of any of these services to successfully evacuate large numbers of people during an accidental or intentional release.

Why has the MWD gone back on its promises to us including the promise of less chlorine, why have changes in policy occurred without community notification, and why has the promised warning system not been instituted?

Additionally, we have grave concerns regarding the transportation routes of this hazardous material. Where do you get your chlorine from (suppliers), on what rail route(s), and what volumes, with any time of day restrictions, and when if any are there concrete plans to convert to a non-chlorine alternative such as sodium hypochlorite, oxygen, UV, et cetera?

To have our lives and those of the many cities that this gas must pass through reduced to a "monetary consideration" is callous and unconscionable, and we hope that you will rethink this position. Even liquid bleach with its numerous trucks (if properly routed to exit the I-5 at Roxford Street, then to Sepulveda Boulevard, and finally to San Fernando Road) would be preferable to the storage of this highly dangerous gas that could potentially threaten millions of lives in the greater San Fernando Valley.

Yours sincerely,



Wayde Hunter
President, North Valley Coalition of Concerned Citizens Inc.

c.c. Greig Smith, Councilman 12th District
Mike Antonovich, Supervisor 5th District
Timothy Brick, Chairman Board of Directors MWD of Southern California
Granada Hills North Neighborhood Council (GHNNC)
Brad Sherman, Congressman 27th District
Lloyd Levine, Assemblymember 40th District
Cameron Smyth, Assemblymember 38th District
Alex Padilla, Senator 20th District
George Runner, Senator 17th District
Pedro Nava, Assemblymember 35th District
Fabian Nunez, Assemblymember 46th District & Speaker Emeritus
Hilda Solis, Congresswoman, 32nd District
Michael Freeman, Fire Chief County of Los Angeles Fire Department
Douglas Barry, Fire Chief Los Angeles Fire Department
Sheldon Gilbert, President California Fire Chiefs Association
Steve Tsumura, Chairman Region I Local Emergency Planning Commission
William Bratton, Chief of Police Los Angeles Police Department
David Dean, Plant Manager Jensen Filtration Plant
Fred Millar, Consultant Homeland Security

Attachment

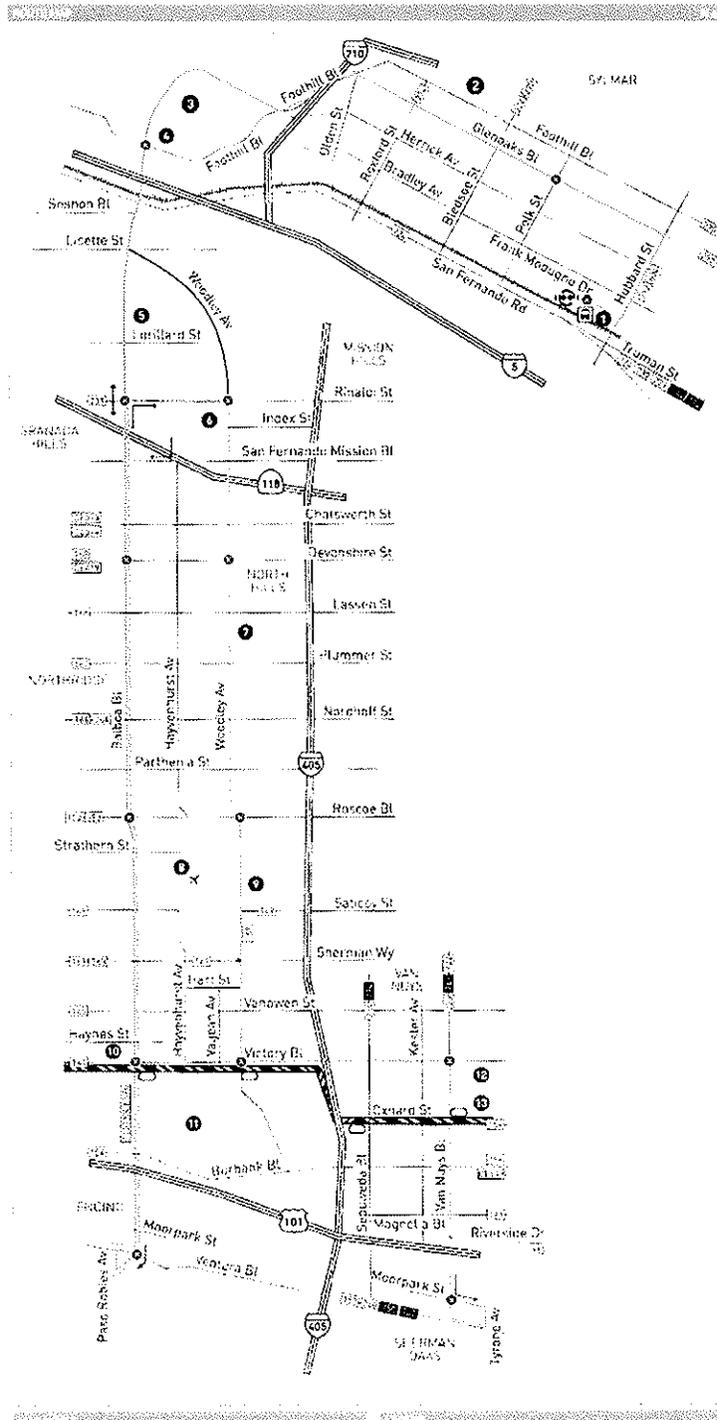
GHNNC
RESPONSE TO
JENSEN SOLID HANDLING FACILITY PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT
SCH No. 2009111081
Dated JULY 2010

EXHIBIT B

Metro Bus Schedule Lines 236/237

or visit

http://www.metro.net/riding_metro/bus_overview/images/236-237.pdf).



- | | |
|---|---|
| <ul style="list-style-type: none"> 1 Sylmar Station
Metro Bus Lines 230, 236, 239, 292, 634, 734, 794; CE574; Antelope Valley Metrolink 2 Olive View Medical Center 3 Cascades Business Park 4 County Assessor's Office 5 Knollwood County Golf Course 6 Kennedy High School 7 V.A. Hospital 8 Van Nuys Airport 9 Van Nuys Fly Away Terminal (Bus Service to LAX) 10 Birmingham High School 11 Sepulveda Dam Recreation Area 12 Van Nuys Civic Center 13 Van Nuys Orange Line Station
Metro Bus Lines 154, 156, 233, 237, 656, 761, 902; LDVAN | <ul style="list-style-type: none"> Route of Line 236 Route of Line 237 (Route 237 does not operate on Saturday & Sunday). Shortline turnaround Loop Route of Metro Orange Line Metrolink Station Transit Center Timepoint Metro Orange Line Station LADOT Commuter Express |
|---|---|

Monday through Friday 236/237

North on Balboa - South on Woodley (Approximate Times)

Route	Balboa & Ventura	Balboa & Victory	Balboa & Roscoe	Balboa & Devonshire	Balboa & Rinaldi	Balboa & Foothill	Glenoaks & Peik	Sylmar Station	Rinaldi & Woodley	Woodley & Devonshire	Woodley & Roscoe	Victory & Woodley	Victory & Van Nuys	Van Nuys & Moorpark (Ventura)
236	5:00A	5:06A	5:13A	5:21A	5:26A	5:34A	5:43A	5:49A	—	—	—	—	—	—
237	5:26	5:32	5:39	5:47	5:51	—	—	—	5:54A	5:59A	6:08A	6:17A	6:23A	6:34A
236	5:56	6:02	6:09	6:17	6:22	6:30	6:40	6:47	—	—	—	—	—	—
237	6:24	6:30	6:38	6:47	6:52	—	—	—	6:55	7:00	7:10	7:20	7:26	7:38
236	6:54	7:00	7:09	7:19	7:25	7:34	7:44	7:51	—	—	—	—	—	—
237	7:23	7:30	7:40	7:50	7:55	—	—	—	7:59	8:05	8:15	8:27	8:33	8:46
236	7:54	8:02	8:12	8:22	8:28	8:37	8:47	8:53	—	—	—	—	—	—
237	8:23	8:31	8:41	8:50	8:55	—	—	—	8:58	9:04	9:13	9:23	9:29	9:41
236	8:52	8:59	9:08	9:17	9:23	9:31	9:41	9:48	—	—	—	—	—	—
237	—	—	—	—	10:07	—	—	—	10:05	10:11	10:19	10:28	10:35	10:47
236	9:49	9:56	10:05	10:14	10:20	10:28	10:38	10:45	—	—	—	—	—	—
237	—	—	—	—	11:03	—	—	—	11:06	11:12	11:20	11:29	11:36	11:48
236	10:46	10:53	11:02	11:11	11:17	11:25	11:35	11:42	—	—	—	—	—	—
237	—	—	—	—	12:08P	—	—	—	12:11P	12:17P	12:25P	12:34P	12:41P	12:53P
236	11:41	11:48	11:58	12:08P	12:15	12:23P	12:33P	12:40P	—	—	—	—	—	—
237	—	—	—	—	1:12	—	—	—	1:15	1:21	1:29	1:38	1:45	1:57
236	12:45P	12:52P	1:02P	1:12	1:19	1:27	1:37	1:44	—	—	—	—	—	—
237	1:43	1:50	2:00	2:10	2:17	2:25	2:35	2:42	—	—	—	—	—	—
236	—	—	—	—	2:18	—	—	—	2:21	2:27	2:35	2:45	2:52	3:04
237	—	—	—	—	—	—	—	—	3:15	3:21	3:30	3:40	3:48	4:00
236	2:39	2:46	2:56	3:06	3:13	3:24	3:34	3:41	—	—	—	—	—	—
237	3:12	3:21	3:31	3:41	3:47	—	—	—	3:51	3:57	4:06	4:16	4:24	4:36
236	—	—	3:32	3:42	3:49	4:00	4:10	4:17	—	—	—	—	—	—
237	3:39	3:48	3:58	4:08	4:15	4:26	4:36	4:43	—	—	—	—	—	—
236	4:13	4:22	4:32	4:42	4:47	—	—	—	4:51	4:57	5:06	5:17	5:26	5:37
237	4:50	4:59	5:09	5:19	5:26	5:37	5:44	5:53	—	—	—	—	—	—
236	5:17	5:26	5:35	5:45	5:50	—	—	—	5:54	5:59	6:07	6:17	6:24	6:35
237	5:50	5:59	6:07	6:16	6:23	6:33	6:41	6:48	—	—	—	—	—	—
236	6:10	6:17	6:25	6:34	6:39	—	—	—	6:42	6:46	6:54	7:03	7:09	7:19
237	6:47	6:54	7:02	7:09	7:14	7:23	7:31	7:38	—	—	—	—	—	—
236	7:44	7:50	7:57	8:04	8:08	—	—	—	8:11	8:15	8:22	8:30	8:36	8:46
237	8:45	8:51	8:58	9:05	9:09	—	—	—	9:12	—	—	—	—	—

Monday through Friday 236/237

North on Woodley - South on Balboa (Approximate Times)

Route	Van Nuys & Moorpark (Ventura)	Victory & Van Nuys	Woodley & Victory	Woodley & Roscoe	Woodley & Devonshire	Rinaldi & Woodley	Sylmar Station	Glenoaks & Peik	Balboa & Foothill	Balboa & Rinaldi	Balboa & Devonshire	Balboa & Roscoe	Balboa & Victory	Balboa & Ventura
237	—	—	—	—	—	6:03A	—	—	—	—	6:12A	6:20A	6:28A	6:38A
237	5:50A	6:04A	6:11A	6:20A	6:29A	6:34	—	—	—	—	6:43	6:51	6:59	7:11
236	—	—	—	—	—	—	6:30A	6:37A	6:47A	6:56A	7:02	7:13	7:24	7:36
237	6:44	6:58	7:05	7:15	7:24	7:31	—	—	—	—	7:14	7:25	7:36	7:48
236	—	—	—	—	—	—	—	—	—	—	7:43	7:54	8:04	8:14
237	7:46	8:02	8:09	8:18	8:26	8:32	7:33	7:40	7:50	8:00	8:07	8:16	8:25	8:35
236	—	—	—	—	—	—	—	—	—	—	8:42	8:51	9:00	9:12
237	8:25	8:43	8:50	8:59	9:07	9:12	8:31	8:39	8:49	8:59	9:06	9:15	9:24	9:36
236	—	—	—	—	—	—	—	—	—	—	9:16	—	—	—
237	9:09	9:27	9:34	9:43	9:51	9:56	—	—	—	—	9:44	9:53	10:02	10:23
236	—	—	—	—	—	—	10:25	10:32	10:41	10:50	10:57	11:06	11:15	11:27
237	10:10	10:28	10:35	10:44	10:52	10:57	—	—	—	—	11:01	—	—	—
236	—	—	—	—	—	—	11:31	11:38	11:47	11:56	12:03P	12:13P	12:22P	12:34P
237	11:14	11:32	11:39	11:48	11:56	12:02P	—	—	—	—	12:06P	—	—	—
236	—	—	—	—	—	—	12:29P	12:36P	12:45P	12:54	1:01	1:11	1:20	1:32
237	12:19P	12:37P	12:44P	12:53P	1:01P	1:07	—	—	—	—	1:11	—	—	—
236	—	—	—	—	—	—	1:26	1:33	1:42	1:51	1:58	2:07	2:16	2:28
237	1:23	1:41	1:48	1:57	2:06	2:12	—	—	—	—	—	—	—	—
236	—	—	—	—	—	—	2:25	2:32	2:41	2:49	—	—	—	—
237	2:30	2:50	2:59	3:09	3:18	3:24	3:33	3:42	3:52	4:01	—	—	—	—
236	—	—	—	—	—	—	—	—	—	—	3:34	3:43	3:52	4:04
237	3:34	3:54	4:03	4:13	4:22	4:28	—	—	—	—	4:09	4:18	4:27	4:39
236	—	—	—	—	—	—	—	—	—	—	4:38	4:47	4:56	5:08
237	4:26	4:46	4:55	5:05	5:14	5:20	—	—	—	—	4:58	5:07	5:16	5:28
236	—	—	—	—	—	—	5:36	5:45	5:55	—	5:01	5:10	5:19	5:31
237	5:09	5:29	5:39	5:49	5:58	6:04	—	—	—	—	6:04	6:11	6:19	6:31
236	—	—	—	—	—	—	—	—	—	—	6:08	—	—	—
237	6:09	6:26	6:35	6:44	6:52	6:58	—	—	—	—	7:02	—	—	—
236	—	—	—	—	—	—	—	—	—	—	—	—	—	—
237	7:09	7:25	7:33	7:41	7:49	7:54	6:39	6:47	6:56	7:05	7:11	7:18	7:25	7:35
236	—	—	—	—	—	—	—	—	—	—	7:58	—	—	—
237	—	—	—	—	—	—	7:39	7:46	7:55	8:04	8:10	8:17	8:24	8:32

