Responses to Comments on Draft Revised and Recirculated Initial Study/Mitigated Negative Declaration

Big Tujunga Reservoir Restoration Project

Prepared for | Los Angeles County Flood Control District
900 South Fremont Avenue
Alhambra, California 91803-1331

Prepared by | Psomas
5 Hutton Centre Drive, Suite 300
Santa Ana, California 92707

October 2022

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1.0 INTRODUCTION AND SUMMARY

1.1 INTRODUCTION

The purpose of this document is to present public comments and responses to those comments received on the Draft Revised and Recirculated Initial Study/Mitigated Negative Declaration (IS/MND) for the Big Tujunga Reservoir (BTR) Restoration Project. The Los Angeles County Flood Control District (LACFCD), now administered by the Los Angeles County Public Works (Public Works), as the Lead Agency, has evaluated all substantive comments and has prepared written responses. In accordance with the California Environmental Quality Act (CEQA) Guidelines (Title 14 California Code of Regulations [CCR] Section 15074[b]), the decision-making body of the Lead Agency must consider the Draft Revised and Recirculated IS/MND, and comments received before approving the Project. This document, which will be provided to the Los Angeles County Planning Commission and Board of Supervisors, as the decision-making bodies, has been prepared in accordance with CEQA and represents the independent judgment of the Lead Agency.

1.2 PROJECT LOCATION AND SITE ACCESS

The proposed Project site is located in Big Tujunga Canyon within the Angeles National Forest (i.e., San Gabriel Mountains). BTR and Maple Canyon Sediment Placement Site (SPS) are located within the unincorporated Los Angeles County on lands owned by the U.S. Forest Service (USFS). BTR is located on the north and west side of Big Tujunga Canyon Road, approximately 4.5 miles north of the La Crescenta-Montrose community and approximately 7.0 miles northeast of the community of Sunland. The Big Tujunga Dam structure is approximately 0.7-mile northeast of the Project site's access road connection to Big Tujunga Canyon Road. The Maple Canyon SPS access road extends approximately 1.1 miles in an easterly direction up the terraced hillsides from the entrance gate at Big Tujunga Canyon Road to the top of the existing fill area. Maple Canyon SPS is approximately 1.8 miles (when traveling via existing access roads) from the plunge pool of BTR. BTR and Maple Canyon SPS can be accessed from the southwest in the community of Sunland via Big Tujunga Canyon Road or from the southeast in the City of La Cañada-Flintridge by the Angeles Crest Highway (State Route [SR] 2) to Big Tujunga Canyon Road.

1.3 PROJECT DESCRIPTION

1.3.1 PROJECT BACKGROUND

In 2013, an IS/MND (2013 Draft IS/MND) was prepared for the Project[1], and was circulated for public review from May 13, 2013, to June 26, 2013, for a 45-day public review period. To account for the approximate six years that have passed since the public review period of the 2013 Draft IS/MND, a Revised and Recirculated IS/MND has been prepared to clarify revisions to the Project

[1] The previous IS/MND was titled the Big Tujunga Reservoir Sediment Removal Project.

Description and to update the analysis of environmental impacts and associated mitigation measures accordingly.

Table 2-1, Summary of Changes to the 2013 Draft IS/MND, on page 2-7 of the Draft Revised and Recirculated IS/MND identifies the said modifications.

1.3.2 PROPOSED PROJECT

The proposed Project involves the removal of sediment from the BTR and placement of the sediment in the adjacent Maple Canyon SPS. The proposed Project involves the use of trucks and equipment to remove sediment and restore capacity to the BTR, and to allow it to adequately perform its main functions of flood control and water conservation. The following minor activities would occur in conjunction with the proposed sediment removal: (1) hydroblasting to flush a stilling well on the dam crest; (2) repairing the hydraulic sluicegate; (3) paving the unpaved sections of the north access road and repairing the culvert crossing; (4) incorporating slope protection measures adjacent to the spillway; (5) rehabilitating the northern reservoir access ramp to safely access the Reservoir bottom; (6) installing a boat dock at the dam face; and (7) performing minor coring on existing dam riser and installing a slide gate to facilitate dewatering.

Maple Canyon SPS can accommodate approximately 4.4 million cubic yards (mcy) of additional sediment, which would bring the SPS to its ultimate planned sediment capacity. Currently, BTR contains approximately 2.1 mcy of sediment, which would be removed and placed within Maple Canyon SPS. However, future storms have a potential to deposit additional sediment into BTR prior to Project implementation or during the storm seasons within the anticipated sediment removal period. Therefore, the Project has an upper limit of 4.4 mcy of sediment removal from BTR, which represents the maximum amount of sediments and equates to the remaining capacity for sediment placement within Maple Canyon SPS. Although there is potential for a larger amount of sediment to enter the reservoir, the final amount of sediment to be removed from BTR would equal the current accumulated amount of 2.1 mcy plus any additional sediment accumulated between now and Project completion. The removal of 2.1 mcy would bring the reservoir back to maximum capacity. However, no more than 4.4 mcy of sediment would be removed from BTR.

1.3.3 DEWATERING ACTIVITIES

Prior to the excavation of the accumulated sediment from BTR, the reservoir must be dewatered. All sediment removal operations that would occur within BTR—including dewatering, sediment removal activities, and equipment set-up and break-down—would be conducted annually from approximately April 16 to October 14 (i.e., non-storm season); work could continue past October 14 until the first major forecasted storm. During dewatering, water held in BTR would be drained through the dam valves to the maximum extent possible, and the remaining water would be discharged by mechanical pumping and/or through the hydraulic slide gate (once sediment has been removed below the level of the slide gate). During sediment removal activities, flows into BTR would bypass the work area through a High-Density Polyethylene (HDPE) pipeline that conveys inflow from the reservoir upstream of the activities, through the dam's riser/penstock/valve, and would outlet around the transition point between the plunge pool and the beginning of Big Tujunga Creek. The bypass pipeline would prevent water from entering the

work site and sediment from BTR from flowing downstream, thereby resulting in an inflow equal to outflow during the non-storm season, reflecting the non-storm season natural creek flow conditions.

1.3.4 SEDIMENT REMOVAL ACTIVITIES

Once the dewatering is complete and the bypass line is fully operational, sediment removal activities would begin. Double-bottom belly dump trucks or off-highway trucks would be mobilized to the Project site at the beginning of the non-storm season and would stay on-site until sediment removal activities are concluded for that season, unless repairs or emergencies arise that require the removal of the dump trucks from the Project site. The LACFCD has committed to designing and implementing the Project in an environmentally sensitive manner by minimizing air quality impacts and any other potentially significant impacts. The LACFCD's Contractor would pave approximately 2.15 miles of the approximately 5-mile truck haul route that is currently unpaved in order to comply with South Coast Air Quality Management District (SCAQMD) thresholds for particulate matter (PM10 and PM2.5). Additionally, the Project would use construction equipment that meet Tier 4 Final or better emission standards.

Specific-sized rocks/aggregate would be separated from the excavated sediment during annual sediment removal activities and would be stockpiled onsite for reuse within the USFS boundaries. Aggregate crushing within BTR would occur during the non-storm season (i.e., April 16 through October 14) throughout the entirety of Project implementation. However, only 28,000 cy of aggregate would be stockpiled at the staging area over the course of the annual sediment removal activities. After the aggregate material stockpile reaches a volume of 28,000 cy (stored within 12 stockpiles of varying sizes), all sediment (including aggregate material) removed from BTR would be deposited within Maple Canyon SPS. The stockpiles would be available for long-term use by Public Works' Stormwater Maintenance Division (SWMD) and Road Maintenance Division (RMD) for routine maintenance activities that are unrelated to the BTR Project. Once the rock and aggregate are used/depleted, which is assumed to require several years, these stockpiles would not be replenished.

All sediment removal activities would occur during the non-storm season, between approximately April 16 and October 14 (or until the first forecasted storm). Prior to the first forecasted storm, all sediment removal and bypass equipment would be removed from BTR, and flood control operations would resume for the remainder of the storm season. Therefore, from approximately October 15 to April 15 during each year of Project activity, there would be no sediment removal activities occurring within BTR and it would continue to perform its main functions of flood control and water conservation.

1.3.5 REVEGETATION AND CLOSURE OF MAPLE CANYON SEDIMENT PLACEMENT SITE

The closure of Maple Canyon SPS is considered to be a part of the proposed Project, as sediment removal activities from BTR have the potential to fill the remaining capacity (i.e., 4.4 mcy) at Maple Canyon SPS. Once Maple Canyon SPS is filled to capacity, the facility would be closed in accordance with the requirements of a revegetation plan to be finalized to the satisfaction of the USFS, which would include a 10-year revegetation monitoring program and efforts to improve the visual aspects of the site upon closure of Maple Canyon SPS, including removal of irrigation

and water tanks. The potential closure-related impacts of the Maple Canyon SPS are included as part of this Project. These closure activities will be set forth in USFS' *Draft Maple Canyon Sediment Placement Site Revegetation Plan,* which would be finalized to the satisfaction of the USFS.

1.3.6 MOBILIZATION/STORM SEASON OPERATIONAL CHARACTERISTICS

BTR would continue to be operated according to standard operating guidelines during the rainy season from approximately October 15 through April 15. LACFCD's Contractor would demobilize from the Reservoir before the first major storm (approximately October 15) of each year. The Contractor would be required to remove all equipment and remove or secure structures within the Reservoir, including temporary water diversion structures and Best Management Practices (BMPs) and remobilize at the end of each storm season (approximately April 15). Once the sediment removal is complete and all equipment and structures are removed from the Reservoir and Maple Canyon SPS, there would be no long-term changes to the existing inspection, maintenance, or operations activities at the Reservoir.

1.4 THE FINAL REVISED AND RECIRCULATED IS/MND

In accordance with the State CEQA Guidelines, Section 15073, the Draft Revised and Recirculated IS/MND was circulated for a 30-day public review and comment period beginning on September 24, 2021 and ending on October 25, 2021. A total of seven comments were received on the Draft Revised and Recirculated Draft IS/MND. These comments are in addition to comments that were received during the public review of the 2013 Draft IS/MND. The 13 comment letters received in 2013 are also included and addressed in this Responses to Comments document.

The Final Revised and Recirculated IS/MND consists of three documents: (1) the Draft Revised and Recirculated IS/MND; (2) the Technical Appendices; and (3) the Responses to Comments document. The Responses to Comments document includes four sections: Section 1.0, provides the introduction; Section 2.0 provides a list of commenters on the original Draft IS/MND as well as the Draft Revised and Recirculated Draft IS/MND; Section 3.0 provides responses to environmental comments received on both documents; and Section 4.0 includes the revisions to the text of the Draft Revised and Recirculated IS/MND.

2.0 COMMENTS ON THE DRAFT IS/MND AND REVISED AND CIRCULATED DRAFT IS/MND

As indicated in Section 1.3.1, above, the original 2013 Draft IS/MND was prepared and circulated in 2013. During the review of the Draft IS/MND, a number of comments were received, and responses were prepared but not sent to the commenting agencies due to changes to the Project. Modifications were made to the Project Description that required recirculation of the Draft IS/MND. Thus, the Draft Revised and Recirculated Draft IS/MND was prepared to clarify revisions to the Project Description and to update the analysis of environmental impacts and associated mitigation measures accordingly. Subsequently, in accordance with the State CEQA Guidelines, Section 15073, the Draft Revised and Recirculated Draft IS/MND was circulated for a 30-day public review beginning on September 24 and ending on October 25, 2021. The Draft Revised and Recirculated IS/MND was also available on Public Works' website.

During the public review of both documents, the LACFCD received comment letters from federal, State, regional and local agencies, and individuals. Written responses have been prepared to all comments received and are presented in Section 3.0 of this document.