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



July 19, 2010

Mr. William Fong

Metropolitan Water District of Southern California

P.O. BOX 54153
LOS ANGELES, CA 90054-0153

Re: SCH#2009111081; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "Jensen Solids Handling Facility Project"; located in the Granada Hills area; Los Angeles County, California.

Dear Mr. Fong:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources.. (Also see Environmental Protection Information Center v. Johnson (1985) 170 Cal App. 3rd 604). The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources were not identified within the APE identified for the project. However, there are Native American cultural resources in close proximity to the APE. Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.. Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental planning processes.. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11.

Consultation with tribes and interested Native American tribes and interested Native American individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f] *et se*), 36 CFR Part 800.3, the President's Council on Environmental Quality (CSQ; 42 U.S.C. 4371 *et seq.*) and NAGPRA (25 U.S.C. 3001-3013), as appropriate. The 1992 *Secretary of the Interior's Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including *cultural landscapes*.

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Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of 'historic properties of religious and cultural significance' may also be protected under Section 304 of the NHPA or at the Secretary of the Interior's discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C. 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

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CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens. Although tribal consultation under the California Environmental Quality Act (CEQA; CA Public Resources Code Section 21000 – 21177) is 'advisory' rather than mandated, the NAHC does request 'lead agencies' to work with tribes and interested Native American individuals as 'consulting parties,' on the list provided by the NAHC in order that cultural resources will be protected. However, the 2006 SB 1059 the state enabling legislation to the Federal Energy Policy Act of 2005, does mandate tribal consultation for the 'electric transmission corridors'. This is codified in the California Public Resources Code, Chapter 4.3, and §25330 to Division 15, requires consultation with California Native American tribes, and identifies both federally recognized and non-federally recognized on a list maintained by the NAHC

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of

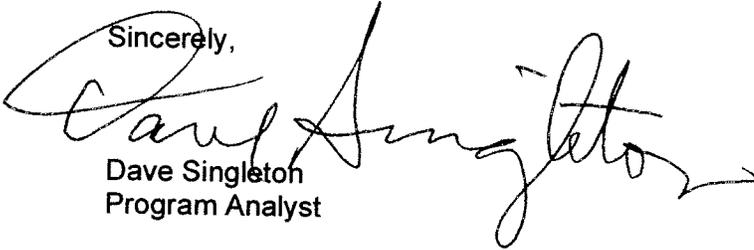
any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

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Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

**Native American Contacts
July 19, 2010
Los Angeles County**

Charles Cooke
32835 Santiago Road
Acton, CA 93510

(661) 733-1812 - cell
suscol@intox.net

Chumash
Fernandeno
Tataviam
Kitanemuk

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.

tattnlaw@gmail.com
310-570-6567

Gabrielino Tongva

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com

Chumash
Tataviam
Fernandeño

Kitanemuk & Yowlumne Tejon Indians
Delia Dominguez
981 N. Virginia
Covina, CA 91722
(626) 339-6785

Yowlumne
Kitanemuk

Fernandeno Tataviam Band of Mission Indians
William Gonzales, Cultural/Environ Depart/Rudy Ortega
601 South Brand Boulevard, Suite 102
San Fernando CA 91340
rortega@tataviam-nsn.us
(818) 837-0794 Office

(818) 837-0796 Fax

Fernandeno
Tataviam

San Fernando Band of Mission Indians
John Valenzuela, Chairperson
P.O. Box 221838
Newhall, CA 91322
tsen2u@hotmail.com
(661) 753-9833 Office
(760) 885-0955 Cell
(760) 949-1604 Fax

Fernandeño
Tataviam
Serrano
Vanyume
Kitanemuk

LA City/County Native American Indian Comm
Ron Andrade, Director
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Los Angeles, CA 90020
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(213) 351-5324
(213) 386-3995 FAX

Randy Guzman - Folkes
655 Los Angeles Avenue, Unit E
Moorpark, CA 93021
ndnRandy@yahoo.com
(805) 905-1675 - cell

Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code. Also, federal National Environmental Policy Act (NEPA), National Historic Preservation Act, Section 106 and federal NAGPRA. And 36 CFR Part 800.3.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2009111081; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for a Five-acre Jensen Solids Handling Facility Project; located in the Granada Hills area of the northern San Fernando Valley; Los Angeles County, California.



JENSEN SOLIDS HANDLING FACILITY PROJECT

Findings of Fact, Statement of Overriding Considerations
and Mitigation Monitoring and Reporting Program
SCH No. 2009111081

Metropolitan Water District
of Southern California
Report No. 1359

November 2010





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CHAPTER 1

Introduction

The Metropolitan Water District of Southern California (Metropolitan) has prepared an Environmental Impact Report (EIR) pursuant to the requirements of the California Environmental Quality Act (CEQA) (Public Resource Code Section 21080(d)) and the *State CEQA Guidelines* (14 California Code of Regulations Section 15063) evaluating potential environmental effects that may result from the proposed Jensen Solids Handling Facility Project. These Findings of Fact and Statement of Overriding Considerations have been prepared for the project pursuant to *State CEQA Guidelines* Sections 15091 and 15093.

1.1 Certification

In accordance with *State CEQA Guidelines* Section 15090, Metropolitan, as Lead Agency for the project, certifies that:

- (a) The Final EIR for the project has been completed and processed in compliance with the requirements of CEQA;
- (b) The Final EIR was presented to the Metropolitan Board of Directors, and as the decision-making body for Metropolitan, the Board of Directors reviewed and considered the information contained in the Final EIR prior to approving the project; and
- (c) The Final EIR reflects Metropolitan's independent judgment and analysis.

With the adoption of these findings, Metropolitan has exercised independent judgment in accordance with Public Resource Code (PRC) Section 21082.1(c) while retaining its own environmental consultant, i.e., directing the consultant in preparation of the entire EIR as well as reviewing, analyzing, and revising material prepared by the consultant.

These Findings of Fact and Statement of Overriding Considerations have been prepared in accordance with CEQA and the *State CEQA Guidelines*. The purpose of these Findings of Fact is to satisfy the requirements of PRC Section 21081 and Sections 15090, 15091, 15092, 15093, 15094, and 15097 of the *State CEQA Guidelines*, in connection with the approval of the Jensen Solids Handling Facility Project.

Before project approval, a Final EIR must be certified pursuant to Section 15090 of the *State CEQA Guidelines*. Additionally, Metropolitan must make one or more of the following findings in its Findings of Fact, accompanied by a brief explanation of the rationale, pursuant to PRC Section 21081 and Section 15091 of the *State CEQA Guidelines*, for each identified potentially significant adverse impact:

- (1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Metropolitan has made one or more of the specific written findings above regarding each potentially significant impact associated with the project. Those findings are presented here, along with a presentation of facts in support of the findings. The proposed mitigation measures identified as feasible and within Metropolitan's authority to implement for the approved project become express conditions of approval that Metropolitan commits and binds itself to upon project approval. These requirements are referenced in the Mitigation Monitoring and Reporting Program (MMRP) adopted concurrently with these Findings of Fact and will become effective and implemented, as applicable, through project implementation (i.e, pre-construction, construction, post-construction, operation, and routine maintenance).

Section 15092 of the *State CEQA Guidelines* states that after consideration of an EIR, and in conjunction with the Section 15091 findings identified above, the Lead Agency may decide whether or how to approve or carry out the proposed project. The Lead Agency may approve a project with unavoidable significant adverse environmental effects only when it finds that specific economic, legal, social, technological, or other benefits of the proposed project outweigh those effects. Section 15093 of the *State CEQA Guidelines* requires the Lead Agency to document and substantiate any such determination in a "Statement of Overriding Considerations" as a part of the record.

Metropolitan's Statement of Overriding Considerations is presented in Chapter 8. As required by CEQA, Metropolitan expressly finds that the Final EIR for the Jensen Solids Handling Facility Project reflects Metropolitan's independent review and judgment. In accordance with the provisions of CEQA and the *State CEQA Guidelines*, Metropolitan adopts these Findings of Fact and Statement of Overriding Considerations as part of its certification of the Final EIR. A brief explanation of the rationale for each finding is provided in Chapters 4, 5, 6 and 7.

1.2 Organization of CEQA Findings of Fact

The content and format of these CEQA Findings of Fact are designed to meet the latest CEQA Statutes and Guidelines. This document is organized into the following sections:

Chapter 1, Introduction outlines the organization of this document and identifies the location and custodian of the record of proceedings.

Chapter 2, Project Description describes the location, project overview, project objectives, and the required permits and approvals for the project.

Chapter 3, CEQA Review and Public Outreach describes the steps Metropolitan has undertaken to comply with the *State CEQA Guidelines* as they relate to public input, review, and participation during the preparation of the Draft and Final EIR.

Chapter 4, Impacts Determined to be Less than Significant provides a summary of those environmental issue areas where no reasonably foreseeable impacts would occur and those impacts determined to be below the threshold of significance without the incorporation of mitigation measures.

Chapter 5, Less-than-Significant Environmental Impacts with Mitigation provides a summary of potentially significant environmental impacts for which implementation of proposed feasible mitigation measures would avoid or substantially reduce the environmental impacts to less-than-significant levels.

Chapter 6, Significant and Unavoidable Environmental Impacts provides a summary of potentially significant and significant environmental impacts for which no feasible mitigation measures are identified, or for which implementation of proposed feasible mitigation measures would not avoid or substantially reduce the environmental effects to less-than-significant levels. This section also provides specific written findings regarding each significant impact associated with the proposed project.

Chapter 7, Project Alternatives provides a summary of the alternatives considered for the proposed project.

Chapter 8, Statement of Overriding Considerations provides a summary of all of the project's significant unavoidable adverse impacts. In addition, this section identifies the project's substantial benefits that outweigh and override the project's significant unavoidable impacts, such that the impacts are considered acceptable.

Chapter 9, Mitigation Monitoring and Reporting Program provides a brief discussion of the project's compliance with the *State CEQA Guidelines* regarding the adoption of a program for reporting and monitoring.

1.3 Record of Proceedings

The documents and other materials that constitute the record of proceedings upon which Metropolitan project approval is based are located at the Metropolitan offices: 700 North Alameda Street, Los Angeles, California 90012. Metropolitan is the custodian of such documents and other materials that constitute the record of proceedings. The record of proceedings is provided in compliance with PRC Section 21081.6(a)(2) and Section 15091(e) of the *State CEQA Guidelines*.

1.4 Findings Required Under CEQA

Under CEQA, for each significant or potentially significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions. The first allowable finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (*See State CEQA Guidelines* Section 15091 (a)(1).) The second allowable finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (*See State CEQA Guidelines* Section 15091(a)(2).) The third allowable conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (*See State CEQA Guidelines* Section 15091(a)(3).)

CEQA requires that the Lead Agency adopt mitigation measures or alternatives, where feasible, to avoid or substantially reduce significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with some other agency. (*See State CEQA Guidelines* Section 15091(a)(3)(c).) PRC Section 21061.1 defines the word “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” *State CEQA Guidelines* Section 15364 adds another factor: legal considerations. (*See also Citizens of Goleta Valley v. Board of Supervisors* [“Goleta II”] [1990] 52 Cal.3d 553, 565 [276 Cal. Rptr. 410].)

The *State CEQA Guidelines* do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. Metropolitan must therefore glean the meaning of these terms from the other contexts in which the terms are used. PRC Section 21081, on which *State CEQA Guidelines* Section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The *State CEQA Guidelines* therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” (Refer to PRC Section 21002.)

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise potentially significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a level that is less than significant. Although the *State CEQA Guidelines* Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether

the effect in question has been reduced to a level that is less than significant, or has simply been substantially lessened but remains significant.

Moreover, although Section 15091, read literally, does not require findings to address environmental impacts that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such impacts identified in the Final EIR. Only after fully complying with the findings requirement can an agency adopt a Statement of Overriding Considerations. (*Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal.App.3d 433, 442, 445 [243 Cal. Rptr. 727].)

In cases in which significant impacts are not at least substantially mitigated, the agency, after adopting the findings, may approve the project if it first adopts a Statement of Overriding Considerations setting forth the specific reasons why the agency found that the project’s benefits rendered acceptable its unavoidable significant adverse environmental effects. (Refer to *State CEQA Guidelines* Section 15093, 15043(b).) The California Supreme Court has stated that, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (Refer to *Goleta II*, 52 Cal.3d 553, 576 [276 Cal.Rptr. 401].)

This document presents Metropolitan’s findings as required by CEQA, cites substantial evidence in the record in support of each of these findings, and presents an explanation to supply the logical step between the finding and the facts in the record. (*State CEQA Guidelines* Section 15091.)

1.5 Project Level Analysis

The Final EIR for the proposed project provides an analysis of potential impacts of all construction, operational, and routine maintenance actions and activities reasonably foreseeable with implementation of the proposed project. In other words, the following project components are evaluated at a level of detail that is typically provided in a project EIR (*State CEQA Guidelines* Section 15161):

- Construction of a solids dewatering facility, lagoon system, and pipelines and minor facilities;
- Modification to existing dry polymer building; and
- Operation of solids dewatering facility and lagoons for handling of solids generated at the Jensen Plant.

1.6 Incorporation by Reference

The Final EIR is hereby incorporated by reference into these findings in its entirety including the Draft EIR. Without limitation, this incorporation is intended to elaborate on the scope and nature of the proposed mitigation measures, the basis for determining the significance of potential

impacts, the comparative analysis of feasible alternatives, and the reasons for approving the proposed project in spite of the potential for associated significant unavoidable adverse impacts.

1.7 Legal Effects of Findings

To the extent that these findings conclude that the proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, Metropolitan hereby commits to implementing these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when Metropolitan adopts a resolution approving the proposed project.

The mitigation measures are referenced in the MMRP (Chapter 9.0 of this document) adopted concurrently with these findings, and will be effectuated, as applicable, through the process of implementing the proposed project (i.e., pre-construction, construction, post-construction, operation, and routine maintenance).

CHAPTER 2

Project Description

2.1 Environmental Setting

2.1.1 Existing Setting

The proposed project would construct a new solids dewatering facility and new solids drying lagoons in the southeastern portion of the Jensen Plant. This area is currently leased¹ to the City of Los Angeles Department of Recreation and Parks (LADRP) and is developed with ball fields used for local youth baseball and soccer. The site consists of five baseball diamonds with infield fences and small equipment buildings behind home plate, and four soccer fields. The ball fields are maintained by the LADRP. The lease will expire by January 1, 2011, at which time the lessee is obligated to remove all structures and improvements. However, since the Draft EIR was published, Metropolitan has entered into negotiations with LADRP to extend the lease for a maximum term of 18 months. Under the current schedule, the proposed project would not be constructed until after the proposed 18-month lease extension expires and the recreation improvements have been removed by the lessee. Construction activities do not include minor, pre-construction activities such as feasibility studies and investigations that may occur prior to removal of the ball field improvements. However, if the schedule changes for construction or for the lease expiration, Metropolitan will conduct any further CEQA analysis, as required at that time, to address new or different potential environmental impacts, if any. Since the facilities were present at the time the Notice of Preparation (NOP) was issued, they and the lease are included in the baseline condition as required by *State CEQA Guidelines* Section 15125.

2.1.2 Surrounding Land Uses

The proposed project would be located at 13100 Balboa Boulevard in the community of Granada Hills in the City of Los Angeles, California. The Jensen Plant is bordered by Balboa Boulevard on the west, Interstate 5 (I-5) and San Fernando Road on the north, the Los Angeles Aqueduct Filtration Plant (LAAFP) on the east, and single-family residential properties on the south. The proposed project would be constructed entirely within the existing Jensen Plant site (see Figure 2-2 of the Draft EIR).

¹ Referred to in Metropolitan's records as Revenue Lease No. 2300.

2.2 Project Overview

The proposed project would involve site preparation (i.e., excavation, soil stabilization, and site grading), relocation of existing facilities, and construction of new facilities. Therefore, the project would be constructed in two phases: (1) site preparation, and (2) facility construction.

Site Preparation

The proposed site preparation would include: (1) removing the top 24 inches of soil from the entire project site and potentially removing and/or relocating the incidental facilities, (2) stabilizing soil beneath the belt press building, and (3) excavating and grading for the proposed facilities and support infrastructure. The site preparation would take up to approximately 250 working days.

Belt Press Building Soil Stabilization Construction Characteristics

The proposed location of the belt press building would require site stabilization work due to underlying liquefiable soil. The groundwater is approximately 50 feet below the existing ground surface, and the depth of soil that needs to be stabilized is approximately 70 feet below the existing ground surface. Two practical soil stabilization options were selected; their respective schedules and crew size are described below.

Option 1 – Complete Over-excavation and Recompaction

Complete over-excavation and recompaction would involve excavating potentially liquefiable soils beneath the site. The footprint of this process would be approximately 230 feet wide by 280 feet long with an average depth of 70 feet (anticipated depth of excavation is approximately 55 feet at the western limit and 85 feet at the eastern limit). Approximately 270,000 cubic yards of material would be excavated from the site and stockpiled. The excavated soils would be stockpiled at the future Module No. 4 site and reused as fill material during the recompaction operation (see Figure 2-4 of the Draft EIR). An additional 25,000 cubic yards of soil would be imported to be mixed in with the excavated soil prior to being recompacted during soil stabilization. During this process, it is anticipated that construction dewatering would be needed at an average of approximately 100 gallons per minute to control subsurface water flow in the excavation area. Construction dewatering pump rates may be adjusted in order to adequately maintain a dry and stable excavation area.

The excavation can be accomplished in two ways: (1) shored excavation, or (2) temporary sloped excavation. The shored excavation would involve the installation of soldier piles consisting of steel I-beams or H-beams. Laggings (support framing) would be installed between the adjacent soldier piles, and additional lateral support would be provided by tiebacks (steel tendons used to laterally hold back the soldier pile walls for stability). The temporary sloped excavation would involve excavating the ground at a 1:1 slope.

Construction Schedule

Installation of the equipment and wells to control subsurface water inflows is estimated to take 25 working days (five weeks) with a crew size of about 10 people (one crew). The installation of

soldier piles and tiebacks for the shored excavation method is estimated to take less than 100 working days with a crew size of about 20 people (two crews). The shored excavation or the temporary sloped excavation is estimated to take less than 160 working days with a crew size of about 35 people (two crews). The construction duration for stabilizing the soils for the belt press building would be approximately 250 working days, which includes the overlapping of construction phases.

Option 2 – Deep Soil Mixing

Deep soil mixing is a ground reinforcement method that mechanically mixes the existing soils with cementitious materials injected into shafts drilled in the site. The shafts can be constructed using mixing paddles or a hollow stem auger with paddles. The shaft would be equipped with internal ports for injecting cementitious materials for soil mixing. All soil within the required ground improvement footprint would be soil-mixed with no dewatering needed. This option would require a temporary concrete batch plant, which would be located in the area of Module No. 4.

Construction Schedule

Deep soil mixing is estimated to take 220 working days with a total crew size of about 25 people (two crews). Each workday is anticipated to consist of two crews working in one 8-hour shift with two 8-hour shifts per day (16 hours total). This option would include a temporary concrete batch plant on-site to supply the cement slurry needed in deep soil mixing.

Solids Dewatering Facility Construction Characteristics

The proposed project would involve construction of (1) the solids dewatering facility, and (2) lagoons. The facility construction would take up to 360 working days. The solids dewatering facility and lagoon constructions would occur at the same time. The solids dewatering facility construction would involve (1) pouring concrete foundations for the belt press building, thickened solids equalization tanks, decant/filtrate pump station, solids cake storage area, truck loading area, and rainwater retention/percolation basins; (2) erecting walls and installing the roof of the belt press building, thickened solids equalization tanks, and decant/filtrate pump station; (3) constructing utility conduits and building access roads; (4) installing equipment; and (5) programming and testing equipment. The construction of lagoons would involve (1) underdrain and floor construction, (2) inlet, outlet, decant structure, and concrete slope lining construction, and (3) perimeter access road construction.

Existing Dry Polymer Building Modification

In addition to constructing new solids dewatering facility and lagoons, the existing dry polymer building would need to be modified to supply the polymer required at the new belt press building and for the new lagoons. The descriptions of such modifications are listed below.

- Replace an existing 650-gallon polymer mixing tank with a new 1,500-gallon tank;

- Replace an existing polymer transfer pump, which pumps the mixed polymer from the mixing tank to the storage tank in the dry polymer building, with a new pump with higher pumping capacity; and
- Replace two existing polymer transfer pumps, which will pump the polymer solution from the dry polymer building to the belt press building, with two new pumps with higher pumping capacity.

Pipelines and Other Minor Facilities

The following pipelines and other minor facilities would also be constructed in association with the proposed solids dewatering facility and lagoons:

- A pipeline (10 to 12 inches in diameter and approximately 4,000-foot long) to convey solids from the existing and new thickeners to the new solids dewatering facility and lagoons;
- A pipeline (12-inches in diameter and approximately 2,000-foot long) to convey filtrate from the belt presses and decant water as well as underdrainage flow from the lagoons to the WWRPs;
- A pipeline (8 inch in diameter and approximately 2,000-foot long) to convey lagoon decant and underdrainage flow from the lagoons to Decant/Filtrate Pump Station;
- New utilities (potable, fire protection and service water lines; sewer line; power, communications, security, and control systems ductbank; filtrate/decant/underdrain line, surface water drainage line);
- Miscellaneous new structures (underdrain lines for lagoons, surface water drainage lines);
- Relocation of existing utilities (sanitary sewer, storm drain, electrical conduit, and water lines); and
- Remove or properly abandon in place chlorine and sample lines and oil line.

2.2.1 Construction Activities

Construction activities for the proposed project would occur for approximately 28 months. Construction would begin between 2011 and 2012. Normal work hours of 7:00 a.m. to 7:00 p.m. are envisioned, with Saturday hours of 8:00 a.m. to 7:00 p.m. However, if soil stabilization Option 2 is chosen, work hours would be from 7:00 a.m. to 11:00 p.m. for an 11-month span in order to stabilize the soil for the belt press building. Metropolitan would obtain a noise permit from the City of Los Angeles to enable the contractor to work 16-hour workdays under Option 2.

2.3 Project Objectives

The objectives of the proposed project are as follows:

- Provide permanent facilities at the Jensen Plant with sufficient capacity to accommodate dewatering of solids generated from the water treatment process under design plant flow conditions (750 mgd);

- Replace temporary off-site capacity at the Los Angeles Department of Water and Power (LADWP) lagoons that will be lost on the expiration of the Metropolitan-LADWP agreement in 2014; and
- Reduce the need to discharge water treatment solids to the sanitary sewer.

2.4 Discretionary Actions

An EIR is a public document used by a public agency to analyze the potentially significant environmental effects of a proposed project, to identify feasible alternatives, and to disclose possible ways to substantially reduce or avoid such impacts to the physical environment (CCR, Title 14, Section 15121). As an informational document, an EIR does not recommend for or against approval of a project. The main purpose of an EIR is to inform governmental decision makers and the public about the potential environmental impacts of a proposed project. This Final EIR will be used by Metropolitan, as the Lead Agency under CEQA, and Responsible Agencies in making decisions with regard to the construction and operation of the proposed project. Responsible Agencies having discretionary approval over components of the project include the California Department of Fish and Game (CDFG), California Regional Water Quality Control Board (RWQCB), and the City of Los Angeles. Metropolitan and these Responsible Agencies would use the analysis contained within this Final EIR to support the following regulatory permits or approvals:

- California Department of Fish and Game: 1601 Permit
- California Regional Water Quality Control Board: Dewatering Permit, Waste Discharge Requirements, Storm Water Pollution Prevention Plan
- City of Los Angeles: Noise Permit, Construction Permit

CHAPTER 3

CEQA Review and Public Outreach

Metropolitan has complied with CEQA and the *State CEQA Guidelines* during the preparation of the EIR for the proposed project. In accordance with Section 15082 of the *State CEQA Guidelines*, a NOP was circulated to local, state, and federal agencies and to other interested parties in November 2009. Copies of the NOP were made available for local review at the Los Angeles County Clerk/Recorders Office and the Metropolitan web site: www.mwdh2o.com. The NOP was also submitted to the California Office of Planning and Research, State Clearinghouse to solicit participation from state agencies in determining the scope of the EIR.