The following is a list of commenters that submitted comments on the original 2013 Draft IS/MND and the Draft Revised and Recirculated IS/MND. As such and for ease of reference, the commenters on each document are separately identified in the table, below. The comments included written and e-mail correspondence in addition to a verbal comment transmitted via telephone. The comments are listed chronologically within each category and numbered. The responses have been prepared to match the bracketing on the comment letters. Each comment letter is followed by responses to address the comments.

No.	Commenter	Date of Correspondence
COMMENTS ON THE DRAFT IS/MND - 2013		
State Agencies		
1	Department of Water Resources, Division of Safety of Dams (DSOD)	June 7, 2013
2	Governor's Office of Planning and Research (OPR)	June 10, 2013
3	California Department of Fish and Wildlife (CDFW)	July 2, 2013
Local and Regional Agencies		
4	County of Los Angeles Fire Department (LACFD)	June 4, 2013
5	County of Los Angeles Sheriff's Department (LACSD)	June 20, 2013
6	South Coast Air Quality Management District (SCAQMD)	June 26, 2013
Organizations		
7	Sunland-Tujunga Neighborhood Council (STNC)	June 20, 2013
8	Friends of the Los Angeles River (FoLAR)	June 26, 2013
Individuals		
9	Rick Grubb (Grubb [1])	June 9, 2013
10	Snowdy Dodson (Dodson)	June 20, 2013

No.	Commenter	Date of Correspondence
11	Sunland Resident (Resident)	June 21, 2013
12	Rick Grubb (Grubb [2])	June 26, 2013
13	Lori Paul (Paul)	July 16, 2013
COMMENTS ON THE DRAFT REVISED AND RECIRCULATED IS/MND - 2021		
Federal Agency		
14	United States Forest Service, Angeles National Forest (ANF)	October 23, 2021
State Agencies		
15	California Division of Safety of Dams (CDSOD)	October 12. 2021
16	California Department of Transportation, District 7 (Caltrans)	October 20, 2021
17	California Department of Fish and Wildlife (CDFW)	October 25, 2021
Local and Regional Agencies		
18	South Coast Air Quality Management District (SCAQMD)	October 12, 2021
19	County of Los Angeles Fire Department (LAFD)	October 14, 2021
20	Office of the Sheriff, County of Los Angeles (OSCLA)	October 20, 2021

3.0 RESPONSES TO COMMENTS

As indicated above, upon circulation of the original IS/MND in 2013, comments were received on the document. However, as changes to the Project Description occurred and the process was halted to address the potential impacts of the changes, the responses to the initial set of comments were never sent to the commenting agencies. Therefore, the original comments and associated responses are provided in this section of the Responses to Comments document.

The additional comments received on the Draft Revised and Recirculated IS/MND in 2021 during the public review of the document are also provided in this section. Both sets of responses are numbered to match the bracketing on the comment letters. Comment letters received are categorized by federal, State, and local and regional agencies. Within each category, the responses are provided chronologically.

The said sets of comments and associated responses are provided as Sections 3.1 and 3.2, below.

3.1 COMMENTS ON THE 2013 DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

3.1.1 STATE AGENCIES

Three comments were received from State agencies on the 2013 Draft IS/MND, including a letter from the Governor's Office of Planning and Research (OPR) acknowledging receipt of the Draft IS/MND:

- Department of Water Resources, Division of Safety of Dams (DSOD), June 7, 2013
- Governor's Office of Planning and Research (OPR), June 10, 2013
- Natural Resources Agency, Department of Fish and Wildlife (CDFW), July 2, 2013

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DSOD

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., *Governor*

DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

CEQA
6/7/13
e

RECEIVED
JUN -7 2013
STATE CLEARING HOUSE

JUN - 5 2013

Mr. Eric Lim, P.E.
Los Angeles County Flood Control District
Post Office Box 1460
Alhambra, California 91802

SCH #2013051025, Initial Study/Mitigated Negative Declaration for the Big Tujunga Reservoir Sediment Removal Project
Los Angeles County

Dear Mr. Lim:

We have reviewed the Initial Study/Mitigated Negative Declaration for the above referenced project, which describes the removal of sediment that has accumulated in Big Tujunga Reservoir.

Big Tujunga No. 1 Dam, No. 32-6, is currently under our jurisdiction for dam safety. Based on the information provided, the work described is considered routine maintenance and will not affect the safety of the dam. Therefore, no application or approval from this Division will be required. Please notify Area Engineer Richard Draeger prior to the reservoir being dewatered so we are afforded the opportunity to inspect the upstream face of the dam. 1

If you have any questions or need additional information, you may contact Mr. Draeger at (916) 227-4755 or me at (916) 227-4600.

Sincerely,

ORIGINAL SIGNED BY

Shawn O. Jones, Regional Engineer
Southern Region
Field Engineering Branch
Division of Safety of Dams

cc: Ms. Nadell Gayou
Resources Agency Project Coordinator
Environmental Review Section
Division of Statewide Integrated Water Management
901 P Street
Sacramento, California 95814

Governor's Office of Planning and Research ✓
State Clearinghouse
Post Office Box 3044
Sacramento, California 95812-3044

Letter 1: Department of Water Resources, Division of Safety of Dams

Comment Letter Dated June 7, 2013

DSOD-1 The LACFCD appreciates receipt of the Department of Water Resources, Division of Safety of Dams (DSOD) comment letter, dated June 7, 2013. The comment raised in the said letter is addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

The comment acknowledges that the Big Tujunga Dam is under the jurisdiction of the California Department of Water Resources, Division of Safety of Dams, and that the Project would not affect the safety of the Dam. The comment is noted and will be forwarded to the decision makers. The LACFCD will notify the Area Engineer, Richard Draeger, prior to dewatering of the Big Tujunga Reservoir, as requested in the letter. No further response is required.

OPR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

June 10, 2013

Eric Lim
Los Angeles County Flood Control District
PO Box 1460
Alhambra, CA 91802

Subject: Big Tujunga Reservoir Sediment Removal Project
SCH#: 2013051025

Dear Eric Lim:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 7, 2013, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

1

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

RECVD. by WRD 6/12/13

Document Details Report
State Clearinghouse Data Base

SCH#	**2013051025**
Project Title	Big Tujunga Reservoir Sediment Removal Project
Lead Agency	Los Angeles County Flood Control District
Type	**MND** Mitigated Negative Declaration
Description	The project involves restoring flood management and water conservation capacity by excavation up to 4.4 million cubic yards of sediment within Big Tujunga Reservoir and placing the sediment within the adjacent Maple Canyon SPS up to its capacity. Sediment removal would occur during the non-storm season via trucks or conveyor belts. Sediment removal is anticipated to take approximately five years, or more if needed. During each year of sediment removal, activities would start on or shortly after April 16 and would include: (1) installing a bypass line to divert inflow from the reservoir (upstream of the Dam) into Big Tujunga Creek; (2) dewatering the plunge pool and fish removal; (3) installing sediment filtration best management practices at the plunge pool's outfall into Big Tujunga Creek; and (4) dewatering the reservoir. Dam functions would be restored for normal operations during the storm season on October 15 of each year.

Lead Agency Contact

Name	Eric Lim
Agency	Los Angeles County Flood Control District
Phone	626 458 6133 ***Fax***
email	
Address	PO Box 1460
City	Alhambra ***State*** CA ***Zip*** 91802

Project Location

County	Los Angeles
City	
Region	
Lat / Long	34° 17' 48" N / 118° 11' 9" W
Cross Streets	Big Tujunga Canyon Road / Angeles Forest Highway
Parcel No.	
Township	2N ***Range*** 13W ***Section*** 1 ***Base***

Proximity to:

Highways	SR-2
Airports	
Railways	
Waterways	Big Tujunga Canyon Creek
Schools	
Land Use	Big Tujunga Reservoir (BTR) and Maple Canyon Sediment Placement Site; Open Space zoning; O-NF designation
Project Issues	Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Other Issues
Reviewing Agencies	Resources Agency; Department of Boating and Waterways; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 7; CA Department of Public Health; Air Resources Board, Major Industrial Projects; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; State Lands Commission

Document Details Report
State Clearinghouse Data Base

Date Received 05/09/2013 ***Start of Review*** 05/09/2013 ***End of Review*** 06/07/2013

Letter 2: Governor's Office of Planning and Research

Comment Letter Dated June 10, 2013

OPR-1 The letter acknowledges receipt of the Draft IS/MND for the public review period, which closed at OPR on June 7, 2013. In accordance with Section 15073 of the State CEQA Guidelines, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) must be subject to a 30-day public review period when submitted to the State Clearinghouse for review by State agencies. Therefore, the OPR letter stated that the mandatory 30-day review period lasted from May 9, 2013, through June 7, 2013. However, the LACFCD voluntarily established an extended public review period, as stated in the Notice of Completion (NOC) provided to the OPR on May 9, 2013.

The letter from OPR acknowledges that the LACFCD has complied with the State Clearinghouse review requirements for draft environmental documents pursuant to CEQA. The only letter received by OPR was from the California Department of Water Resources, Division of Safety of Dams (DSOD), dated June 7, 2013. The said letter (Letter 1) and associated response are included above.

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

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

July 2, 2013

Mr. Eric Lim, PE
County of Los Angeles, Department of Public Works
Water Resources Division, Reservoir Cleanout Program
P.O. Box 1460
Alhambra, CA 91802
E-mail: reservoircleanouts@dpw.lacounty.gov

Subject: Comments on the Initial Study/Mitigated Negative Declaration for the Big Tujunga Reservoir Sediment Removal Project, Los Angeles County, (SCH# 2013051025)

Dear Mr. Lim:

The California Department of Fish and Wildlife (Department) has reviewed the Initial Study/Draft Mitigated Negative Declaration (IS/MND) for the Big Tujunga Reservoir Sediment Removal Project (Project). The County of Los Angeles Department of Public Works (County), acting as the Lead Agency, proposes to excavate accumulated sediment and debris from within the Big Tujunga Reservoir (Reservoir) upstream of Big Tujunga Dam, and transport this sediment to an existing deposition site, the Maple Canyon Sediment Placement Site (Maple SPS), which is located approximately 1.8 miles south of the Tujunga Dam in the Angeles National Forest. The Project will impacts approximately 69.91 acres of native vegetation communities (Table 4-10 on page 4-48 in the IS/MND) of which 43.78 acres of impacts are to riparian vegetation, open water, and drainages (46.4 acres) associated with the Reservoir and Maple SPS (0.7 acres). The Project is located in the San Gabriel Mountains within the Angeles National Forest, California. The nearest communities are Sunland and Tujunga which are located about 9 miles south of Tujunga Dam near Big Tujunga Road and the 210 Freeway.

The Department appreciates the work the County has done with the Santa Ana Sucker Working Group, and the close coordination to date with the Department on this Project. Many of the Department's early concerns have been addressed in the IS/MND. The Department would like minor clarification on the following items:

Department Jurisdiction: The following statements and comments have been prepared pursuant to Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act [CEQA] Guidelines section 15386) and as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA – Chapter 1.5 of the Fish and Game Code) and/or require a Lake and Streambed Alteration Agreement (Fish and Game Code section 1600 *et seq.*).