In response to the NOP, written comment letters were received from the following organizations: California Department of Transportation, Department of Toxic Substances Control, Tongva Ancestral Territorial Tribal Nation, City of Los Angeles Department of Transportation, Native American Heritage Commission, South Coast Air Quality Management District, and stakeholders in the Granada Hills and surrounding community. The comment letters are included in Appendix A of the Draft EIR.

The Draft EIR was circulated for public review and comment in July 2010, initiating a 45-day public review period pursuant to CEQA and its implementing guidelines. The document and Notice of Completion (NOC) were distributed to the California Office of Planning and Research, State Clearinghouse. Relevant agencies also received copies of the document. A Notice of Availability (NOA) was distributed to interested parties and adjacent property owners, residents and advertised in the local paper, which informed them of where they could view the document and how to comment. The purpose of the 45-day review period was to provide interested public agencies, groups and individuals the opportunity to comment on the contents and accuracy of the document.

During the public comment period, copies of the Draft EIR and technical appendices were made available for review at the Porter Ranch Library (11371 Tampa Avenue, Northridge, CA 91326), Granada Hills Branch Library (10640 Petit Avenue, Granada Hills, CA 91344), Sylmar Branch Library (14561 Polk Street, Sylmar, CA 91342), San Fernando Library (217 N. Maclay Avenue, San Fernando, CA 91340) and posted on Metropolitan's website at www.mwdh2o.com.

A Final EIR has been completed and includes a revised executive summary, written comments on the Draft EIR received by mail and electronic mail, written responses to the written comments, and errata to the Draft EIR.

CHAPTER 4

Impacts Determined to be Less than Significant

The following potential environmental impacts of the project are less than significant and therefore do not require mitigation measures.

4.1 Aesthetics

The proposed project would not substantially affect existing scenic views from any public viewing location or scenic vistas. Views of the proposed modification to the Jensen Plant would be limited from public access areas, and the new building would resemble the industrial character of the existing Jensen Plant facilities. The proposed lagoons would appear different than the existing fields currently in view from the hillside; however, they would not be visible from any public viewing location. Impacts on a scenic vista would be less than significant. (Draft EIR p. 3.1-10)

The proposed project is not located within an officially designated County scenic highway or eligible state scenic highway. Therefore, impacts to scenic resources within a state scenic highway or on the surrounding visual character would be less than significant. (Draft EIR p. 3.1-11)

Construction of the proposed project would alter but not substantially degrade the existing visual character of the Jensen Plant property. The overall visual character of the general area would not be significantly degraded as seen from surrounding views since these views are predominantly industrial in character. Therefore, impacts would be less than significant. (Draft EIR p. 3.1-11)

The proposed project's lighting would be limited and comparable to the light generated by the surrounding uses at the Jensen Plant. Nighttime construction lighting, if needed, would be shielded and pointed away from surrounding light-sensitive land uses and directed toward the Jensen Plant. Further, the project would not include highly-reflective construction material and would therefore have a less-than-significant impact associated with light and glare. (Draft EIR p. 3.1-12)

4.2 Air Quality

Project operation would result in minimal emissions of criteria air pollutants. The project would generate a maximum of 25 new daily haul truck and chemical delivery truck trips during the operation of the Jensen Plant at full capacity (a typical day would generate substantially less than 25 truck trips). The operation of the proposed project would not exceed the South Coast Air

Quality Management District (SCAQMD) significance criteria and would therefore result in a less-than-significant impact to air quality. (Draft EIR 3.3-20)

The construction and operation of the proposed project would not create objectionable odors. The proposed project would not add any additional equipment or processes that would emit adverse odors. The project would therefore have a less-than-significant impact to objectionable odors. (Draft EIR p. 3.3-21)

4.3 Geology, Soils and Mineral Resources

The proposed project site lies in a region that is seismically active and has experienced ground shaking and liquefaction-induced ground deformation in the past. The proposed facilities would be constructed in compliance with California Building Code (CBC) requirements. Construction methods would conform to the CBC standards and would ensure that impacts regarding liquefaction are reduced to a less-than-significant level. (Draft EIR p. 3.6-11)

The proposed project would disturb more than one acre and, therefore, would require a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). In compliance with this discharge permit, a Storm Water Pollution Prevention Plan (SWPPP) would be prepared. The SWPPP would outline best management practices (BMPs) intended to reduce erosion that could otherwise flow to nearby water bodies. As a result of compliance with the NPDES permit, the potential for erosion or loss of topsoil during construction would be less than significant. (Draft EIR p. 3.6-12)

Project designs would ensure compliance with CBC standards to prepare the site or otherwise stabilize unstable soils for the belt press building. Properly prepared site designs would reduce potential soil stability disturbances during construction of the proposed project to a less-than-significant level. (Draft EIR p. 3.6-13)

Geotechnical assessments of the site did not identify expansive soils in the proposed project area. However, project design would conform to the CBC standards, which would include removal of potentially unknown expansive soils. Therefore, impacts would be less than significant. (Draft EIR p. 3.6-13)

4.4 Greenhouse Gas Emissions

The proposed project would not exceed the SCAQMD draft screening threshold for industrial sources (10,000 metric tons per year CO₂e). Further, the proposed project would not conflict with the state goals in Assembly Bill 32 (AB 32). Therefore, impacts would be less than significant. (Draft EIR p. 3.7-14)

While the City of Los Angeles currently does not have a Climate Action Plan or similar plan implemented for reducing greenhouse gas (GHG) emissions, the proposed project would not

conflict with state goals in AB 32 or other applicable policies for reducing GHG emissions. The cumulative impact would be less than significant. (Draft EIR p. 3.7-15)

4.5 Hazards and Hazardous Materials

Construction of the proposed project would temporarily increase the transportation of hazardous materials. However, quantities would be limited, and the materials would be transported in accordance with Caltrans requirements and disposed of in compliance with federal and state requirements. Therefore, the proposed project would not create a significant hazard to the public or environment and impacts would be less than significant. (Draft EIR p. 3.8-9)

There are no schools identified within one-quarter mile of the project site. Van Gogh Elementary School is located just outside the one-quarter-mile radius from the project site. Nevertheless, construction of the proposed project would not result in a release of hazardous emissions, substances or waste that might impact any school site. Operation of the proposed project would not require transportation of hazardous materials that could impact schools within a one-quarter-mile radius. Therefore, impacts associated with hazardous emission or materials would be less than significant. (Draft EIR p. 3.8-11)

The proposed project would not be located on a known hazardous materials site and would not create a significant hazard to the public or the environment. Impacts would be less than significant. (Draft EIR p. 3.8-12)

4.6 Hydrology and Water Quality

The proposed project would not involve or result in any withdrawals of groundwater other than construction dewatering if soil stabilization Option 1 is chosen for the belt press building site. The solids dewatering facility would include rainwater retention/percolation basins that would detain storm water runoff from impervious surfaces. The slight reduction of percolation of storm water due to the removal of the existing ball fields would be minimal and would not lower the groundwater table. Impacts would be less than significant. (Draft EIR p. 3.9-13)

The proposed project is not located in a flood hazard area as designated by the Federal Emergency Management Agency (FEMA). The project would include rainwater retention/percolation basins that would capture runoff and percolate it into the ground. There would not be an increase in runoff from the project site. The storm drain system would be sufficient to accommodate the runoff after the project is constructed, since runoff flows would be reduced from the current conditions. Impacts would be less than significant. (Draft EIR p. 3.9-15)

4.7 Noise and Vibration

Operation of the proposed project facilities would not exceed ambient noise levels of 3-dBA Leq significance thresholds at the property line of the nearby sensitive receptors. Impacts would be less than significant. (Draft EIR p. 3.11-15)

Use of heavy equipment during project construction would not create vibration levels at the nearest sensitive receptor or structures that would exceed the potential building damage threshold of 0.3 inches per second. Construction would result in a less-than-significant vibration impact (Draft EIR p. 3.11-16)

4.8 Population, Employment, and Housing

The proposed project does not include construction of new housing developments or businesses that would induce substantial population growth. The project would not remove an obstacle of growth such as supplying new infrastructure that would encourage growth. Impacts would be less than significant. (Draft EIR p. 3.12-4)

4.9 Public Services and Utilities

Construction of the proposed project would include temporary truck and employee traffic along haul routes that could temporarily increase the potential for accidents to occur in these areas. This short-term increase in demand for additional police or fire service on an as-needed and emergency basis would be limited and could be accommodated with existing resources within the proposed project area. Impacts to fire and police protection services would be less than significant. (Draft EIR p. 3.13-8)

Ensuring the provision of adequate types and numbers of public recreational resources within a particular community in the city of Los Angeles is within the jurisdiction of LADRP, not Metropolitan, whose primary mission is water treatment and conveyance to its member agencies in southern California. Eventual relocation and replacement of the ball fields and incidental facilities will be required by LADRP as a result of the expiration of its lease with Metropolitan. It is not a required mitigation measure for Metropolitan as a consequence of the proposed project. Thus, the only potential physical impacts from the expiration of the lease would include removal of the incidental facilities. The impacts of this removal would be less than significant. (Draft EIR p. 3.13-8)

The proposed project would not change the overall drainage conditions at the Jensen Plant other than on the current ball fields. The proposed lagoons and rainwater retention basins south of the belt press building would capture runoff. The project would not require construction of a new storm water drainage facility or expansion of existing facilities to accommodate increased storm water flows. Impacts would be less than significant. (Draft EIR p. 3.13-9)

The proposed project would involve the construction of a solids dewatering facility that would enable the Jensen Plant to process solids generated on-site at full water treatment capacity. The proposed project would reduce the need to direct solids to the sewer, and therefore impacts to capacity of the wastewater provider would be less than significant. (Draft EIR p. 3.13-9)

Waste and debris produced from construction of the proposed project would be disposed according to state and local mandates. Solid waste produced during the operation of the proposed

project would be taken to Sunshine Canyon Landfill or nursery and would not accelerate the anticipated landfill closure date. Impacts would be less than significant. (Draft EIR p. 3.13-10)

Construction and operation of the proposed project would require electricity on-site that would be accommodated by an on-site substation. No upgrades to electrical facilities outside of the Jensen Plant would be required. As a result, impacts would be less than significant for electricity demand. (Draft EIR p. 3.13-11)

4.10 Recreation

Ensuring the provision of adequate types and numbers of public recreational resources within a particular community in the city of Los Angeles is within the jurisdiction of LADRP, not Metropolitan, whose primary mission is water treatment and conveyance to its member agencies in southern California. Eventual relocation and replacement of the ball fields and incidental facilities will be required by LADRP as a result of the expiration of its lease with Metropolitan. It is not a required mitigation measure for Metropolitan as a consequence of the proposed project. Thus, the only potential physical impacts from the expiration of the lease would include removal of the incidental facilities. The impacts of this removal would be less than significant. (Draft EIR p. 3.14-6)

4.11 Traffic

The proposed project would not be subject to Level of Service (LOS) standards established by the Los Angeles County Congestion Management Plan (CMP) for designated roadways in the project area because LOS standards do not apply to construction projects. The proposed project's potential increase in daily vehicle trips would be less than significant. (Draft EIR p. 3.15-30)

The proposed project would not result in construction or modification of roadways within the existing off-site circulation system. The proposed project would be in conformance with local traffic safety requirements and therefore would not increase hazards. Impacts would be less than significant. (Draft EIR p. 3.15-32)

The proposed project would not result in the modification of existing access points that could result in inadequate emergency access. All driveways and internal parking would be designed in conformance with city sight distance, queuing, and other applicable traffic safety requirements. Impacts to emergency access would be less than significant. (Draft EIR p. 3.15-32)

4.12 Cumulative Impacts

Concurrent construction of several projects in the vicinity of Jensen Plant could result in cumulative short-term impacts. However, as described in the following sections, no substantial cumulative impacts would occur for aesthetics, agricultural and forest resources, air quality (for operational impacts), geology, soils and mineral resources, greenhouse gases, hazards and hazardous materials, hydrology and water quality, land use planning, noise and vibration,

population and housing, public services and utilities, recreation, and transportation and traffic. (Draft EIR p. 4-10)

Aesthetics

The proposed project would not impact visual resources surrounding the site. The project would result in no cumulative impacts as a result of concurrent construction within a visual line-of-sight range of another project.

Agricultural and Forest Resources

The proposed project, in conjunction with the list of related projects, would not have a cumulatively considerable impact on agricultural resources in the area.

Air Quality

Emissions generated during operation in concurrence with other project activities in the area would not contribute to regional cumulative air quality impacts and would be less than significant.

Geology, Soils and Mineral Resources

Geologic hazards are localized in nature, as they are related to the soils and geologic character of a particular site. Conformance with CBC requirements would minimize the contribution to cumulative geologic impacts.

Greenhouse Gas Emissions

The proposed project's contribution to GHG emissions would not be considerable and would not contribute significantly to a global warming effect.

Hazards and Hazardous Materials

The proposed project's individual contribution to hazards is less than significant. The project would not contribute significantly to cumulative impacts related to hazards and hazardous materials.