Intro

The Department has the following comments:

1. Species Surveys -The IS/MND states that a qualified biologist will conduct one field survey prior to construction and employ onsite avoidance measures. The Department recommends the County include additional surveys for Santa Ana sucker (*Catostomus santaanae*) and focused surveys for arroyo toad (*Anaxyrus californicus*) prior to ground disturbance. In addition, to minimize the impacts to other sensitive species known to occur on site, the Department recommends the County include a measure in the IS/MND to conduct focused

CDFW-1A

CDFW-1B

Conserving California's Wildlife Since 1870

surveys for the following California Species of Special Concern (SSC): western pond turtle *(Emys marmorata)*, coast range newt *(Taricha torosa)*, two-striped garter snake *(Thamnophis hammondii)*, Santa Ana speckled dace *(Rhinichthys osculus ssp.)*, and arroyo chub *(Gila orcutti)*. In addition, recent protocol surveys for the state and federally listed least Bell's vireo *(Vireo bellii pusillus)* and southwestern willow flycatcher *(Empidonax traillii extimus)* should be conducted within appropriate habitat if that has not been accomplished within the Project area. Survey results should be used to determine presence/absence, impacts, and avoidance and mitigation measures for the Project. CDFW-1B cont. CDFW-1C

2. In addition to the surveys, the County should provide a relocation plan for all SSC referenced above, including California newt, southwestern pond turtle, two-striped garter snake, Santa Ana sucker, arroyo chub, Santa Ana speckled dace, Sierra Madre yellow-legged frog (*Rana muscosa*) and arroyo toad which are known to occur in the watershed. The Department recommends the County work with the Department to prepare a plan prior to the start of construction activities within these species habitats. CDFW-2

3. It is not clear in the IS/MND if project impacts from dewatering, access road improvements, sediment placement into the Maple SPS, and any other ground disturbance activities will impact habitat for the federal listed California gnatcatcher (*Polioptila californica*). The County should consider additional evaluation for presence of the species and related project impacts to this species in the final IS/MND. CDFW-3

4. The Department requests the IS/MND include a measures for daily water quality monitoring downstream of the dam including the plunge pool, various stream locations, and several pools that are suitable for Santa Ana sucker. Monitoring for temperature, dissolved oxygen, total dissolved solids, total suspended solids, pH, flow, and turbidity for the duration of the project. Monitoring should be reported to the Department and members of the Santa Ana Sucker Working Group weekly. Additionally, all pools suitable for Santa Ana Sucker should be monitored for dead or dying fish and report mortalities immediately to the Department and members of the Santa Ana Sucker Working Group. CDFW-4

5. A minimum flow should be maintained in Tujunga Creek to protect Santa Ana sucker, as even in dry years, seepage from the dam provides ground water replenishment to the stream year round. Water-levels in the stream should be monitored year round, but particularly in the spring, summer, and fall months, for the duration of the project. Regular monitoring will enable the County to alert the Department and members of the Santa Ana Sucker Working Group that the pools are beginning to dry up and fish relocation/protection measures should be initiated. In the event water levels become dangerously low, the County should immediately invoke measures to protect the fish, including but not limited to, providing water from a groundwater source or another fresh water, non-chlorine source, or relocating of fish. Therefore, the Department recommends the County include a measure in the IS/MND that requires monitoring of the water levels and includes a Relocation/Protection Plan to be prepared before construction begins. CDFW-5A

Any relocation/protection plan should be drafted in coordination with the Department, and the Santa Ana Sucker Working Group. This plan should be approved by the Department and the members of the Santa Ana Sucker Working Group prior to any project-related activities commencing. CDFW-5B

6. The Department recommends the IS/MND include a measure to remove exotic aquatic species from the plunge pool and the occupied stretch of Tujunga Creek below the dam for the duration of the project and the three years following completion to remove exotics from the watershed. CDFW-6

7. The Department and the Santa Ana Sucker Group is currently in the process of working with the County to consider options for the restoration of the Haines Ponds located at the lower reaches in Tujunga Creek south of the 210 Freeway. The Department recommends the County consider incorporating the restoration of Haines Ponds including removal of exotic species as an appropriate mitigation measure for this project. CDFW-7A Santa Ana sucker, speckled dace, and arroyo chub are known to occupy this area. Restoration of the ponds, including removal of non-native species, will improve the quality of the habitat for sensitive species. In addition to the Haines Pond project, the County should consider the translocation of native fish above the dam. The Department believes that establishing a population of Santa Ana sucker (in consultation with US Fish and Wildlife Service), speckled dace, and arroyo chub above the dam is critical. Establishing a population above the dam will ensure fish species remain in the drainage should the species become extirpated below the dam. CDFW-7B

8. The Department recommends the County continue to coordinate with the Santa Ana Sucker Working Group and USFWS to determine if a native fish refuge facility, similar to the facility located at the Riverside Corona Resources Conservation District, should be developed within Los Angeles County. Dam clean-out projects are projected to occur throughout the future in streams occupied by listed and sensitive fish species. To mitigate the long term, cumulative impact these projects will have on the survival of these fish species, the Department recommends exploring the development of this type of a facility. A potential location might be the Rivers and Mountains Conservancy property in San Gabriel Canyon. CDFW-8

Thank you for this opportunity to provide comments. Please contact Ms. Kelly Schmoker, Staff Environmental Scientist at (949) 360-8382 or kelly.schmoker@wildlife.ca.gov, if you should have any questions and for further coordination on the proposed project.

Sincerely,

Edmund Pert
Regional Manager
South Coast Region

ec: Christine Medak, USFWS, Christine_Medak@fws.gov
Jesse Bennett, USFWS, Jesse_Bennett@fws.com
Betty Courtney, CDFW, betty.courtney@wildlife.ca.gov
Erinn Wilson, CDFW, erinn.wilson@wildlife.ca.gov
Brock Warmuth, CDFW, brock.warmuth@wildlife.ca.gov
Dwayne Maxwell, CDFW, Dwayne.maxwell@wildlife.ca.gov
John O'Brien, CDFW, john.o'brien@wildlife.ca.gov
Tim Hovey, CDFW, tim.hovey@wildlife.ca.gov
Scott Harris, CDFW, scott.harris@widlife.ca.gov

Letter 3: California Department of Fish and Wildlife

Comment Letter Dated July 2, 2013

Introduction

The LACFCD appreciates receipt of the California Department of Fish and Wildlife (CDFW) comment letter, dated July 2, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

The comment reiterates the Project description; expresses appreciation for the work that the LACFCD has done with the Santa Ana Sucker Working Group (SASWG); and identifies the commenter's (CDFW's) role as the Trustee and Responsible Agency. The comment is noted and will be forwarded to the decision makers. No further response is required.

CDFW-1A Since this comment was made, additional focused surveys for Santa Ana sucker and arroyo toad were conducted, as described in Section 4.4.1 of the Draft Revised and Recirculated IS/MND.

LACFCD conducted annual monitoring for Santa Ana sucker, arroyo chub, and Santa Ana speckled dace downstream of the Dam every September/October as part of a 10-year long-term monitoring effort that extended from 2009 to 2018. Results of these survey efforts have been summarized in Tables 4-7, 4-8, and 4-9 in Section 4.4.1 of the Revised and Recirculated IS/MND. The results of the annual monitoring were presented to the SASWG, which consists of fisheries biologists and staff from the USFWS, CDFW, USFS, LACFCD, and the Los Angeles Department of Water and Power (LADWP). Following completion of the 10-year monitoring effort, the SASWG continues to meet once to twice per year to discuss the approach to supplemental releases, the status of Habitat Conservation Plan (HCP) preparation, and the status of the Reservoir Restoration Project. Additionally, focused surveys for special status fish upstream of BTR were conducted in 2019 and confirmed the absence of fish upstream of BTR. The results of these surveys are also incorporated into Section 4.4.1 of the Revised and Recirculated IS/MND and are attached as Appendix B-5.

Focused surveys for arroyo toad described in the 2013 IS/MND were conducted in 2011 and included only areas upstream of BTR. Focused surveys for arroyo toad were conducted downstream of the Dam in 2016 and confirmed the absence of this species. Focused surveys for arroyo toad upstream of BTR were conducted in 2017 and also in 2018. Results of the 2017 and 2018 surveys were consistent with 2011 surveys; the upstream area is occupied but the numbers are very low (i.e., one individual observed). Focused surveys have not been updated since 2018 because the area is known to be occupied and pre-construction surveys will be conducted to determine the number of individuals in the area at the time of construction. Additionally, during preparation of the Big Tujunga Dam HCP, the USFWS stated that updating focused surveys for arroyo toad was not necessary; the surveys

conducted to date were sufficient to serve as the HCP baseline (Psomas 2017). The mitigation measure has also been revised to include additional pre-construction focused surveys. The original measure required only one pre-construction survey, but MM Bio-5 (Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND) now requires three pre-construction surveys to be conducted within 30 days prior to dewatering BTR (i.e., March 15 to April 15) each year that Project activities are scheduled to be conducted.

CDFW-1B See Response CDFW-1A, above, for a summary of surveys conducted for arroyo chub and Santa Ana speckled dace.

A focused survey for western pond turtle was conducted in summer 2018. The survey included a trapping effort conducted within BTR and the plunge pool. Visual surveys were conducted upstream of BTR and downstream of the dam because water was not deep enough to conduct trapping in these areas. Western pond turtles were also incidentally observed during many focused surveys efforts from 2011 to 2018. As described in Section 4.4.1, western pond turtles are assumed to occur in BTR, upstream of BTR and downstream of the dam.

Typically, focused surveys are conducted to determine the presence or absence of species in a Project study area. Two-striped garter snake is known to occur because it has been incidentally observed during focused surveys conducted from 2011 through 2018. Coast Range newt has not been incidentally observed during surveys but is known to occur in this portion of the forest; therefore, its presence is assumed in all suitable habitat for the purposes of the Revised and Recirculated IS/MND impact analysis. It is unnecessary to conduct focused surveys for two-striped garter snake and Coast Range newt because the results would not change the Revised and Recirculated IS/MND findings. MM BIO-8 (Renumbered to MM BIO-7 in the Final Revised and Recirculated IS/MND) requires pre-construction surveys for two-striped garter snake and Coast Range newt (see Response CDFW-6E under CDFW Letter 17, dated October 25, 2021).

CDFW-1C Focused surveys for the least Bell's vireo and southwestern willow flycatcher were conducted in spring/summer 2012 and spring/summer 2016; both species were absent from the Project study area. A least Bell's vireo territory was incidentally observed during multiple surveys for arroyo toad upstream of BTR in 2017; successful breeding was confirmed. Focused surveys for least Bell's vireo and southwestern willow flycatcher were updated in spring/summer 2018; both species were absent. Based on the 2017 observation of least Bell's vireo, the Revised and Recirculated IS/MND assumes potential presence of these species in suitable habitat throughout the Project study area. MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND) requires three surveys conducted within two weeks prior to the start of Project activities within 500 feet of suitable riparian habitat and protective measures would be required if these species are observed. Because these species are migratory and arrive when the Project would be occurring (April/May), the measure requires that a weekly survey be conducted to ensure appropriate protective measures would be in place. Additionally, during preparation of the Big Tujunga Dam HCP, the USFWS stated that updating focused surveys for least Bell's vireo and southwestern willow flycatcher was not necessary; the surveys conducted to date were sufficient to serve as the HCP baseline (Psomas 2017).

CDFW-2 Mitigation measures included in the Revised and Recirculated IS/MND require pre-construction surveys and relocation of Santa Ana sucker, arroyo chub, and Santa Ana speckled dace (MM BIO-4 [Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND]), arroyo toad (MM BIO-5 [Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND]), western pond turtle (MM BIO-7 [Renumbered to MM BIO-6 in the Final Revised and Recirculated IS/MND]), two-striped garter snake and Coast Range newt (MM BIO-8 [Renumbered to MM BIO-7 in the Final Revised and Recirculated IS/MND]; see CDFW Response-6E under CDFW Letter 17, dated October 25, 2021). Each of the measures requires approval by CDFW prior to relocation.

As described in Section 4.4.1 of the Revised and Recirculated IS/MND, focused surveys for Sierra Madre yellow-legged frog were conducted in summer 2018; the species was absent from the survey area. This species was also never incidentally observed during any of the focused surveys conducted from 2011 through 2019. Therefore, there would be no impact on this species and no mitigation would be required.

CDFW-3 As presented in Table 4-6 of the Revised and Recirculated IS/MND, the coastal California gnatcatcher is not expected to occur in the Project study area because the Project is above the elevational range of the gnatcatcher. The Project study area ranges from approximately 2,150 to 3,400 feet above mean sea level (msl), whereas the coastal California gnatcatcher typically occurs between sea level and 2,000 feet above msl. Also, there is little coastal sage scrub present in the Project study area (excluding the laurel sumac scrub and disturbed California buckwheat scrub which are not suitable); the coastal sage scrub that is present is surrounded by chaparral. The sage scrub patch sizes are likely too small to support gnatcatchers. According to California Natural Diversity Database records (CDFW 2021b, quadrangles searched Chilao Flat, Condor Peak, and Sunland), there are only four records of coastal California gnatcatcher reported from the area; observations were in large areas of alluvial sage scrub at lower elevations (1,014, 1,040, 1,080, and 1.258 feet above msl) near the Interstate 210 (over 10 miles downstream/west of the Project). For these reasons, coastal California gnatcatcher is not expected to occur.

CDFW-4 See Response CDFW-2I, 2J, and 5P, under CDFW Letter 17, dated October 25, 2021.

Additionally, MM BIO-9 (Renumbered to MM BIO-8 in the Final Revised and Recirculated IS/MND) requires that a Water Quality Certification be obtained from the RWQCB. This permit will include strict requirements to maintain water quality.

CDFW-5A During sediment removal activities, the bypass pipeline would carry all available flows downstream of the Dam. No outflow can be provided if there is no inflow. During sediment removal, inflow/outflow would be entirely dependent on natural conditions.

As described on in Section 4.4.2 of the Revised and Recirculated IS/MND, during normal non storm season operations, LACFCD typically releases the same amount of water from the Dam that comes into the Reservoir as inflow from upstream (i.e., inflow equals outflow). A statistical analysis of inflow/outflow of the Reservoir during the non-storm season was conducted (see Dewatering Flow Data

Memorandum in Appendix B-9 of the Revised and Recirculated IS/MND). While the time period analyzed (1999–2012) included a wide range of natural variation with both extremely dry and wet years, the analysis verified that inflow typically equaled outflow. If water levels become dangerously low during Project activities, it would be the result of a natural weather event; all inflow to BTR would be conveyed to downstream areas via the bypass line.

MM Bio-4 (Revised to MM Bio-3 in the Final Revised and Recirculated IS/MND) provide monitoring for stranded or distressed special status fish downstream from the Project. The Special Status Fish Relocation Plan required by this measure will describe relocation activities for special status fish. See also Response CDFW-5P and CDFW-5Q, under CDFW Letter 17, dated October 25, 2021.

CDFW-5B MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) requires preparation of a Special Status Fish Relocation Plan that would be submitted to USFWS and CDFW for approval prior to relocation.

CDFW-6 MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) for special status fish, MM BIO-5 (Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND) for arroyo toad, and MM BIO-7 (Renumbered to MM BIO-6 in the Final Revised and Recirculated IS/MND) for western pond turtle include the following statement, "All non-native animal species encountered during the pre-construction survey shall be permanently removed from the plunge pool and creek."

A formal aquatic species removal program is not currently included in the Project or mitigation measures because the Project would not have significant impacts related to aquatic invasive species. Aquatic invasive species are currently present in the reservoir, plunge pool, and along the creek downstream of the dam. Dewatering the reservoir and plunge pool would eliminate non-native species from the reservoir and plunge pool, and thus would provide a beneficial impact by reducing the number of non-native species in those Project areas.

LACFCD has prepared an HCP for the long-term operation and maintenance of Big Tujunga Dam. Per the Draft HCP (Psomas 2021), which is a stand-alone document, funding would be provided annually for habitat enhancement projects along Big Tujunga Creek. Non-native wildlife species removal is included as a habitat enhancement project that could be carried out with this funding (Psomas 2021b). It should be noted that public review of the HCP was completed in March 2022, and no comments were received from the agencies and the public. Currently, the HCP is in the process of being finalized.

CDFW-7A See Response CDFW-6, above.

CDFW-7B Project impacts on Santa Ana sucker were considered potentially significant prior to mitigation. With implementation of the MMs in Section 4.4.3 of the Revised and Recirculated IS/MND and appropriate Best Management Practices, the Project would reduce potentially significant impacts to the Santa Ana sucker to less than significant levels. Mitigation for impacts on the Santa Ana sucker have focused on avoiding direct and indirect impacts on the Santa Ana sucker below the Dam.

The USFWS, CDFW, and USFS are working together on a plan to re-introduce Santa Ana sucker upstream of BTR (USFS 2021). The Draft HCP assumes this future action would be carried out by the resource agencies and evaluates the effects of dam operations on the future translocated sucker (Psomas 2021b).

CDFW-8 Comment noted. Since the end of the 10-year long-term monitoring in 2018, the SASWG has continued to meet once to twice annually. As mentioned above, LACFCD has prepared an HCP for the long-term operation and maintenance of Big Tujunga Dam. Per the HCP conditions, the HCP Working Group comprised of LACFCD, LADWP, USFWS, CDFW, USFS, and species experts will meet annually to discuss the results of species monitoring for all HCP Covered Species (i.e., Santa Ana sucker, arroyo chub, Santa Ana speckled dace, arroyo toad, western pond turtle, least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo) and habitat enhancement projects that will be carried out in accordance with the provisions of the HCP.

3.1.2 REGIONAL AND LOCAL AGENCIES

Three comment letters were received from regional and local agencies on the 2013 Draft IS/MND. The comment letters are listed below:

- County of Los Angeles Fire Department (LACFD)—June 4, 2012
- County of Los Angeles Sheriff's Department (LACSD)—June 20, 2013
- South Coast Air Quality Management District (SCAQMD)—June 26, 2013

LACFD

WR-1163

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

June 4, 2013

Eric Lim, Associate Civil Engineer
Department of Public Works
Water Resources Division
P. O. Box 1460
Alhambra, CA 91802-1460

Dear Mr. Lim:

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND NOTICE OF A PUBLIC INFORMATIONAL MEETING, "BIG TUJUNGA RESERVOIR SEDIMENT REMOVAL PROJECT" RESTORING FLOOD MANAGEMENT AND WATER CONSERVATION CAPACITY, BIG TUJUNGA CANYON IN THE SAN GABRIEL MOUNTAIN FOOTHILLS WITHIN THE ANGELES NATIONAL FOREST, LOS ANGELES COUNTY (FFER #201300071)

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. The County of Los Angeles Fire Department, Land Development Unit, appreciates the opportunity to comment on this project.
2. This project does not propose construction of structures or any other improvements at this time. Therefore, until actual construction is proposed, the proposed project will not have a significant impact to the Fire Department, Land Development Unit.

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SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENDORA	IRWINDALE	LAWNDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BRADBURY							WHITTIER

RECVD BY WRD 6/12/13

Eric Lim, Associate Civil Engineer
June 4, 2013
Page 2

3. Should any questions arise regarding access and/or water system requirements, please contact the County of Los Angeles Fire Department, Land Development Unit, Fire Prevention Engineering Assistant Wally Collins, at (323) 890-4243.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. The Health Hazardous Materials Division has no objection to the proposed project.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

Frank Vidales

FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

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Letter 4: County of Los Angeles Fire Department

Comment Letter Dated June 4, 2013

LACFD-1 The LACFCD appreciates receipt of the Los Angeles County Fire Department (LACFD) comment letter, dated June 4, 2013. The comment indicates that all applicable divisions and units of the Los Angeles County Fire Department have reviewed the IS/MND, and they have no comments, objections, or revisions. The comment is noted and will be included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended. No further response is required.

LACSD

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

Leroy D. Baca, Sheriff

June 20, 2013

County of Los Angeles
Department of Public Works
Water Resources Division
Reservoir Cleanout Program
P.O. Box 1460
Alhambra, California 91802-1460

To Whom It May Concerns:

REVIEW COMMENTS
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
BIG TUJUNGA RESERVOIR SEDIMENT REMOVAL PROJECT

The Los Angeles County Sheriff's Department (Department) submits the following review comments on the Initial Study and Mitigated Negative Declaration (IS/MND), dated May 2013, on the Big Tujunga Reservoir Sediment Removal Project (Project). The proposed Project will remove sediment from the Big Tujunga Reservoir (BTR) in order to restore capacity and allow it to adequately perform its main functions of flood control, debris flow reduction, and water conservation. The proposed Project will not introduce any new operational activity to the BTR, or involve any new construction, expansion, or alteration of the BTR. 1

The proposed Project, as it is described in the IS/MND, is not expected to significantly impact the Department's resources or operations. The Department has no other comment to submit at this time, but reserves the right to further address this matter in subsequent reviews of the proposed Project.

Thank you for including the Department in the environmental review process for the proposed Project. Should you have any questions of the Department regarding this matter, please contact Lester Miyoshi, of my staff, at (626) 300-3012, and refer to Facilities Planning Bureau Tracking No. E13-029. You may also contact Mr. Miyoshi, via e-mail, at Lhmiyosh@lasd.org.

Sincerely,

LEROY D. BACA, SHERIFF

Gary T.K. Tse, Director
Facilities Planning Bureau

A Tradition of Service Since 1850

Letter 5: County of Los Angeles Sheriff's Department

Comment Letter Dated June 20, 2013

LACSD-1 The LACFCD appreciates receipt of the Los Angeles County Sheriff's Department (LACSD) comment letter, dated June 20, 2013. The comment raised in the said letter indicates that the Los Angeles County Sheriff's Department has reviewed the IS/MND, and that the Project is not anticipated to significantly impact the Department's resources or operations. The comment is noted and will be included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

SCAQMD

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

E-Mailed: June 26, 2013
reservoircleanouts@dpw.lacounty.gov

June 26, 2013

County of Los Angeles
Department of Public Works
Water Resources Division
Reservoir Cleanout Program
P.O. Box 1460
Alhambra, CA 91802-1460

Review of the Draft Mitigated Negative Declaration (Draft MND) for the Big Tujunga Reservoir Sediment Removal Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final document as appropriate.

Based on a review of the Draft MND the SCAQMD staff appreciates that the project's conveyer belt option (Option #2) will minimize regional air quality impacts from the project compared to using trucks. However, the SCAQMD staff is concerned that the project design features (PDFs) for the low emission haul truck option (Option #1) may not provide the flexibility that is needed to ensure insignificant air quality impacts from the project. Therefore, SCAQMD staff recommends that the lead agency revise the proposed PDF's to allow an integrated use of lower emitting construction equipment and/or 2010 trucks. Further, the lead agency should provide SCAQMD with a copy of the final project conditions required to ensure enforcement of the project's proposed design features and mitigation measures (e.g., mitigation and monitoring report, development agreement and other requirements). Details regarding these comments are enclosed.

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The SCAQMD staff requests that the lead agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the final project. Further, staff is available to work with the lead agency to address these issues and any

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other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments. } 3 (cont.)

Sincerely,

Ian V. MacMillan

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM:DG

LAC130509-02
Control Number

Project Design Features

1. The SCAQMD staff is concerned that the project design features (PDFs) for the low emission haul truck option (Option #2) may not provide the flexibility that is needed to ensure insignificant air quality impacts from the project. Therefore, SCAQMD staff recommends that the lead agency revise the proposed PDF's to allow a more integrated use of lower emitting construction equipment and/or 2010 trucks. Specifically, SCAQMD staff recommends that the lead agency revise PDF AQ-2 as follows:

   PDF AQ-2 If the Low Emission Trucking Option is selected, the LACFCD shall require the project's on-road and off-road construction equipment fleet to meet the following requirements:
   a) Off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier 3 or better off-road emissions standards; and/or
   b) On road diesel haul trucks shall have 2010 or newer engines.
   c) The LACFCD's Contractor shall provide a copy of each unit's certified Tier and/or engine specification to the LACFCD at the time of mobilization of each applicable unit of equipment.

   No use of an equipment combination shall exceed the estimated peak daily emissions identified in Tables 4-3 through 4-7 of the Draft EIR.