Hydrology and Water Quality

As with the proposed project, all related projects are subject to the same federal Clean Water Act, State Porter Cologne Water Quality Control Act, and local Water Quality Management Plan regulations that protect water quality and water resources. The proposed project's incremental contribution to water quality and quantity impacts would not be cumulatively considerable.

Land Use

Construction activities would be conducted within an existing public water facility and would be exempt from local planning and zoning regulations. Therefore, the proposed project would not result in cumulatively significant impacts to land uses.

Noise and Vibration

Operation of the proposed project would generally be a passive land use with lagoons for drying solids. The incremental noise level increase from the lagoon cleaning process would not exceed significant thresholds and would be considered a less-than-significant impact. The belt presses used during the solids dewatering process would be housed within a concrete structure and would be inaudible to nearby sensitive receptors. Further, the proposed project would not add any substantial vehicle trips to existing operations that would increase ambient noise levels to an unacceptable range. Mobile noise levels associated with project operation would not contribute to a significant cumulative impact in conjunction with related projects in the area.

Population, Employment, and Housing

Construction and operation of the proposed project would not increase the capacity of the Jensen Plant, induce population growth, or contribute to a need for new housing. The project would not result in a cumulatively considerable impact.

Public Services and Utilities

Construction and operation of the proposed project would not result in a short-term or long-term increase in demand for public services or utilities.

Recreation

The proposed project does not include any components that would increase the number of residents or employees residing in the area that would impact parks and/or recreational facilities. The removal of existing ball fields is under the jurisdiction of LADRP. The proposed project would not contribute to cumulative impacts to recreation.

Transportation and Traffic

The proposed project would not substantially increase operational traffic. A limited number of trips would be generated for the disposal of solids and delivery of chemicals (25 trips a day). All future projects within the city would be required to comply with existing regulations and undergo environmental review to assure that impacts are evaluated and mitigated, as appropriate. The proposed project would not contribute significantly to future cumulative traffic levels. Cumulative impacts would be less than significant.

CHAPTER 5

Less-than-significant Environmental Impacts with Mitigation

Pursuant to *State CEQA Guidelines* Section 15091, the following are the impacts of the proposed project for which mitigation measures have been proposed in the Draft EIR. These measures will avoid or substantially lessen the following potentially significant environmental impacts to a less-than-significant level:

5.1 Biological Resources

5.1.1 Project-Level Impacts

Impact 3.4-1: The Final EIR concludes in Impact 3.4-1 that construction activities associated with the proposed project could have a substantial adverse effect on nesting birds. (Draft EIR p. 3.4-8)

Mitigation Measure BIO-1: Preconstruction Nest Survey. If project construction activities are undertaken between February 1 and August 31, a qualified biologist shall survey the project site no more than three days prior to commencement of disturbance and determine whether the proposed activities could disrupt the nesting of any listed migratory bird species under the MBTA. Disruption of nesting could be caused by the physical removal of an active nest, increased human activity near an active nest, loud noises, etc. If project construction cannot be initiated during this time period, site grubbing and grading during this time period can minimize the potential for bird nesting during the remainder of the construction period.

If an active nest is discovered, the monitor shall observe the birds' behaviors when construction activities commence to determine whether construction activity should be ceased by Metropolitan or altered by Metropolitan in the nest vicinity in order to avoid nest failure. If any areas need to be avoided, the limits of avoidance may be demarcated with flagging or fencing. Nesting birds that are observed within impact areas shall be avoided until all nestlings have fledged and nesting activities have been concluded.

With Mitigation the Environmental Effects are Found to be:

Significant

Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or “substantially lessen” the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See *infra*, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: Construction activity may temporarily deter some birds and ground-dwelling wildlife from foraging, roosting, and/or nesting in the vicinity. However, due to the lack of suitable habitat and the site’s human disturbance within the existing ball fields, the proposed project would not cause any adverse effects to special-status species. Mitigation Measure BIO-1 would ensure that nesting migratory birds are avoided. Therefore, impacts would be less than significant. (Draft EIR p. 3.4-1)

Impact 3.4-2: The Final EIR concludes in Impact 3.4-2 that the proposed project’s construction would create dust that could substantially affect riparian habitat or other sensitive natural communities. (Draft EIR p. 3.4-10)

Mitigation Measure AQ-1: Water or a stabilizing agent shall be applied to exposed surfaces at least two times per day to prevent generation of dust plumes.

Mitigation Measure AQ-2: The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:

- Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;
- Pave the surface extending at least 100 feet and at least 20 feet wide;
- Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages

Mitigation Measure AQ-3: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

Mitigation Measure AQ-4: Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.

Mitigation Measure AQ-5: Ground cover in disturbed areas shall be replaced as quickly as possible.

Mitigation Measure AQ-6: Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour or less.

Mitigation Measure AQ-7: Streets shall be swept at the end of the day if visible soil is carried onto adjacent public paved roads.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or “substantially lessen” the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See infra, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: Construction of the project would create dust generated by vehicles and construction equipment. Vegetation in the project vicinity, including riparian vegetation along Bull Creek, could be affected. Implementing Mitigation Measures AQ-1 through AQ-7 from Section 3.3 Air Quality would reduce impacts to less-than-significant levels. (Draft EIR p. 3.4-10)

5.2 Cultural Resources

5.2.1 Project-Level Impacts

Impact 3.5-1: The Final EIR concludes in Impact 3.5-1 that project construction could adversely affect known or unknown cultural resources. (Draft EIR p. 3.5-11)

Mitigation Measure CUL-1: Monitoring by a qualified archaeologist during ground disturbing activities. A qualified archaeologist shall be retained to monitor during construction-related excavation activities within native alluvial materials. The duration and timing of monitoring shall be determined by the qualified archaeologist in consultation with Metropolitan and based on the grading plans. In the event that cultural resources are unearthed during ground-disturbing activities, all work must be halted in the vicinity of the discovery until the qualified archaeologist can assess the significance of the resources, and if necessary, have such resources recovered.

Mitigation Measure CUL-2: Avoidance of cultural resources. Prior to construction, Metropolitan shall prepare or have a Cultural Resources Monitoring and Mitigation Plan (CRMMP) and/or Treatment Plan (TP) prepared, per *State CEQA Guidelines* Sections 15064.5 and 15126.4, to outline the appropriate action needed to recover the cultural materials in a professional manner. The CRMMP/TP shall establish the criteria utilized to evaluate the historic significance (per CEQA) of the unanticipated discoveries of unknown archaeological resources identified during construction activities, as well as identify the appropriate data recovery methods and procedures to mitigate the effect of the project upon those resources determined historically significant. If prehistoric or historic sites are encountered during construction-related earth-moving activities, the CRMMP/TP shall address the recovery, analysis, laboratory procedures, and final Report of Findings requirements that are necessary to meet the CEQA, and all state, city, and local regulations.

With Mitigation the Environmental Effects are Found to be:

- Significant Not Significant

Finding(s) per *State CEQA Guidelines* Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or “substantially lessen” the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See *infra*, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: Construction of the proposed project could result in disturbance to cultural resources. Archival research and literature review revealed that sites and historic structures were located within a two-mile radius of the project property. Construction could inadvertently disturb, damage or destroy previously unknown buried archaeological resources during excavation activities within the native alluvial deposits. Implementation of Mitigation Measures CUL-1 and CUL-2 would ensure that impacts to archaeological resources are reduced to a less-than-significant level. (Draft EIR p. 3.5-12)

Impact 3.5-2: The Final EIR concludes in Impact 3.5-2 that the project could adversely affect paleontological resources. (Draft EIR p. 3.5-12)

Mitigation Measure CUL-3: Monitoring by a qualified paleontologist during ground disturbing activities. A qualified paleontologist shall be retained to monitor during construction-related excavation activities in native deposits. The duration and timing of

monitoring shall be determined by the paleontologist in consultation with Metropolitan and based on the construction-related excavation activities.

Mitigation Measure CUL-4: Accidental discovery of paleontological resources. If paleontological resources such as fossil remains or fossiliferous sediment are encountered during the course of construction and monitoring, ground-disturbing activities shall be directed away from the vicinity of the find so that the paleontologist can evaluate the resources and recover them as appropriate. The paleontologist shall collect the material and record stratigraphic cross sections as well as map/graph pertinent geologic units. Fossils must be cleaned, analyzed and catalogued in order to be accessioned for curation at an appropriate repository. A final report shall be prepared that discusses any findings of paleontological resources.

With Mitigation the Environmental Effects are Found to be:

- Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or “substantially lessen” the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See infra, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: Significant fossil vertebrate remains may be encountered during construction and excavation activities within the older Quaternary Alluvial deposits and the rock unit of the Saugus Formation. Implementation of Mitigation Measures CUL-3 and CUL-4 would ensure that any impacts to paleontological resources from construction of the proposed project would be reduced to a less-than-significant level. Monitoring by a qualified paleontologist during construction-related excavation, and following proper procedures if any fossils are encountered, will ensure that impacts are reduced to a less-than-significant level. (Draft EIR p. 3.5-12)

Impact 3.5-3: The Final EIR concludes in Impact 3.5-3 that the project could result in the disturbance of human remains. (Draft EIR p. 3.5-12)

Mitigation Measure CUL-5: Halt Work if Human Skeletal Remains are Identified During Construction. If human skeletal remains are encountered during the course of construction activities, Metropolitan shall immediately halt all construction activities and contact the Los Angeles County coroner in order to evaluate the skeletal remains, as well as

comply with the regulatory requirements of Section 15064.5 (e)(1) of the *State CEQA Guidelines*. If it is determined the skeletal remains are Native American, Metropolitan shall consult with the NAHC, pursuant to the Health and Safety Code Section 7050.5 (c), and Public Resource Code 5097.98 (as amended by AB 2641). Public Resource Code 5097.8 provides that the landowner will ensure that the Native American remains, and the immediate vicinity, are protected from damage or further construction disturbances until consultation between Metropolitan and the Most Likely Descendant has transpired, resulting in a determination regarding the handling of the uncovered remains and any future unanticipated human remains discoveries in the immediate vicinity.

With Mitigation the Environmental Effects are Found to be:

- Significant Not Significant

Finding(s) per *State CEQA Guidelines* Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or “substantially lessen” the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See *infra*, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: The high level of prehistoric activity in the project area may suggest that burials and/or habitation sites could be present within a one-mile radius of the project site. Construction and excavation activities may uncover or inadvertently damage human remains, which could be a significant impact. Implementation of Mitigation Measure CUL-5 would ensure that any impacts to encountered human remains would be less than significant and that proper procedures to temporarily halt construction are taken. (Draft EIR p. 3.5-14)

5.3 Hazards and Hazardous Materials

5.3.1 Project-Level Impacts

Impact 3.8-2: The Final EIR concludes that the proposed project could increase the potential for accidental release of hazardous materials during construction. This may increase the risk of exposure to the public or environment. (Draft EIR p. 3.8-10)

Mitigation Measure HAZ-1: Metropolitan shall require the construction contractor(s) to implement BMPs for handling hazardous materials during construction of the project. The use of the construction BMPs shall minimize negative effects on groundwater and soils, workers, and the public, and will include the following:

- Follow manufacturers' recommendations and regulatory requirements for use, storage, and disposal of chemical products and hazardous materials used in construction.
- During routine maintenance of construction equipment, properly contain and remove used grease and oils.
- Properly dispose of discarded containers of fuels and other chemicals.

Mitigation Measure HAZ-2: Metropolitan shall require the construction contractor(s) to implement safety measures in accordance with General Industry Safety Orders for Spill and Overflow Control (CCR Title 8, Sections 5163-5167) to protect the project area from contamination due to accidental release of hazardous materials. The safety measures shall include, but not be limited to, the following:

- Hazardous materials shall be stored in containers that are chemically inert to and appropriate for the type and quantity of the hazardous substance.
- Containers shall not be stored where they are exposed to heat sufficient enough to rupture the containers or cause leakage.
- Specific information shall be provided regarding safe procedures and other precautions before cleaning or subsequent use or disposal of hazardous materials containers.

Disposal of all hazardous materials shall be in compliance with applicable California hazardous waste disposal laws. The construction contractor(s) shall contact the local fire agency and the Los Angeles City Fire Department, for any site-specific requirements regarding hazardous materials or hazardous waste containment or handling.

Mitigation Measure HAZ-3: In the event of an accidental release of hazardous materials during construction, containment and clean up shall occur in accordance with applicable regulatory requirements.

Mitigation Measure HAZ-4: Oil and other solvents used during maintenance of construction equipment shall be recycled or disposed of in accordance with applicable regulatory requirements. All hazardous materials shall be transported, handled, and disposed of in accordance with applicable regulatory requirements.

Mitigation Measure HAZ-5: Metropolitan shall require the construction contractor(s) to prepare and implement a Safety Program to ensure the health and safety of construction workers and the public during project construction. The Safety Program shall include an injury and illness prevention program, a site-specific safety plan, and information on the appropriate personal protective equipment to be used during construction.