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SCAQMD Regulations and Recommendations

2. As a reminder, if the conveyance option is selected the conveyor belt system would require a SCAQMD permit. Also, if any onsite crushing or screening of oversized materials is performed, permits will be needed. In addition to the rules mentioned in Section 4.3 (Air Quality) of the Draft MND, the SCAQMD staff recommends that the lead agency review the final project and ensure that it complies with all SCAQMD rules and regulations. The project proponent should call Mr. Rodney Millican at (909) 396-2591 to discuss potential permit requirements for this project. Finally, the lead agency should provide SCAQMD with a copy of the final project conditions required to ensure enforcement of the project's proposed design features and mitigation measures (e.g., mitigation and monitoring report, development agreement and other requirements).

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Letter 6: South Coast Air Quality Management District

Comment Letter Dated June 26, 2013

SCAQMD-1 The LACFCD appreciates receipt of the South Coast Air Quality Management District (SCAQMD) comment letter, dated June 26, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

As stated in the South Coast Air Quality Management District (SCAQMD) letter, SCAQMD staff is concerned that the project design features (PDFs) may not provide the flexibility that is needed to ensure insignificant air quality impacts from the Project. It should be noted that the Conveyor Belt System Option is no longer considered for the Project, and thus the Revised and Recirculated IS/MND does not include that option for consideration. As such, all PDFs from the 2013 Draft IS/MND have been converted to and updated as mitigation measures (MMs) in the Revised and Recirculated Draft IS/MND. Specifically, PDF AQ-1 has been converted to MM AQ-1. An option has been added to MM AQ-1 that allows for use of off-highway trucks with the equivalent capacity of 33 cubic yards (cy), but with a reduced number of allowable round truck trips per day. PDF AQ-2 of the 2013 Draft IS/MND has been converted to MM AQ-2 in the Revised and Recirculated Draft IS/MND, and now requires all off-road diesel-powered construction equipment greater than 50 horsepower to meet Tier 4 Final or better off-road emissions standards. This strengthened the requirements for off-road equipment, which previously required Tier 3 standards for off-road equipment to be met if the Low Emission Trucking Option had been selected. Additionally, PDF AQ-3 has been converted to MM AQ-3 in the Revised and Recirculated Draft IS/MND. The incorporation of MMs AQ-1 through MM AQ-4 would reduce all air quality impacts to less than significant, as detailed in Table 4-4, Maximum Daily Construction Emissions Summer Season – with all Mitigation Measures, of the Revised and Recirculated Draft IS/MND. The calculation data to support the IS/MND quantitative analysis of air quality impacts is included in Appendix A of the Revised and Recirculated IS/MND.

SCAQMD-2 As requested in the comment, the LACFCD will provide the SCAQMD with a copy of the final Project conditions required to ensure enforcement of the Project's MMs.

SCAQMD-3 As requested in the comment, prior to the adoption of the Project, the LACFCD will post all responses to the comments online at https://pw.lacounty.gov/wrd/Projects/BigTujunga/, including the SCAQMD's letter, dated June 26, 2013.

Project Design Features

SCAQMD-4 The comment again expresses concern that the PDFs may not provide the flexibility that is needed. Please refer to Response SCAQMD-1, above, which identifies the changes made to the Revised and Recirculated Draft IS/MND, specifically regarding PDFs.

SCAQMD Regulations and Recommendations

SCAQMD-5 The SCAQMD comment indicates that the Conveyor Belt Option and any on-site crushing or screening of oversized materials would require SCAQMD permits. The Revised and Recirculated Draft IS/MND no longer proposes the Conveyor Belt Option, and as such, an SCAQMD permit would not be required. However, the Project would include onsite crushing or screening of oversized materials, and LACFCD concurs that this would require an SCAQMD permit. This SCAQMD permit would be obtained prior to Project implementation.

SCAQMD-6 Regarding enforcement of the Project's PDFs and MMS, please refer to Response SCAQMD-2, above.

3.1.3 ORGANIZATIONS

Two comment letters were received from organizations on the 2013 Draft IS/MND. The comment letters are listed below:

- Sunland-Tujunga Neighborhood Council (STNC)—June 20, 2013
- Friends of the Los Angeles River (FoLAR)—June 26, 2013

Sunland-Tujunga Neighborhood Council — *IMPROVING THE QUALITY OF LIFE IN SUNLAND TUJUNGA* — **STNC**

June 20, 2013

County of Los Angeles
Department of Public Works
Water Resources Division
Reservoir Cleanout Program
P.O. Box 1460
Alhambra, CA 91802

RE: Comments on Initial Study/Mitigated Negative Declaration prepared for the Big Tujunga Reservoir Sediment Removal Project

To Whom It May Concern:

The Sunland-Tujunga Neighborhood Council (STNC) is the Los Angeles City Certified Neighborhood Council located nearest to the proposed Big Tujunga Reservoir Sediment Removal Project. We recently participated in a presentation by BonTerra Consulting at our meeting held on June 12, 2013 and our Land Use Committee (LUC) has discussed the project at meetings held on May 20 and June 17. We appreciate the opportunity to participate in the review process for this project.

In our review of this project, there are two *key issues* we feel must be adequately addressed in the Mitigated Negative Declaration (MND) prepared for this project:

1. **Both the Sunland-Tujunga Neighborhood Council and it's Land Use Committee strongly urge that the Conveyer Belt System Option be used as the primary and only method of sediment transport if this project is to go forward, and;** 1

2. **We do not feel that the proposed MND adequately addresses increased truck and automobile traffic that this project will introduce on Big Tujunga Canyon Road and Oro Vista Avenue, which passes through a large residential neighborhood in the heart of Sunland. We do not want our residents subjected to the traffic, hazards, and air quality impacts resulting from the use of local streets to transport sediment or aggregate nor do we want our already substandard streets destroyed because of increased truck traffic carrying heavy loads of sediment and aggregate.** 2

We have enclosed with this letter a series of comments regarding the two issues identified above, as well as comments on other sections of the Initial Study Checklist. While we understand the urgent need to remove sediment accumulated at the Big Tujunga Reservoir, and appreciate the selection of the Maple Sediment Placement Site as the location for the deposit of sediment removed at the dam site (as opposed to trucking the sediment to a more remote location such as the gravel pits in Irwindale or behind Devil Gate's Dam in Pasadena), no sediment removal operation *of any kind* should be conducted at the expense of the quality of life of our residents.

We appreciate the opportunity to comment on the proposed Mitigated Negative Declaration and look forward to receiving a reply to our concerns.

Sincerely,

Mark Seigel, President
Sunland-Tujunga Neighborhood Council

Enclosure

Sunland-Tujunga Neighborhood Council and Land Use Committee

Comments on the Draft Initial Study and Mitigated Negative Declaration

Big Tujunga Reservoir Sediment Removal Project

Below is a compilation of comments and concerns that have become known to us that we trust you will consider and respond to as the decision-making process moves forward for this project.

Executive Summary

1. The Executive Summary describes two alternative sediment transport methods: The Low-Emission Trucking Option and the Conveyor Belt System. In this summary, the LA County Flood Control District (LACFCD) states that it is "committed to designing and implementing the Project in an environmentally sensitive manner by minimizing air quality impacts", however, very little comparison is made between these two alternatives in terms of environmental impact, cost, or any other criteria. In fact, the decision on which option to use is left up to the contractor who submits the lowest bid. 3

4.3 Air Quality

1. Although the Conveyer Belt System would obviously have less environmental impacts than the so-called "low emission" trucking option, both options are treated equally in the MND and are summarized as such in the Executive Summary. The trucking option calls for "400 round-trip trucks per 8 hour workday (an average of 50 trucks per hour), and adds that the "8 hour workday may be extended if work proceeds slower on some workdays." Although these truck movements are supposedly confined to the project area, all this truck traffic is going to have a significant negative impact on the region's air quality over the 5 -year length of the project. 4

4.4 Biological Resources

1. Although an interruption in the water flow of Big Tujunga Creek is mentioned in this section of the MND, it is unclear how this will impact the two endangered species, Santa Ana Sucker (*Catostomus santaanae)* and Arroyo Toad (*Anaxyrus californicus)* that live in this streambed. 5

4.16 Transportation/Traffic

1. This MND fails to address the issue of the increased truck and automobile traffic that this project will produce on Big Tujunga Canyon Road and Oro Vista Avenue, which passes through a large residential neighborhood in the heart of Sunland. The Initial Study states the following: "During the non-storm season, dump trucks would come to the Project site each day to transport sediment between BTR and Maple Canyon SPS, and would leave at the end of each day. Approximately 20 double-bottom belly dump trucks with 16 to 20 cubic yards of capacity are expected to come to the Project site, plus another 33 employee vehicles. These approximately 53 vehicle trips during the morning and again in the afternoon would add to traffic volumes to the local freeway system in the non-storm season, specifically the I-210 and Big Tujunga Canyon Road."(p. 4-107)

2. There are more than 500 homes located directly on or within one block of Oro Vista Avenue that would be severely impacted by the automobile and truck traffic generated from this project, both during the summer season (May-October when the project is in full swing, and during the 6

winter season (October-April) when additional trucks will be hauling "crushed aggregate between the Big Tujunga Reservoir and Sun Valley." (p. 4-95). 6 (Cont.)

3. The MND states that the rate of hauling during the winter season would be "28 round trips per day or 7-8 trucks per hour." (p. 4-21) This means that these trucks would be passing through the residential neighborhoods along Oro Vista Avenue every 7-8 minutes between October and April for the next five years! In addition, the report describes the route these trucks would take to Sun Valley as travelling west on Foothill to Wentworth and then north on Wentworth to Sheldon. 7

4. Foothill Blvd is this community's main commercial street and major arterial commuter route to the Foothill 210 freeway. Because of the number of businesses on this street (Bank of America, 7-11, Jack-in-the-Box, etc.) this street is also used by a large number of pedestrians between Oro Vista Avenue and Sunland Park who use the sidewalks and pedestrian walkways across the street. The safety of these pedestrians would also be placed in jeopardy by this increased truck traffic. 8

5. Bike lanes have recently been installed on both Foothill Boulevard and Wentworth Avenue, resulting in increased bicycle traffic on both streets. In addition to the safety issue for pedestrians and bicyclists, our community's goal of increasing recreational opportunities and promoting Sunland-Tujunga as the "Gateway to the Angeles National Forest" would be jeopardized by this increase in heavy truck traffic between 2015 and 2020. 9

6. Both Big Tujunga Canyon Road and Oro Vista Avenue are not designed for heavy truck traffic. Big Tujunga Canyon Road is a narrow, very windy two-lane road with many blind turns and in many places is too narrow for two large trucks to pass each other safely. A portion of this road (in the City of L.A. was recently reconstructed and repaved, yet the MND says nothing about the impact or damage that five years of truck traffic would have on this road. In addition, it is the only road leading directly into the Angeles National Forest from Sunland-Tujunga. Although many of the hiking trails, campsites, etc. were closed after the Station Fire in 2009, almost all of them are now open again. Recreational traffic to these attractions has increased, and the additional truck traffic from this project is not compatible with the goal of increasing recreational opportunities for the citizens of LA County and tourists. 10

7. Big Tujunga Canyon Road is also a very dangerous road with a high accident rate. In addition to the recreational traffic, it is also used as a commuter route for people living in the Antelope Valley and working in L.A. This is particularly true for the portion of this road north of where the Angeles Forest Highway intersects with Big Tujunga Canyon Road. The introduction of more truck traffic to this already dangerous road is not addressed in this MND. 11

8. Oro Vista Avenue is a narrow two-lane road that passes directly through a residential neighborhood. There is a significant amount of pedestrian traffic on this street, particularly in the vicinity of Sunland Elementary School which is located at the corner of Oro Vista and Hillrose Street. Parents walk their children on the edge of the road itself because there are no sidewalks on this road. In addition to the pedestrian traffic to and from the school, there is a significant amount of pedestrian traffic that uses this road to get to and from the 7-11 and Jack-in-the-Box at the corner of Oro Vista Avenue and Foothill. The impact on the safety of these pedestrians is not addressed in the MND. 12

4.15 Recreation

1. The impact of this project on the recreational land recently acquired by the Santa Monica Mountains Conservancy and the proposed Oro Vista Park is not addressed in the MND. Since SMMC acquired this land, there's been a significant increased in the number of people who are parking along Oro Vista Avenue and using the trails on this land. This usage will undoubtedly increase if and when Oro Vista Park is developed. The safety and noise hazards that this increased truck traffic will have on the recreational users of this area, as well as all the other recreational attractions along Big Tujunga Canyon Road, is not addressed in the MBP. 13

Summary

We insist that the Conveyor Belt System Option be given priority over the Low-Emission Trucking Option as described in the MND. This option is obviously less damaging to the environment and will cause less disruption to our neighborhoods and recreational areas. 14

As currently conceived, the contractor is left with the ability to choose which sediment transport option to use for this project and we assume this contractor would prefer the less costly trucking option, which would have greater impacts. 15

Another key issue is the hauling of aggregate by trucks through our community during the winter months (Oct-Apr) for the next five years. There is no doubt this will cause more disruption to our community as well as to the Sun Valley community than any other aspect of the project. This needs to be adequately addressed in the mitigated negative declaration.