With Mitigation the Environmental Effects are Found to be:

- Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or "substantially lessen" the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)

- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See infra, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: Construction of the proposed project would require equipment utilizing hazardous materials that could accidentally be spilled or otherwise released into the environment. This exposure to construction workers, the public and/or the environment is a potential hazardous condition. Project operations would not require the use of any hazardous materials and therefore would not have significant exposure impacts. With implementation of Mitigation Measures HAZ-1 through HAZ-5, project impacts would be reduced to less than significant. (Draft EIR p. 3.8-10)

5.4 Hydrology and Water Quality

5.4.1 Project-Level Impacts

Impact 3.9-1: The Final EIR concludes in Impact 3.9-1 that construction and operation of the proposed project could potentially violate water quality standards or waste discharge requirements. (Draft EIR p. 3.9-11)

Mitigation Measure HYDRO-1: Metropolitan shall require its construction contractor(s) to prepare and submit a SWPPP in accordance with the California General Permit 2009-009-SWQ, that identifies specific actions and BMPs to prevent storm water pollution during construction activities.

Mitigation Measure HYDRO-2: If groundwater dewatering is required for construction and the groundwater cannot be pumped to the WWRPs, Metropolitan's construction contractor(s) shall obtain the required NPDES discharge permit from the Los Angeles RWQCB - WDRs for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Board Order No. R4-2008-0032, General NPDES Permit No. CAG994004).

With Mitigation the Environmental Effects are Found to be:

- Significant Not Significant

Finding(s) per *State CEQA Guidelines* Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or "substantially lessen" the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)

- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See infra, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: The proposed construction activities could result in a potentially significant impact to the water quality of Bull Creek and the Los Angeles River due to soil erosion and the subsequent discharge of sediment to downgradient surface waters or drainages. BMPs to control these impacts will be implemented to ensure that water quality would not be impaired. The proposed project's effect on local groundwater would be minor; however, improperly discharged water could result in turbidity in Bull Creek. Implementation of Mitigation Measures HYDRO-1 and HYDRO-2 would ensure that construction storm water runoff would not violate any water quality standards or waste discharge requirements, and that dewatering activities would not result in excessive turbidity. Therefore, impacts would be reduced to a less-than-significant level. (Draft EIR p. 3.9-13)

Impact 3.9-3: The Final EIR concludes in Impact 3.9-3 that construction of the proposed project could result in potential soil erosion and the subsequent discharge of sediment to downgradient surface waters or drainages. (Draft EIR p. 3.9-14)

Mitigation Measure HYDRO-1: Metropolitan shall require its construction contractor(s) to prepare and submit a SWPPP in accordance with the California General Permit 2009-009-SWQ, that identifies specific actions and BMPs to prevent storm water pollution during construction activities.

With Mitigation the Environmental Effects are Found to be:

- Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or "substantially lessen" the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See infra, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: The construction of the project would involve earthmoving activities that could discharge sediment to downgradient surface waters or result in substantial erosion. The NPDES General Construction Permit and SWPPP would include an Erosion Control Plan and BMPs to control erosion and sedimentation. Implementation of Mitigation Measure HYDRO-1 would minimize impacts to a less-than-significant level. (Draft EIR p. 3.9-14)

5.5 Traffic and Circulation

5.5.1 Project-Level Impacts

Impact 3.15-1: The Final EIR concludes in Impact 3.15-1 that construction activity could add daily trips to roadways that already experience poor levels of service near the project area. (Draft EIR p. 3.15-1)

Mitigation Measure TR-1: Prior to construction, Metropolitan shall require the contractor(s) to prepare a Traffic Management Plan in accordance with professional engineering standards and the guidelines for safety and traffic provided in the Caltrans Construction Manual (revised 2008). The Traffic Management Plan would include, but not be limited to, the following strategies:

- Develop truck route plans to minimize impact to the significantly impact intersection of San Fernando Road/Sierra Highway during the p.m. peak hour, San Fernando Road/I-16-SR14 southbound off-ramp during a.m. and p.m. peak hours, San Fernando Road/Balboa Boulevard during p.m. peak hours, and I-5 southbound ramps/Roxford Street during p.m. peak hours.
- Avoid construction-related traffic to occur during peak travel periods.
- Implementation of staggered construction worker shifts to minimize project traffic during the peak hours.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per *State CEQA Guidelines* Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or “substantially lessen” the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See *infra*, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: Construction-generated traffic would be temporary and therefore would not result in long-term degradation of operating conditions or levels of service on any roadways in the project area. The primary impacts from the movement of construction trucks would include short-term and intermittent lessening of roadway capacities due to slower movements and larger turning radii of the trucks compared to passenger vehicles. Implementation of Mitigation Measure TR-1 would require the contractor(s) to prepare a Traffic Management Plan that would minimize impacts to specific intersections during peak travel periods, and implement staggered construction worker shifts to minimize project traffic. As a result, impacts would be reduced to a less-than-significant level. (Draft EIR p. 3.15-30)

5.6 Cumulative

Concurrent construction of several projects in the vicinity of the Jensen Plant could result in cumulative short-term impacts associated with construction activities. The sections below address biological resources, cultural resources, and noise and vibration. (Draft EIR p. 4-6 and 4-8)

Biological Resources

Impacts to biological resources would be minimized through mitigation measures, and the project's contribution to cumulative impacts would not be considerable.

Cultural Resources

Impacts to cultural resources would be minimized by mitigation measures, and the project's contribution to cumulative impacts for cultural resources would be less than significant.

Noise and Vibration

Construction noise would be temporary and impacts localized to the project site. There are no proposed construction sites within the immediate vicinity of the Jensen Plant. In accordance with proposed mitigation measures for construction noise impacts, the proposed project would not contribute significantly to cumulative ambient noise conditions.

CHAPTER 6

Significant and Unavoidable Environmental Impacts

Pursuant to *State CEQA Guidelines* Section 15091, the following project impacts are significant environmental effects for which feasible mitigation measures are not available to avoid or substantially lessen the potentially significant environmental effects to below a level of significance. The adverse impacts would remain significant and unavoidable.

6.1 Air Quality – Project Level

6.1.1 Project-Level Impacts

Impact 3.3-1: The Final EIR concludes in Impact 3.3-1 that construction of the proposed project would have a substantial adverse effect on air quality. (Draft EIR p. 3.3-13)

Mitigation Measure AQ-1: Water or a stabilizing agent shall be applied to exposed surfaces at least two times per day to prevent generation of dust plumes.

Mitigation Measure AQ-2: The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:

- Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;
- Pave the surface extending at least 100 feet and at least 20 feet wide; or,
- Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages.

Mitigation Measure AQ-3: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

Mitigation Measure AQ-4: Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.

Mitigation Measure AQ-5: Ground cover in disturbed areas shall be replaced as quickly as possible.

Mitigation Measure AQ-6: Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour or less.

Mitigation Measure AQ-7: Streets shall be swept at the end of the day if visible soil is carried onto adjacent public paved roads.

Mitigation Measure AQ-8: Construction equipment powered by 150-horsepower diesel engines or greater (e.g., graders and scrapers) shall require minimum of Tier III diesel particulate filters.

Mitigation Measure AQ-9: All diesel-powered construction equipment shall require control equipment that meets at a minimum Tier III emissions requirements. In the event Tier III equipment is not available, diesel powered construction equipment in use shall require emissions control equipment with a minimum of Tier II diesel standards.

Mitigation Measure AQ-10: Contractors shall maintain equipment and vehicle engines in good condition and in proper tune per manufacturers' specifications.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or "substantially lessen"² the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See infra, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: The proposed project would result in substantial localized and regional construction emissions under Options 1 and 2, which are the two potential soil improvement scenarios discussed in the Draft EIR. Daily construction emissions associated with Option 1 would exceed the SCAQMD localized thresholds for particulate matter (PM) 2.5 and PM10 and regional thresholds for nitric oxide (NOx), PM2.5 and PM10. Further, daily construction emissions associated with Option 2 would exceed the SCAQMD localized thresholds for PM2.5 and PM10 and regional thresholds for NOx, PM2.5 and PM10. Implementation of Mitigation Measures AQ-1 through AQ-7 would ensure that fugitive dust emissions would be reduced by approximately 61 percent. Mitigation AQ-8 would reduce diesel particulate matter emissions by 25 percent. Mitigation Measures AQ-9 and AQ-10 would reduce engine emissions by approximately five percent. However, Option 1 mitigated construction

² Unlike the other findings made in this document, for this particular finding made, the term "substantially lessen" does not refer to fully mitigating the significant environmental impact. Please refer to Section 1.4, Findings Required under CEQA, of this document for further discussion and interpretation of the term "substantially lessen."

regional emissions would continue to exceed the SCAQMD regional thresholds for volatile organic compounds (VOC), NO_x, PM_{2.5} and PM₁₀. Mitigated construction regional emissions for Option 2 would continue to exceed the SCAQMD regional thresholds for NO_x, PM_{2.5} and PM₁₀. The impact would be significant and unavoidable as the construction of the proposed project would exceed air quality standards. While Mitigation Measures AQ-1 through AQ-10 would reduce impacts to air quality emissions, the adverse impacts would remain significant and unavoidable. (Draft EIR p. 3.3-13)

6.2 Noise

6.2.1 Project-Level Impacts

Impact 3.11-1: The Final EIR concludes in Impact 3.11-1 that construction of the proposed project could substantially generate noise levels in excess of standards. (Draft EIR p. 3.11-10)

Mitigation Measure NOISE-1: All construction equipment shall be equipped with mufflers and noise attenuation devices.

Mitigation Measure NOISE-2: The construction contractor shall locate noise-generating construction equipment and locate construction staging areas away from sensitive uses.

Mitigation Measure NOISE-3: All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet, shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.

Nighttime Construction

In addition to Mitigation Measures NOISE-1 through NOISE-3, the following mitigation measures shall be implemented during nighttime construction activity.

Mitigation Measure NOISE-4: Noise control barriers eight feet tall or higher shall be used to line the perimeter of the concrete batch plant. The portion of the batch plant accessed by trucks shall be left open.

Mitigation Measure NOISE-5: Noise control barriers eight feet tall or higher shall surround drill rigs during drilling operations.

With Mitigation the Environmental Effects are Found to be:

Significant

Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or “substantially lessen”³ the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See infra, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: Metropolitan finds that construction of the proposed project would potentially expose persons to or generate noise levels in excess of standards. Construction activities would produce ambient noise that exceeds levels by more than 5 dBA. Metropolitan finds that implementation of Mitigation Measures NOISE-1 through NOISE-5 will not reduce the impacts to below a level of significance and would remain significant and unavoidable. (Draft EIR p. 3.11-13)

6.3 Air Quality - Cumulative

6.3.1 Cumulative Impacts

Chapter 4: The Final EIR concludes in Chapter 4 that concurrent construction of the project with other projects in the air basin could exceed significance thresholds established by SCAQMD for pollutants that are already in non-attainment of federal standards. (Draft EIR p. 4-5)

Mitigation Measure AQ-1: Water or a stabilizing agent shall be applied to exposed surfaces at least two times per day to prevent generation of dust plumes.

Mitigation Measure AQ-2: The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:

- Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;
- Pave the surface extending at least 100 feet and at least 20 feet wide; or,
- Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages.

Mitigation Measure AQ-3: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

³ Unlike the other findings made in this document, for this particular finding made, the term “substantially lessen” does not refer to fully mitigating the significant environmental impact. Please refer to Section 1.4, Findings Required under CEQA, of this document for further discussion and interpretation of the term “substantially lessen.”

Mitigation Measure AQ-4: Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.

Mitigation Measure AQ-5: Ground cover in disturbed areas shall be replaced as quickly as possible.

Mitigation Measure AQ-6: Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour or less.

Mitigation Measure AQ-7: Streets shall be swept at the end of the day if visible soil is carried onto adjacent public paved roads.

Mitigation Measure AQ-8: Construction equipment powered by 150-horsepower diesel engines or greater (e.g., graders and scrapers) shall require minimum of Tier III diesel particulate filters.

Mitigation Measure AQ-9: All diesel-powered construction equipment shall require control equipment that meets at a minimum Tier III emissions requirements. In the event Tier III equipment is not available, diesel powered construction equipment in use shall require emissions control equipment with a minimum of Tier II diesel standards.

Mitigation Measure AQ-10: Contractors shall maintain equipment and vehicle engines in good condition and in proper tune per manufacturers' specifications.

With Mitigation the Environmental Effects are Found to be:

Significant Not Significant

Finding(s) per State CEQA Guidelines Section 15091:

- Changes or alterations have been required in, or incorporated into, the project which avoid or "substantially lessen"⁴ the significant environmental effect as identified in the final EIR. (Subdivision (a)(1).)
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Subdivision (a)(2).)
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Subdivision (a)(3).) See infra, Chapter 8, Statement of Overriding Considerations.

Rationale/Supporting Explanation: Construction of the proposed project would generate significant and unavoidable short-term emissions of criteria pollutants from excavation activity and use of heavy-duty construction equipment. Implementation of Mitigation Measures AQ-1

⁴ Unlike the other findings made in this document, for this particular finding made, the term "substantially lessen" does not refer to fully mitigating the significant environmental impact. Please refer to Section 1.4, Findings Required under CEQA, of this document for further discussion and interpretation of the term "substantially lessen."

through AQ-7 would ensure that fugitive dust emissions would be reduced by approximately 61 percent. Mitigation AQ-8 would reduce diesel particulate matter emission by 25 percent. Mitigation Measures AQ-9 and AQ-10 would reduce engine emissions by approximately five percent. Mitigation would ensure implementation of the SCAQMD requirements to control fugitive dust at the construction site and other measures to limit construction dust and vehicle and equipment emissions. However, as discussed in Section 3.3, Air Quality, the project nevertheless would exceed regional and localized construction emission thresholds, resulting in significant and unavoidable adverse air quality impacts.

CHAPTER 7

Project Alternatives

Because the proposed project would result in unavoidable, significant environmental effects, as stated in Chapter 6 of this document, Metropolitan must consider the feasibility of any environmentally superior alternatives to the proposed project. Metropolitan must evaluate whether one or more of these alternatives could avoid or substantially lessen the proposed project's unavoidable, significant environmental effects. (*Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal.App.3d 433, 443-445 [243 Cal.Rptr. 727]; see also PRC Section 21002.)

In preparing and adopting findings, a Lead Agency need not necessarily address the feasibility of both mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an acceptable level solely by the adoption of mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of environmentally superior alternatives, even if their impacts would be less severe than those of the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515,521 [147 Cal.Rptr. 842]; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731 [270 Cal.Rptr. 650]; and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403 [253 Cal.Rptr. 426].) Accordingly, in adopting findings concerning project alternatives, Metropolitan considers only those environmental impacts that, for the proposed project, are significant and cannot be avoided through mitigation.

An EIR should provide some discussion of how the Lead Agency or project proponent, in determining the scope of an EIR, narrowed the range of reasonable alternatives as required by *State CEQA Guidelines* Section 15126.6(c). The preliminary discussion of how the range was focused need not be as extensive as the full alternatives analysis required by the guidelines. (See *Goleta II*, 52 Cal.3d 553, 569 [276 Cal.Rptr. 410]; *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 404-405 [253 Cal.Rptr. 426].)

In *Goleta II* (see 52 Cal.3d 553, 564-566 [276 Cal.Rptr. 410]), the California Supreme Court emphasized that the range of alternatives to be included in an EIR should focus on those that could feasibly attain the basic objectives of the project. In that case, viewing the record as a whole, the Supreme Court concluded that the respondent county was justified in not treating as feasible (and thus not including in the challenged Draft EIR) various alternatives that “would impede to some degree the attainment of project objectives, or would be more costly.” The *State CEQA Guidelines* also state that: “Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts” (See *State CEQA Guidelines* Section 15126.6(c)).

The No Project Alternative must be evaluated, and if it would be the environmentally superior alternative, another environmentally superior alternative must be identified among the other alternatives (*State CEQA Guidelines* Section 15126.6(e)).

These findings examine the two project alternatives to the extent they lessen or avoid the proposed project's significant environmental effects. Metropolitan need not consider the alternatives with respect to the proposed project's environmental impacts that are not significant or are avoided through mitigation. The objectives of implementing the proposed project are as follows:

- Provide permanent facilities at the Jensen Plant with sufficient capacity to accommodate dewatering of solids generated from the water treatment process under design plant flow conditions (750 mgd);
- Replace temporary off-site capacity at the LADWP lagoons that will be lost on the expiration of the Metropolitan-LADWP agreement in 2014; and
- Reduce the need to discharge water treatment solids to the sanitary sewer.

In summary, the No Project Alternative does not meet the project objectives. No construction of permanent facilities at the Jensen Plant, and the expiration of the Metropolitan-LADWP lease agreement, would result in operations constrained by the conditions of the sanitary sewer permit and the discretion of the Bureau of Sanitation to issue a new permit. The cost of discharging solids would increase as well. At full operating capacity, the Jensen Plant would have to incur approximately \$29,000 a day.

The Lagoons and Sewer Alternative (Alternative 2) would be similar to the proposed project but does not include the design and construction of the dewatering facility. The Lagoons and Sewer Alternative would meet most of the project objectives, but the new planned facilities would continue to rely on discharging water treatment solids into the sanitary sewer, when the Jensen Plant is incapable of handling the design flow, and would continue to be constrained by the conditions of the sanitary sewer permit and the discretion of the Bureau of Sanitation to issue a new permit. The cost of discharging solids would increase as well. At full operating capacity, the Jensen Plant would have to incur approximately \$20,000 a day. Overall, the Lagoons and Sewer Alternative is environmentally superior to the proposed project as compared to the No Project Alternative.

7.1 No Project Alternative

According to Section 15126.6(e) of the *State CEQA Guidelines*, discussion of the No Project Alternative must include a description of existing conditions and reasonably foreseeable future conditions that would exist if the project were not approved. Under the No Project Alternative, construction of the solids dewatering facility and lagoons would not be implemented. Under this alternative, the sanitary sewer would be the primary method for solids disposal at the Jensen Plant. The current Jensen Industrial Wastewater Permit would have to be amended to discharge all solids generated under the Jensen Plant's rated treatment capacity of 750 mgd. (Draft EIR p. 6-3)

Implementation of the No Project Alternative would not meet any of the proposed project objectives. No permanent facilities would be constructed at the Jensen Plant and the Metropolitan-LADWP agreement would expire. The Jensen Plant's operations would be constrained by the conditions of the sanitary sewer permit and the discretion of the Bureau of Sanitation to issue a new permit. Furthermore, the operations of the Jensen Plant would also be constrained by the cost of discharging solids to the sewer. Therefore, implementation of the No Project Alternative would not meet any of the stated project objectives.

Under the No Project Alternative, the impacts identified in Chapters 3 and 4 that are associated with construction and operation of the proposed project would be avoided. However, the No Project Alternative would not result in the beneficial impacts associated with the proposed project, including providing permanent on-site facilities to accommodate dewatering of solids and reducing the need to discharge to the local sanitary sewer system. (Draft EIR p. 6-4)

7.2 Alternative 2: Lagoons and Sewer Alternative

Alternative 2 would follow similar plans as the proposed project, except it would not include the construction of the dewatering facility. Instead, solids would continue to be discharged to the sanitary sewer only when the lagoons are full. Alternative 2 would also result in a shorter construction period because there would be no need for soil stabilization for the belt press building. (Draft EIR p. 6-8)

Implementation of Alternative 2 would meet some of the project objectives, and would result in fewer impacts as compared to the proposed project. This alternative would avoid significant and unavoidable impacts to air quality and noise. However, this alternative would also be constrained by discretion of the Bureau of Sanitation to issue a new permit, and operations at the Jensen Plant would also be constrained by the cost of discharging solids to the sewer. (Draft EIR p. 6-8)

CHAPTER 8

Statement of Overriding Considerations

When a proposed project results in significant, unavoidable adverse impacts, CEQA requires the decision-making body of the Lead Agency to weigh the benefit of the proposed project against such environmental impacts in determining whether or not to approve the proposed project (*State CEQA Guidelines* Section 15043). In making this determination the Lead Agency is guided by the *State CEQA Guidelines* Section 15093, which states:

- CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- When the Lead Agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The Statement of Overriding Considerations shall be supported by substantial evidence in the record.
- If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

In addition, PRC Section 21081(b) requires that when a public agency finds that economic, legal, social, technological or other reasons make infeasible the mitigation measures or alternatives identified in the EIR and the project thereby continues to have significant unavoidable adverse impacts, the public agency must also find that specific overriding economic, legal, social, technological or other benefits of the project outweigh those significant unavoidable impacts of the project.

The Final EIR identified two alternatives to the proposed project: the No Project Alternative and the Lagoons and Sewer Alternative. These alternatives were evaluated to the extent to which they met the basic project objectives, while avoiding or substantially lessening any significant adverse impacts of the proposed project.

For the reasons detailed in the Findings of Fact as well as in the EIR (Chapter 6 of the Draft EIR), only one of the alternatives would be environmentally superior to the proposed project (i.e., the Lagoons and Sewer Alternative). The sections below explain the overriding considerations Metropolitan relied on in selecting the proposed project rather than the environmentally superior alternative.

8.1 Significant Unavoidable Impacts

8.1.1 Air Quality

Based on the information and analysis set forth in the Final EIR and the record of proceedings, construction of the proposed project would result in significant impacts related to air quality. The proposed project has two potential soil improvement scenarios, Option 1 – Over-excavation and Recompaction, and Option 2 – Deep Soil Mixing. Under these two scenarios, both local and regional construction emissions exceed significance thresholds. Implementation of Mitigation Measures AQ-1 through AQ-10 would have Metropolitan establish protocols to reduce fugitive dust emissions, diesel particulates, and engine emissions. However, even with these measures, the proposed project's construction emission would exceed local and regional air quality thresholds for specific air pollutants under Option 1 and Option 2. Adverse impacts would be significant and unavoidable.

8.1.2 Noise

Construction activities would result in noise levels that exceed significance thresholds under the City of Los Angeles noise ordinance. As a result of nighttime construction, surrounding sensitive receptors could experience adverse effects, such as interference with sleep patterns for nearby residential land uses. Furthermore, high noise levels generated during daytime construction work for 12-hour to 16-hour workday scenarios would generate temporary high ambient noise levels. Implementation of Mitigation Measures NOISE-1 through NOISE-5 would assist in reducing and controlling noise levels. However, even with these measures construction work would exceed noise ordinance thresholds and would result in significant and unavoidable adverse impacts.

8.1.3 Cumulative Air Quality-Construction Impacts

Construction of the proposed project would generate significant and unavoidable short-term emissions of criteria pollutants from excavation activity and use of heavy-duty construction equipment. Concurrent construction of the project with other projects in the air basin would generate short-term emissions of criteria pollutants and toxic air contaminants, including suspended and inhalable particulate matter and equipment exhaust emissions. Implementation of Air Quality Mitigation Measures (AQ-1 through AQ-10) would ensure implementation of the SCAQMD requirements to control fugitive dust at construction sites and other measures to limit construction dust and vehicle and equipment emissions. However, the project nevertheless would exceed regional and localized construction emission thresholds, resulting in significant and

unavoidable air quality impacts. Because the proposed project construction would exceed significance thresholds established by SCAQMD for activities within the air basin for pollutants that are already in non-attainment of federal standards, the proposed project's contribution to cumulative air quality impacts would be cumulatively considerable.

8.2 Project Benefits

Metropolitan has (i) independently reviewed the information in the Final EIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the project to the extent feasible by adopting the mitigation measures identified in the EIR; and (iii) balanced the project's benefits against the project's significant unavoidable air quality and noise impacts. Metropolitan finds that the project's benefits outweigh the project's temporary significant unavoidable impacts. Metropolitan finds that the following benefits are overriding considerations that warrant approval of the project notwithstanding the project's significant unavoidable impacts to air quality and noise. Substantial evidence supports the various benefits as discussed below.

8.2.1 Solids Handling Facility

The Jensen Plant treats drinking water conveyed to a large portion of Los Angeles County and portions of Orange County. Currently the plant does not have solids handling facilities to meet its treatment capacity. Metropolitan relies on off-site solids drying lagoons under a temporary agreement with LADWP. These off-site lagoons only provide up to 15 percent of the solids handling capacity needed to accommodate Jensen Treatment Plant's full treatment capacity.

Construction of the proposed permanent solids dewatering facility and lagoon system would increase solids handling capacity to accommodate the Jensen Plant's rated treatment capacity of 750 mgd. The proposed new facilities would allow Metropolitan to adequately meet long-term solids handling processing needs. The new facilities would replace the current but temporary off-site capacity at the LADWP lagoons, which only provides approximately 15 percent of the total Jensen Plant treatment capacity of 750 mgd. The proposed project would provide solids handling and drying facilities sufficient to accommodate the full 750 mgd treatment capacity. This critical benefit of the project avoids the need to use the sanitary sewer to dispose of raw water solids, reducing regional impacts and costs of solids disposal. (Draft EIR p. 2-1)

8.3 Statement of Overriding Considerations

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, Metropolitan has determined that the significant and unavoidable adverse environmental impacts identified in Section 8.1 may be considered "acceptable" due to the specific considerations listed in Section 8.2 which outweigh the significant and unavoidable adverse environmental impacts of the proposed project.

Metropolitan has considered information contained in the Final EIR as well as the public testimony and record of proceedings in which the proposed project was considered. In addition, Metropolitan commits to the proposed mitigation measures and acknowledges that project benefits outweigh the few significant and unavoidable adverse impacts identified in Section 8.1 of this document. In making this determination and commitment, Metropolitan incorporates by reference the Findings of Fact (Chapters 1 through 7 of this document) and the proposed Mitigation Monitoring and Reporting Program (Chapter 9), as well as all of the supporting evidence cited therein and in the record of proceedings and administrative record.

CHAPTER 9

Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) for the proposed project has been prepared in accordance with PRC Section 21081.6 and *State CEQA Guidelines* Section 15091(d). Metropolitan will use this MMRP to track compliance with the project mitigation measures. Metropolitan's Board of Directors will consider the MMRP during the certification hearing for the Final EIR. The final MMRP will incorporate all mitigation measures adopted for the proposed project.