We insist that the issue of this ongoing truck traffic through our community be addressed in the Draft Initial Study, and that serious consideration be given to depositing all of the sediment material into the Maple Canyon Placement Site. The proposal to create a "re-use material stockpile" and haul this material by truck to a site in Sun Valley should be rejected as environmentally unacceptable because of the impact that this on-going truck traffic would have on our community. 16

Because Oro Vista Avenue is currently very damaged and crumbling, should there b any truck traffic on Oro Vista, the community would require mitigation measures. The county will need to reconstruct Oro Vista from Foothill Blvd. to Big Tujunga Canyon before starting the project and again after the project is completed. While there is traffic mitigation to be addressed, there is not significant mitigation for the damage to Oro Vista Avenue that will occur from the 56 trips per day of heavily laden trucks. 17

6/24/13

Letter 7: Sunland-Tujunga Neighborhood Council

Comment Letter Dated June 20, 2013

STNC-1 The LACFCD appreciates receipt of the Sunland-Tujunga Neighborhood Council (STNC) comment letter, dated June 20, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

The comment urges that the Conveyor Belt System Option be selected as the primary method of sediment transport. The comment is noted. It should be noted that the LACFCD is committed to designing and implementing the Project in an environmentally sensitive manner by minimizing air quality impacts. As presented in Section 1.1 of this document, the LACFCD has determined that the Conveyor Belt System Option that was analyzed in the 2013 Draft IS/MND as a potential method of sediment removal is no longer considered; therefore, the Low Emissions Trucking Option would be implemented upon Project approval. Even though the 2013 IS/MND analyzed the environmental impacts of both options and disclosed the possibility of either option being ultimately implemented, in light of the changes disclosed in the Revised and Recirculated Draft IS/MND, the Conveyor Belt is no longer an option. Instead, the Project would implement MM AQ-1 through MM AQ-4, which increase overall stringency of applicable mitigation to reduce air quality impacts. Incorporation of MM AQ-1 through MM AQ-4 would reduce air quality emissions when compared to typical sediment removal activities using standard hauling trucks and/or standard off-road equipment and would result in less than significant impacts to all environmental topics subject to evaluation pursuant to CEQA.

In addition, heavy truck traffic would be reduced in comparison to the traffic analyzed in the 2013 Draft IS/MND by: (1) implementing a once-per-season mobilization and demobilization of dump trucks to and from the Project site rather than daily dump truck trips during the non-storm season, and (2) for the first year, reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from BTR within Maple Canyon SPS, thereby eliminating the need to haul to aggregate processors over the course of five years. While aggregate stockpiling can occur any time during the sediment removal years, at the end of the Project, aggregate would be removed from the stockpile location and placed in the SPS. This would reduce the impacts associated with that scenario by reducing daily traffic volumes and noise levels below what was assessed in the 2013 Draft IS/MND. Additionally, the Revised and Recirculated Draft IS/MND shall require all off-road equipment to meet Tier 4 Final or better off-road emission standards, which increases the stringency of requirements when compared to the 2013 Draft IS/MND.

STNC-2 The comment states that the MND did not adequately addressed increased truck and vehicular traffic on Big Tujunga Canyon Road and Oro Vista Avenue, which passes through a residential neighborhood.

Although there would be a temporary increase in construction truck and worker vehicle traffic along the Project's haul route, as described in both Draft IS/MNDs, traffic and traffic-related hazards would be reduced to less than significant levels with the implementation of MM TRA-1, in Section 4.17, Transportation/Traffic, of the Revised and Recirculated IS/MND. Cross traffic at Big Tujunga Canyon Road would be controlled in compliance with MM TRA-1, which requires a Traffic Control Plan to be prepared, in compliance with the California Department of Transportation's (Caltrans') *Manual on Uniform Traffic Control Devices* (MUTCD). This Plan would require the use of flag person(s) stationed at the intersection of the Project access road and Big Tujunga Canyon Road during all trucking operations and would prohibit truck traffic queuing along Big Tujunga Canyon Road. Additionally, temporary construction signage would be installed along Big Tujunga Canyon Road on northerly and southerly approaches to the access road to alert traffic of construction traffic ahead. The Plan would require mandatory participation by the Contractor's construction crew in traffic safety meetings to ensure that the Plan is fully implemented and periodically monitored for compliance. Thus, with the implementation of MM TRA-1, the crossing of large dump trucks across Big Tujunga Canyon Road, which could result in traffic hazard, would be less than significant.

Regarding dump truck traffic, the Revised and Recirculated IS/MND analyzed Double-bottom belly dump trucks or off-highway trucks with 18 cubic yards of capacity would be mobilized to the Project site at the beginning of the non-storm season for sediment and aggregate removal activities. A peak of approximately 97 worker roundtrips would occur for one month yearly during sediment removal activities (from September 15 through October 14) during the morning and afternoon. The trips would add to traffic volumes to the local freeway system in the non-storm season, specifically the I-210 and Big Tujunga Canyon Road. In compliance with RR TRA-1, the movement of large vehicles or loads, such as large equipment, on public roadways must be conducted in compliance with the Los Angeles County Code (Title 16, Highway), which requires a moving permit (Chapter 16.22, Moving Permits) and includes provisions regarding the size (i.e., height, width, weight) of vehicles/loads (in accordance with provisions of the California Vehicle Code); number of trips; seasonal/time limitations; and other conditions when necessary to assure against undue interference with traffic or road damage. The proposed Project will also require implementation of temporary traffic control measures in accordance with the *Standard Specifications for Public Works Construction* (Greenbook), which contains standards for traffic and access (i.e., maintenance of access, traffic control, and notification of emergency personnel). Per RR TRA-2, oversized transport vehicles on State highways, if required, would need to obtain a Caltrans transportation permit. Impacts on the circulation system would be less than significant and no mitigation is required.

During the non-storm season, trucks would be running from BTR to Maple Canyon SPS and back to BTR during the day. It is estimated that 400 truck trips would occur each day, which would be crossing Big Tujunga Canyon Road. As indicated above, MM TRA-1 is proposed to address the potential issue pertaining to traffic hazard.

Overall, heavy truck traffic would be reduced in comparison to the traffic analyzed in the 2013 Draft IS/MND by (1) implementing a once-per-season mobilization and demobilization of dump trucks to and from the Project site rather than daily dump truck trips during the non-storm season, and (2) for the first year, reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from BTR within Maple Canyon SPS, thereby eliminating the need to hauling the aggregate materials to processors or other approved sites, over the course of five years. While aggregate stockpiling can occur any time during the sediment removal years, at the end of the Project, aggregate would be removed from the stockpile location and placed in the SPS. The IS/MND air quality analysis is based on the peak day emissions, which would not be changed by the elimination of aggregate hauling (which would not occur on the peak day). However, the Project's overall emissions would be reduced on an annual basis over the course of the five-year sediment removal activities due to these changes.

Executive Summary

STNC-3 The comment asserts that very little comparison is made between the two options of sediment removal in terms of environmental impact, cost, or other criteria. The comment is noted; however, the Project no longer considers the Conveyor Belt System Option, thus, the Revised and Recirculated Draft IS/MND does not include that option in the analysis. Instead, as discussed in the Revised and Recirculated Draft IS/MND, the Project would implement the Low Emission Trucking Option from the 2013 Draft IS/MND, with an option of using off-road trucks. Per MM AQ-1 of the Revised and Recirculated Draft IS/MND, the Project could use on- or off-road trucks, but would limit the maximum trips per day depending on type of truck. Section 4.3, Air Quality, includes a detailed analysis of specific air quality impacts for the Project. Lastly, CEQA requires the analysis of environmental impacts and does not require analysis or discussion of a financial cost-benefit comparison.

4.3 Air Quality

STNC-4 The comment asserts that both sediment removal options were treated equally (in the 2013 Draft IS/MND). As previously indicated, the Conveyor Belt Option is no longer an option for Project implementation. As detailed in Response STNC-1, above, the Project would implement the Low Emission Trucking Option, as detailed in MM AQ-1 of the Revised and Recirculated Draft IS/MND. As discussed in Section 4.3, Air Quality, the proposed Project would generate pollutants during construction. However, as shown in Tables 4-3 through 4-4 of the Revised and Recirculated Draft IS/MND, construction emissions would not exceed regional SCAQMD CEQA significance thresholds with implementation of MM AQ-1 through MM AQ-4. Additionally, as indicated in Response STNC-2, above, the heavy truck traffic would be reduced due to Project changes in comparison to the traffic analyzed in the 2013 Draft IS/MND by (1) implementing a once-per-season mobilization and demobilization of dump trucks to and from the Project site rather than daily dump truck trips during the non-storm season, and (2) for the first year, reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from

BTR within Maple Canyon SPS, thereby eliminating the need to haul to aggregate processors over the course of 5 years. While aggregate stockpiling can occur any time during the sediment removal years, at the end of the Project, aggregate would be removed from the stockpile location and placed in the SPS. Therefore, the Project's overall emissions would be reduced on an annual basis over the course of the five-year sediment removal activities due to these changes. As shown in Section 4.3, Air Quality, air quality models used in the 2013 Draft IS/MND were updated (CalEEMod Version 2016.3.2 and EMFAC 2017). Taking into account the updated models and the changes in truck trips summarized above, the Project revisions would result in similar emissions levels to those presented in the 2013 Draft IS/MND, and no revisions are required to the conclusions of less than significant impact with mitigation.

4.4 Biological Resources

STNC-5 Since this comment was made, additional focused surveys for Santa Ana sucker and arroyo toad were conducted, as described in Section 4.4.1 of the Revised and Recirculated IS/MND. The results of the annual monitoring, which are conducted by LACFCD downstream of the Dam every September/October as part of a 10-year long-term monitoring effort that extended from 2009 to 2018, were presented to the SASWG, which consists of fisheries biologists and staff from the USFWS, CDFW, USFS, LACFCD, and the Los Angeles Department of Water and Power (LADWP). Following completion of the 10-year monitoring effort, the SASWG continues to meet once to twice per year to discuss the approach to supplemental releases, the status of Habitat Conservation Plan (HCP) preparation, and the status of the Reservoir Restoration Project. Additionally, focused surveys for special status fish upstream of BTR were conducted in 2019 and confirmed the absence of fish upstream of BTR. The results of these surveys are also incorporated into Section 4.4.1 of the Revised and Recirculated IS/MND and are attached as Appendix B-5.

Regarding downstream flows, during sediment removal activities, the bypass pipeline would carry all available flows downstream of the Dam. No outflow can be provided if there is no inflow. During sediment removal, inflow/outflow would be entirely dependent on natural conditions.

As described in Section 4.4.2 of the Revised and Recirculated IS/MND, during normal non storm season operations, LACFCD typically releases the same amount of water from the Dam that comes into the Reservoir as inflow from upstream (i.e., inflow equals outflow). A statistical analysis of inflow/outflow of the Reservoir during the non-storm season was conducted (see Dewatering Flow Data Memorandum in Appendix B-9 of the Revised and Recirculated IS/MND). While the time period analyzed (1999–2012) included a wide range of natural variation with both extremely dry and wet years, the analysis verified that inflow typically equaled outflow. If water levels become dangerously low during Project activities, it would be the result of a natural weather event; all inflow to BTR would be conveyed to downstream areas via the bypass line. MM Bio-4 (Revised to MM Bio-3 in the Final Revised and Recirculated IS/MND) provide monitoring for stranded or distressed special status fish downstream from the Project. The Special Status Fish Relocation Plan required by this measure will describe relocation activities for special status fish.

As discussed in Section 4.4.1, the arroyo toad does not occur downstream of the Dam (see 2016 focused survey for arroyo toad in Appendix B-3). Additionally, LACFCD conducted a protocol focused survey for arroyo toad along Big Tujunga Creek from Big Tujunga Dam downstream to Hansen Dam; no arroyo toad were observed during the survey (BonTerra Consulting 2010). Arroyo toad is believed to be extirpated downstream of Big Tujunga Dam. Dewatering is not expected to impact arroyo toad. Sediment removal activities that could affect the arroyo toad upstream of BTR discussed in Section 4.4.2 of the Revised and Recirculated IS/MND. MM BIO-5 (Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND) provides avoidance and minimization measures that would mitigate impacts on arroyo toad to less than significant.

4.16 Transportation/Traffic

STNC-6 The comment states that the MND fails to address the issue of increased truck and vehicular traffic on Big Tujunga Canyon Road and Vista Avenue. Please refer to Response STNC-2, above.

STNC-7 The comment asserts that based on number of round trips per day, trucks would be passing through the residential neighborhoods along Oro Vista Avenue every 7 to 8 minutes. Please refer to Response STNC-2, above.

STNC-8 Regarding the issue of pedestrian safety, all vehicle traffic must comply with California Vehicle Code (CVC) Division 11, Rules of the Road, including hazards signage and speed limits. There is no evidence to suggest that construction-related Project traffic would generate hazards to pedestrians in the Project vicinity. Any increased vehicular activity due to Project implementation would comply with applicable State law and posted speed limits.

STNC-9 The comment alleges that the increase in heavy truck traffic between 2015 and 2020 would impact safety for pedestrians and bicyclists on Foothill Boulevard and Wentworth Avenue and jeopardize the goal of increasing recreation opportunities. The comment is noted. It should be noted that there is no evidence to suggest that construction-related Project traffic would generate hazards to bicyclists in the Project vicinity. The presence of truck traffic, in compliance with RR TRA-1, MM TRA-1 and the CVC Division 11, Rules of the Road, would not conflict with existing or planned pedestrian or bicycle amenities in the Sunland-Tujunga area. Sections 21200 through 21212 of the California Vehicle Code are applicable to the use of bicycles on roads and highways. According to Section 21200(a), "A person riding a bicycle or operating a pedicab upon a highway has all the rights and is subject to all the provisions applicable to the driver of a vehicle by this division". On roadways with no bicycle lanes, unless determined to be unsafe, bicyclists should ride as close as practicable to the right-hand edge of the roadway. Therefore, the presence of bicyclists on any of the haul route roadways is a permissible use that, when both bicyclists and vehicles are operated in compliance with State law, would not pose a dangerous condition. If bicycle lanes are present, then the buffer between the bicyclists and vehicles is even greater. Further, as discussed above under Response STNC-2, , above, the daily truck traffic anticipated in the IS/MND would be reduced by (1) implementing a once-per-season mobilization and demobilization of dump trucks to and from the Project site

rather than daily dump truck trips during the non-storm season, and (2) for the first year, reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from BTR within Maple Canyon SPS, thereby eliminating the need to haul to aggregate processors over the course of five years. As such, there would be no need for an aggregate haul route through Big Tujunga Canyon Road, Oro Vista Avenue, Foothill Boulevard, Wentworth Street, and Sheldon Street.

Also, please refer to Response STNC-10, above, regarding recreational impacts.

STNC-10 The comment states that the Big Tujunga Canyon Road and Oro Vista Avenue are not designed for heavy truck traffic. The comment is noted and will be forwarded to the decision makers. Please refer to Response STNC-2, above, regarding traffic impacts. Also, please refer to Responses STNC-8 and STNC-9, above, regarding traffic hazards.

It should be recognized that the Big Tujunga Canyon Road is a 2-lane County-maintained Road with approximately 12-foot-wide lanes that is within the Angeles National Forest. The speed limit on the road has a maximum of 55 miles per hour, which is reduced as the road nears residential areas and curves. Big Tujunga Canyon Road is adequately able to accommodate truck traffic and has accommodated similar sediment removal operations in the past, including most recently, the 2009 Big Tujunga Dam Retrofit Project. There is no evidence to suggest that travel along Big Tujunga Canyon Road, when conducted in compliance with all traffic laws, is unsafe or dangerous.

Project implementation would not hinder recreational opportunities or access to recreational attractions within the Forest. Project-related sediment removal and placement activities would not occur on Sundays or holidays, which are peak recreational traffic days.

STNC-11 The comment also indicates that the Big Tujunga Canyon Road is a very dangerous road with a high accident rate. The comment is noted and will be forwarded to the decision makers. As previously discussed, the presence of truck traffic as anticipated in the 2013 Draft IS/MND, in compliance with RR TRA-1, MM TRA-1 and the CVC Division 11, Rules of the Road, would not result in significant roadway hazards. However, the daily truck traffic anticipated in the IS/MND would be reduced by (1) implementing a once-per-season mobilization and demobilization of dump trucks to and from the Project site rather than daily dump truck trips during the non-storm season, and (2) for the first year, reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from BTR within Maple Canyon SPS, thereby eliminating the need to rather than hauling to aggregate processors over the course of five years.

Additionally, there is no evidence to suggest that the existing rate of vehicular accidents along Big Tujunga Canyon Road would be altered by the presence of construction trucks. It must be assumed that any increased vehicular activity due to Project implementation would be conducted in accordance with applicable State law and posted speed limits. Project-related traffic would not affect the intersection of the

Angeles Forest Highway and Big Tujunga Canyon Road because the Project site is southwest of this intersection and truck traffic would not travel northeasterly along Big Tujunga Canyon Road.

STNC-12 The comment states that the Oro Vista Avenue is a narrow road with significant amount of pedestrian traffic as it passes through a residential neighborhood. Please refer to Response STNC-2, above, regarding traffic impacts. Also, please refer to Responses STNC-8 and STNC-9, above, regarding traffic hazards.

4.15 Recreation

STNC-13 The comment asserts that the issues of safety and noise hazards caused by increased truck traffic on the recreation users is not addressed. Please refer to Responses STNC-2, above, regarding traffic impacts. Also, please refer to Responses STNC-8 and STNC-9, above, regarding traffic hazards.

Project implementation would not hinder recreational opportunities; access to recreational attractions; or access to public parking along the route that employee vehicles and equipment transport would take to the Project site, as this would occur approximately two times per year (once-per-season mobilization and demobilization of dump trucks to and from the Project site). The presence of truck traffic does not restrict access to any existing or proposed future land uses.

Regarding the issue of traffic noise, the 2013 Draft IS/MND analyzed the following scenario as stated in Section 4.12 Noise: the rate of aggregate hauling in the storm season is estimated at 28 round trips per day, resulting in an increase in hourly average truck noise of less than 2 A-weighted decibels (dBA), which is not discernible to the average ear. On roads with less volume, the hourly average traffic noise increase may be 3 dBA, which would be barely discernible. Individual truck passbys may be audible and noticed by persons along the route. Public health and safety activities, including all flood control operations and maintenance activities, are exempt from the County's Noise Ordinance. The temporary traffic noise increases were determined not to be substantial. Additionally, due to the reductions in truck traffic described in Response STNC-2, above, the findings of the 2013 Draft IS/MND regarding traffic noise is conservative and overestimates the actual truck noise level that would be expected from the Project based on the planned Project revisions.

Summary

STNC-14 Regarding the decision between the Low Emission Trucking Option or the Conveyor Belt System Option, please refer to Response STNC-1, above.

It is true that the Conveyor Belt Option would result in reduced truck trips during the storm season compared to the Low Emission Trucking Option. But, as previously discussed, the presence of truck traffic—in compliance with RR TRA-1, MM TRA-1 and the CVC Division 11, Rules of the Road—would not result in significant roadway hazards under either Option. Further, as discussed above under Response STNC-2, above, the daily truck traffic anticipated in the IS/MND would be reduced by (1) implementing a once-per-season mobilization and demobilization of dump trucks to

and from the Project site rather than daily dump truck trips during the non-storm season, and (2) for the first year, reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from BTR within Maple Canyon SPS, thereby eliminating the need to haul to aggregate processors over the course of five years. While aggregate stockpiling can occur any time during the sediment removal years, at the end of the Project, aggregate would be removed from the stockpile location and placed in the SPS.

STNC-15 Regarding the decision between the Low Emission Trucking Options for the Conveyor Belt System Option, please refer to Response STNC-1, above.

STNC-16 Regarding hauling of the aggregate by trucks through the community during the winter months, as discussed in Response STNC-2, above, for the first year, the LACFCD will be reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from BTR within Maple Canyon SPS, thereby eliminating the need to haul to aggregate processors over the course of five years.

STNC-17 Regarding the existing condition of Oro Vista Avenue, please refer to Response STNC-2, above.

FOLAR

Friends of the Los Angeles River

570 West Avenue 26, Suite 250
Los Angeles, California 90065
323-223-0585
www.FoLAR.org

June 26th, 2013

County of Los Angeles Department of Public Works
Water Resources Division Reservoir Cleanout Program
P.O. Box 1460, Alhambra, California 91802-1460

SUBJECT: **FoLAR Comments on Big Tujunga Reservoir Sediment Removal Project**

CASE/SITE: **Big Tujunga Reservoir**

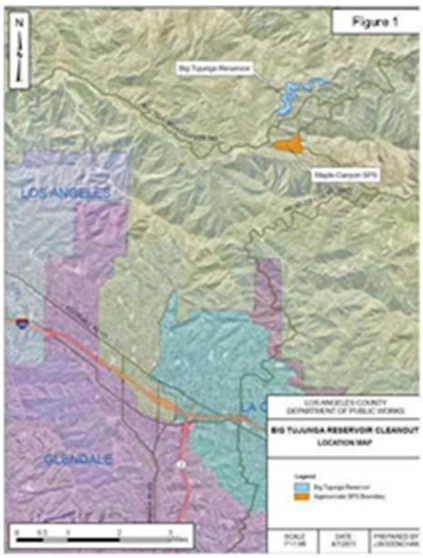
Below are Comments from FoLAR (Friends of the Los Angeles River) on The proposed Project in Big Tujunga Canyon, San Gabriel Mountain foothills within the Angeles National Forest.