This MMRP summarizes potentially significant impacts and mitigation commitments identified in the Jensen Solids Handling Facility Project Final EIR. **Table 1** provides the MMRP with the mitigation measures, corresponding implementation, monitoring, and reporting tasks, responsible agency, and timing of implementation. Impacts and mitigation measures are presented in the same order as in the Final EIR. The columns in the table provide the following information:

- **Mitigation Measures:** The action(s) that will be taken to reduce the impact to a less-than-significant level.
- **Implementation, Monitoring, and Reporting Tasks:** This column outlines the appropriate steps to implement and verify compliance with the mitigation measures.
- **Monitoring Schedule:** This column indicates the general schedule for conducting each monitoring task, either prior to construction, during construction, and/or after construction.
- **Responsibility:** This column lists the agency responsible for ensuring implementation of the mitigation measure. Metropolitan or one of the Responsible Agencies will assume responsibility for all monitoring and reporting actions.

**TABLE 1
MITIGATION MONITORING AND REPORTING PROGRAM – JENSEN SOLIDS HANDLING FACILITY PROJECT**

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
3.3: Air Quality			
Mitigation Measure AQ-1: Water or a stabilizing agent shall be applied to exposed surfaces at least two times per day to prevent generation of dust plumes.	Site Inspection	During Construction	Metropolitan
Mitigation Measure AQ-2: The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road: <ul style="list-style-type: none"> • Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long; • Pave the surface extending at least 100 feet and at least 20 feet wide; • Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or 	Site Inspection	During Construction	Metropolitan
Mitigation Measure AQ-3: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).	Site Inspection	Pre-Construction	Metropolitan
Mitigation Measure AQ-4: Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.	Site Inspection	Pre-Construction	Metropolitan
Mitigation Measure AQ-5: Ground cover in disturbed areas shall be replaced as quickly as possible.	Site Inspection	Pre-Construction	Metropolitan
Mitigation Measure AQ-6: Traffic speeds on all unpaved roads shall be reduced to 15 miles-per-hour or less.	Site Inspection	Pre-Construction	Metropolitan
Mitigation Measure AQ-7: Streets shall be swept at the end of the day if visible soil is carried onto adjacent public paved roads.	Site Inspection	Pre-Construction	Metropolitan
Mitigation Measure AQ-8: Construction equipment powered by 150-horsepower diesel engines or greater (e.g., graders and scrapers) shall require minimum of Tier III diesel particulate filters.	Site Inspection	Pre-Construction	Metropolitan
Mitigation Measure AQ-9: All diesel-powered construction equipment shall require control equipment that meets at a minimum Tier III emissions requirements. In the event Tier III equipment is not available, diesel powered construction equipment in use shall require emissions control equipment with a minimum of Tier II diesel standards.	Site Inspection	Pre-Construction	Metropolitan
Mitigation Measure AQ-10: Contractors shall maintain equipment and vehicle engines in good condition and in proper tune per manufacturers' specifications	Site Inspection	Pre-Construction	Metropolitan

TABLE 1 (continued)
MITIGATION MONITORING AND REPORTING PROGRAM – JENSEN SOLIDS HANDLING FACILITY PROJECT

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
3.4: Biological Resources			
<p>Mitigation Measure BIO-1: Preconstruction Nest Survey. If project construction activities are undertaken between February 1 and August 31, a qualified biologist shall survey the project site no more than three days prior to commencement of disturbance and determine whether the proposed activities could disrupt the nesting of any listed migratory bird species under the MBTA. Disruption of nesting could be caused by the physical removal of an active nest, increased human activity near an active nest, loud noises, etc. If project construction cannot be initiated during this time period, site grubbing and grading during this time period can minimize the potential for bird nesting during the remainder of the construction period.</p> <p>If an active nest is discovered, the monitor shall observe the birds' behaviors when construction activities commence to determine whether construction activity should be ceased by Metropolitan or altered by Metropolitan in the nest vicinity in order to avoid nest failure. If any areas need to be avoided, the limits of avoidance may be demarcated with flagging or fencing. Nesting birds that are observed within impact areas shall be avoided until all nestlings have fledged and nesting activities have been concluded.</p>	Biologist Verification	Pre- Construction	Metropolitan
3.5: Cultural Resources			
<p>Mitigation Measure CUL-1: Monitoring by a qualified archaeologist during ground disturbing activities. A qualified archaeologist shall be retained to monitor during construction-related excavation activities within native alluvial materials. The duration and timing of monitoring shall be determined by the qualified archaeologist in consultation with Metropolitan and based on the grading plans. In the event that cultural resources are unearthed during ground-disturbing activities, all work must be halted in the vicinity of the discovery until the qualified archaeologist can assess the significance of the resources, and if necessary, have such resources recovered.</p>	Site Inspection/Survey	Pre-Construction	Metropolitan
<p>Mitigation Measure CUL-2: Avoidance of cultural resources. Prior to construction, Metropolitan shall prepare or have a Cultural Resources Monitoring and Mitigation Plan (CRMMP) and/or Treatment Plan (TP) prepared, per <i>State CEQA Guidelines</i> Sections 15064.5 and 15126.4, to outline the appropriate action needed to recover the cultural materials in a professional manner. The CRMMP/TP shall establish the criteria utilized to evaluate the historic significance (per CEQA) of the unanticipated discoveries of unknown archaeological resources identified during construction activities, as well as identify the appropriate data recovery methods and procedures to mitigate the effect of the project upon those resources determined historically significant. If prehistoric or historic sites are encountered during construction-related earth-moving activities, the CRMMP/TP shall address the recovery, analysis, laboratory procedures, and final Report of Findings requirements that are necessary to meet the CEQA, and all state, city, and local regulations.</p>	Site Inspection/Survey	During Construction	Metropolitan

TABLE 1 (continued)
MITIGATION MONITORING AND REPORTING PROGRAM – JENSEN SOLIDS HANDLING FACILITY PROJECT

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
<p>Mitigation Measure CUL-3: Monitoring by a qualified paleontologist during ground disturbing activities. A qualified paleontologist shall be retained to monitor during construction-related excavation activities in native deposits. The duration and timing of monitoring shall be determined by the paleontologist in consultation with Metropolitan and based on the construction-related excavation activities.</p>	Site Monitoring	During Construction	Metropolitan
<p>Mitigation Measure CUL-4: Accidental discovery of paleontological resources. If paleontological resources such as fossil remains or fossiliferous sediment are encountered during the course of construction and monitoring, ground-disturbing activities shall be directed away from the vicinity of the find so that the paleontologist can evaluate the resources and recover them as appropriate. The paleontologist shall collect the material and record stratigraphic cross sections as well as map/graph pertinent geologic units. Fossils must be cleaned, analyzed and catalogued in order to be accessioned for curation at an appropriate repository. A final report shall be prepared that discusses any findings of paleontological resources.</p>	Site Monitoring	During Construction	Metropolitan
<p>Mitigation Measure CUL-5: Halt Work if Human Skeletal Remains are Identified During Construction. If human skeletal remains are encountered during the course of construction activities, Metropolitan shall immediately halt all construction activities and contact the Los Angeles County coroner in order to evaluate the skeletal remains, as well as comply with the regulatory requirements of Section 15064.5 (e)(1) of the <i>State CEQA Guidelines</i>. If it is determined the skeletal remains are Native American, Metropolitan shall consult with the NAHC, pursuant to the Health and Safety Code Section 7050.5 (c), and Public Resource Code 5097.98 (as amended by AB 2641). Public Resource Code 5097.8 provides that the landowner will ensure that the Native American remains, and the immediate vicinity, are protected from damage or further construction disturbances until consultation between Metropolitan and the Most Likely Descendant has transpired, resulting in a determination regarding the handling of the uncovered remains and any future unanticipated human remains discoveries in the immediate vicinity.</p>	Site Monitoring	During Construction	Metropolitan
<p>3.8: Hazards and Hazardous Materials</p>			
<p>Mitigation Measure HAZ-1: Metropolitan shall require the construction contractor(s) to implement best management practices (BMPs) for handling hazardous materials during construction of the project. The use of the construction BMPs shall minimize negative effects on groundwater and soils, workers, and the public, and will include the following:</p> <ul style="list-style-type: none"> • Follow manufacturers' recommendations and regulatory requirements for use, storage, and disposal of chemical products and hazardous materials used in construction. • During routine maintenance of construction equipment, properly contain and remove used grease and oils. • Properly dispose of discarded containers of fuels and other chemicals. 	Site Monitoring	During Construction	Metropolitan
<p>Mitigation Measure HAZ-2: Metropolitan shall require the construction contractor(s) to implement safety measures in accordance with General Industry Safety Orders for Spill and</p>	Site Monitoring	During Construction	Metropolitan

TABLE 1 (continued)
MITIGATION MONITORING AND REPORTING PROGRAM – JENSEN SOLIDS HANDLING FACILITY PROJECT

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
<p>Overflow Control (CCR Title 8, Sections 5163-5167) to protect the project area from contamination due to accidental release of hazardous materials. The safety measures shall include, but not be limited to, the following:</p>			
<ul style="list-style-type: none"> • Hazardous materials shall be stored in containers that are chemically inert to and appropriate for the type and quantity of the hazardous substance. • Containers shall not be stored where they are exposed to heat sufficient enough to rupture the containers or cause leakage. • Specific information shall be provided regarding safe procedures and other precautions before cleaning or subsequent use or disposal of hazardous materials containers. 			
<p>Disposal of all hazardous materials shall be in compliance with applicable California hazardous waste disposal laws. The construction contractor(s) shall contact the local fire agency and the Los Angeles City Fire Department, for any site-specific requirements regarding hazardous materials or hazardous waste containment or handling.</p>			
<p>Mitigation Measure HAZ-3: In the event of an accidental release of hazardous materials during construction, containment and clean up shall occur in accordance with applicable regulatory requirements.</p>	Site Monitoring	During Construction	Metropolitan
<p>Mitigation Measure HAZ-4: Oil and other solvents used during maintenance of construction equipment shall be recycled or disposed of in accordance with applicable regulatory requirements. All hazardous materials shall be transported, handled, and disposed of in accordance with applicable regulatory requirements.</p>	Site Monitoring	During Construction	Metropolitan
<p>Mitigation Measure HAZ-5: Metropolitan shall require the construction contractor(s) to prepare and implement a Safety Program to ensure the health and safety of construction workers and the public during project construction. The Safety Program shall include an injury and illness prevention program, as site-specific safety plan, and information on the appropriate personal protective equipment to be used during construction.</p>	Site Monitoring	During Construction	Metropolitan
<p>3.9 Hydrology and Water Quality</p>			
<p>Mitigation Measure HYDRO-1: Metropolitan shall require its construction contractor(s) to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the California General Permit 2009-009-SWQ, that identifies specific actions and Best Management Practices (BMPs) to prevent storm water pollution during construction activities.</p>	Site Monitoring	Pre-Construction	Metropolitan
<p>Mitigation Measure HYDRO-2: If groundwater dewatering is required for construction and the groundwater cannot be pumped to the WWRPs, Metropolitan’s construction contractor(s) shall obtain the required NPDES discharge permit from the Los Angeles RWQCB - WDRs for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Board Order No. R4-2008-0032, General NPDES Permit No. CAG994004).</p>	Site Monitoring	Pre-Construction	Metropolitan

TABLE 1 (continued)
MITIGATION MONITORING AND REPORTING PROGRAM – JENSEN SOLIDS HANDLING FACILITY PROJECT

Mitigation Measures	Monitoring Process	Monitoring Timing	Responsible Person(s)
3.11: Noise and Vibration			
Mitigation Measure NOISE-1: All construction equipment shall be equipped with mufflers and noise attenuation devices.	Consultation	During Construction	Metropolitan
Mitigation Measure NOISE-2: The construction contractor shall locate noise-generating construction equipment and locate construction staging areas away from sensitive uses.	Equipment Inspection	During Construction	Metropolitan
Mitigation Measure NOISE-3: All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet, shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.	Consultation	Pre-Construction	Metropolitan
Mitigation Measure NOISE-4: Noise control barriers eight feet tall or higher shall be used to line the perimeter of the concrete batch plant. The portion of the batch plant accessed by trucks shall be left open.	Site Inspection	During Construction	Metropolitan
Mitigation Measure NOISE-5: Noise control barriers eight feet tall or higher shall surround drill rigs during drilling operations.	Site Inspection	During Construction	Metropolitan
3.15: Transportation/Traffic			
Mitigation Measure TR-1: Prior to construction, Metropolitan shall require the contractor(s) to prepare a Traffic Management Plan in accordance with professional engineering standards and the guidelines for safety and traffic provided in the Caltrans Construction Manual (revised 2008). The Traffic Management Plan would include, but not be limited to, the following strategies:	Consultation	Pre-Construction	Metropolitan
<ul style="list-style-type: none"> • Develop truck route plans to minimize impact to the significantly impact intersection of San Fernando Road/Sierra Highway during the p.m. peak hour, San Fernando Road/I-16-SR14 southbound off-ramp during a.m. and p.m. peak hours, San Fernando Road/Balboa Boulevard during p.m. peak hours, and I-5 southbound ramps/Roxford Street during p.m. peak hours. • Avoid construction-related traffic to occur during peak travel periods. • Implementation of staggered construction worker shifts to minimize project traffic during the peak hours. 			