Big Tujunga Reservoir is located along Big Tujunga Canyon Road, approximately 4.5 miles north of the La Crescenta-Montrose community and approximately 7.0 miles northeast of the Sunland community. FoLAR's interest is that the Tujunga Wash is a 13-mile tributary of the Los Angeles River (LAR). As the project will consist of completely dewatering Big Tujunga Reservoir, FoLAR recommends that Section 1603 of the California Department of Fish and Wildlife Code be used and that department be contacted. We are pleased that Pursuant to the (NEPA) National Environmental Policy Act that an Environmental Assessment (EA) is being prepared. In the Bonterra Consulting Draft, Section 1.3.3 Mitigation Measures, FoLAR is concerned about the impact on Flora and Fauna during the dewatering of the reservoir itself as it states "Project implementation would result in potentially significant impacts to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards/Hazardous Materials, Hydrology/Water Quality" and it is a large concern of FoLAR. 1 2

FoLAR does not want to see the species, found in and around Big Tujunga Reservoir: Western Pond Turtle, Southwestern Willow Flycatcher, Peregrine Falcon, Coastal California Gnatcatcher, Western Mastiff Bat, Black-tailed Jackrabbit, Desert Woodrat, Southern Grasshopper Mouse, and the American Badger including Fish and Plant Species: Arroyo Chub, Santa Ana Speckled Dace, Santa Ana Sucker, Black Bullhead, Red Swamp Crayfish, and the Green Sunfish in this area become folklore in a place that once was. 3

In Table 1-1, Mitigation Measures to Avoid Potentially Significant Environmental Impacts of the Bonterra Consulting Draft, It is very troubling that every section includes a potential impact to several of the species listed above and on page 1-16 reads "implementation has the potential to impact nesting birds and raptors", this is very disturbing and alternative methods should be considered to help these animals breed. 4

In addressing the project itself, aside from the wildlife concerns, we understand the need to remove the sediment contaminated with Dioxins from the Station Fire. With that being said, the wildlife destruction is of major concern and better planning/implementation is needed. Out of the two options are being considered to transport sediment to the SPS, FoLAR would like to see the conveyor belt system implemented, as the belt system would have lower emissions. It would make more sense than the estimated 400 truck trips per day during sediment removal along with re-grading reservoir access roads. 5



For a conveyor belt system, the conveyor belt would be installed along the reservoir's access road spanning approximately 11,800 feet. The conveyor would cross over Big Tujunga Canyon Road and have a cage surrounding the belt at this location to prevent any debris from falling to the road. The existing access roads will be regarded to allow conveyor equipment to enter the reservoir. 6

The proposed Project involves restoring flood management and water conservation capacity by excavating up to 4.4 million cubic yards (mcy) of sediment from the Big Tujunga Reservoir (BTR), placing the sediment in the adjacent Maple Canyon Sediment Placement Site (SPS), and closing Maple Canyon SPS when 4.4 mcy is placed into Maple Canyon SPS. The Project does not involve new construction nor expansion or alteration of the BTR. Project completion is anticipated within five years, but more time may be required depending on rainfall and sediment deposition into BTR in the coming years, and the rate of sediment removal by the LACFCD's Contractor. 7

In addition... 8

Maple Canyon Sediment Placement Site that was established in 1981 will increase it's footprint by 29 acres. This area should be investigated for Flora, Fauna and Cultural Resources prior to the increased fill footprint that is proposed to be cleared prior to the placing of sediment.

Should you have any questions, please contact me at (323) 223-0585

Sincerely,

Lewis MacAdams
Founder/President FoLAR
Friends of the Los Angeles River

Page 2 of 2

Letter 8: Friends of the Los Angeles River

Comment Letter Dated June 26, 2013

FoLAR-1 The LACFCD appreciates receipt of the Friends of the Los Angeles River (FoLAR) comment letter, dated June 26, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

Section 1603 of the California Fish and Game Code (1603) refers to the need for a Streambed Alteration Agreement from CDFW. MM BIO-9 (Renumbered to MM BIO-8 in the Final Revised and Recirculated IS/MND) requires that the Project obtain all necessary regulatory permits, including the Streambed Alteration Agreement.

FoLAR-2 Section 1.3.3 of the IS/MND states: "Prior to mitigation, Project implementation would result in potentially significant impacts to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use and Planning, and Traffic/Transportation". The text is provided to clarify that mitigation measures have been developed to avoid or reduce impacts to less than significant levels for those environmental topics. Project design features and mitigation measures would be included in the Contractor Specifications, as appropriate, and verified as part of the Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance and implementation. The Project would not result in significant impacts to any environmental factors with implementation of identified mitigation measures.

FoLAR-3 Vegetation mapping, general plant and wildlife surveys, habitat assessments for special status species, several focused surveys, and a jurisdictional delineation have been completed in the Project area to determine the presence of biological resources that may be impacted by the Project. A summary of the findings of these surveys is provided in Section 4.4.1, as well as Appendices B-1 through B-10 of the Revised and Recirculated IS/MND.

Table 4-6 in the Revised and Recirculated IS/MND states the status and likelihood of occurrence of all species listed in this comment, with the exception of the black bullhead, red swamp crayfish, and green sunfish. Black bullhead, red swamp crayfish, and green sunfish are non-native exotic animal species that are predators of native aquatic wildlife. These species eat juveniles or small individuals of native species including (but not limited to) the Santa Ana sucker, arroyo chub, Santa Ana speckled dace, arroyo toad, and western pond turtle. Eradicating these species from the system would increase the health of the riparian system.

MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) for special status fish, MM BIO-5 (Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND) for arroyo toad, and MM BIO-7 (Renumbered to MM BIO-6 in the Final Revised and Recirculated IS/MND) for western pond turtle include the

following statement, "All non-native animal species encountered during the pre-construction survey shall be permanently removed from the plunge pool and creek."

A formal aquatic species removal program is not currently included in the Project or mitigation measures because the Project would not have significant impacts related to aquatic invasive species. Aquatic invasive species are currently present in the reservoir, plunge pool, and along the creek downstream of the dam. Dewatering the reservoir and plunge pool would eliminate non-native species from the reservoir and plunge pool, and thus would provide a beneficial impact by reducing the amount of non-native species in those Project areas.

LACFCD has prepared an HCP for the long-term operation and maintenance of Big Tujunga Dam. Per the Draft HCP (Psomas 2021b), funding would be provided annually for habitat enhancement projects along Big Tujunga Creek. Non-native wildlife species removal is included as a habitat enhancement project that could be carried out with this funding. It should be noted that public review of the HCP was completed in March 2022, and no comments were received from the agencies and the public. Currently, the HCP is in the process of being finalized.

As presented in Section 4.4.3 of the Revised and Recirculated IS/MND, with the incorporation of mitigation measures, all impacts to biological resources would be less than significant. These mitigation measures address potential impacts on special status plants (MM BIO-1 and MM BIO-2), Santa Ana sucker, arroyo chub, and Santa Ana speckled dace (MM BIO-4 [Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND]), arroyo toad (MM BIO-5 [Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND]), least Bell's vireo and southwestern willow flycatcher (MM BIO-6 [Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND]), western pond turtle (MM BIO-7 [Renumbered to MM BIO-6 in the Final Revised and Recirculated IS/MND]), two-striped garter snake and Coast Range newt (MM BIO-8 [Renumbered to MM BIO-7 in the Final Revised and Recirculated IS/MND]), jurisdictional resources (MM BIO-9 [Renumbered to MM BIO-8 in the Final Revised and Recirculated IS/MND]); and nesting birds/raptors (MM BIO-10 [Renumbered to MM BIO-9 in the Final Revised and Recirculated IS/MND]).

FoLAR-4 Please see Response FoLAR-2 and Response FoLAR-3, above.

Section 4.4.3 of the Revised and Recirculated IS/MND includes mitigation measures for avoidance and minimization efforts that will ensure that species would not be impacted. For example, there are measures related to control of sediment; relocation of special status species out of harm's way; and measures for weekly monitoring to ensure that the Project's measures are functioning properly and are not harming the resources. If the potential to significantly harm a resource was identified, a corresponding measure was included to ensure that that potential significant effect would be reduced to a less than significant level.

With regard to nesting birds and raptors, nearly every outdoor project has potential to impact nesting birds and raptors because certain types of birds can nest anywhere, even in ornamental landscaping or existing structures. Therefore, a measure to conduct pre-construction nesting bird surveys is a standard measure for any project

that would begin during the nesting season. The pre-construction survey will identify any nesting birds/raptors and will protect any active nest until nesting is complete as determined by a qualified Biologist. As described in MM BIO-10 (Renumbered to MM BIO-9 in the Final Revised and Recirculated IS/MND), vegetation removal should be conducted outside the nesting season to the extent possible to avoid impacts to nesting birds.

FoLAR-5 Regarding the wildlife concerns, please refer to Response FoLAR-3 and Response FoLAR-4, above.

As stated on page 1-2 of the IS/MND, the LACFCD is committed to designing and implementing the Project in an environmentally sensitive manner by minimizing air quality impacts. As presented in Section 1.1 of this Responses to Comments, the LACFCD has determined that the Conveyor Belt Option that was analyzed in the 2013 IS/MND as a potential method of sediment removal is unlikely to be implemented; therefore, it is assumed that the Low Emissions Trucking Option would be implemented upon Project approval. The IS/MND analyzed the environmental impact of both Options and disclosed the possibility of either Option being ultimately implemented. With incorporation of MM AQ-1, the Low Emission Trucking Option would reduce air quality emissions when compared to typical sediment removal activities using standard hauling trucks and/or standard off-road equipment and would result in less than significant impacts to all environmental topics subject to evaluation pursuant to CEQA.

In addition, heavy truck traffic would be reduced in comparison to the traffic analyzed in the 2013 IS/MND by (1) implementing a once-per-season mobilization and demobilization of dump trucks to and from the Project site rather than daily dump truck trips during the non-storm season, and (2) for the first year, reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from BTR within Maple Canyon SPS, thereby eliminating the need to haul to aggregate processors over the course of 5 years. While aggregate stockpiling can occur any time during the sediment removal years, at the end of the Project, aggregate would be removed from the stockpile location and placed in the SPS. This would reduce the impacts associated with that scenario by reducing daily traffic volumes, emissions, and noise levels below what was assessed within the IS/MND.

FoLAR-6 As stated on page 1-2 of the IS/MND, the LACFCD is committed to designing and implementing the Project in an environmentally sensitive manner by minimizing air quality impacts. As presented in Section 1.1 of this Responses to Comments, the LACFCD has determined that the Conveyor Belt Option that was analyzed in the 2013 IS/MND as a potential method of sediment removal is unlikely to be implemented; therefore, it is assumed that the Low Emissions Trucking Option would be implemented upon Project approval. The IS/MND analyzed the environmental impact of both Options and disclosed the possibility of either Option being ultimately implemented. With incorporation of MM AQ-1, the Low Emission Trucking Option would reduce air quality emissions when compared to typical sediment removal activities using standard hauling trucks and/or standard off-road equipment and

would result in less than significant impacts to all environmental topics subject to evaluation pursuant to CEQA.

In addition, heavy truck traffic would be reduced in comparison to the traffic analyzed in the 2013 IS/MND by (1) implementing a once-per-season mobilization and demobilization of dump trucks to and from the Project site rather than daily dump truck trips during the non-storm season, and (2) for the first year, reusing all suitable aggregate material separated from the excavated sediment within the Forest, and in subsequent years placing all sediment (including aggregate material) removed from BTR within Maple Canyon SPS, thereby eliminating the need to haul to aggregate processors over the course of 5 years. While aggregate stockpiling can occur any time during the sediment removal years, at the end of the Project, aggregate would be removed from the stockpile location and placed in the SPS. This would reduce the impacts associated with that scenario by reducing daily traffic volumes and noise levels below what was assessed within the IS/MND.

FoLAR-7 The information in this comment is still accurate. No further response is required.

FoLAR-8 As stated in Section 3.0 of the Revised and Recirculated IS/MND, Maple Canyon SPS currently holds approximately 2.5 million cub yards (mcy) of sediment. An additional 2.1 to 4.4 mcy of sediment from this Project would cover approximately 29 acres within Maple Canyon SPS, of which approximately 8 acres currently contains sediment from previous projects; this would occupy the remaining capacity of the SPS.

Section 4.4, Biological Resources, and Appendices B-1 through B-10 of the Revised and Recirculated IS/MND contain thorough documentation of the survey results and impact analyses of flora and fauna in the Project study area, which includes Maple Canyon SPS. MM BIO-2 provides measures to protect special status plant species (i.e., Plummer's mariposa lily and fragrant pitcher sage) that were observed along the access roads in Maple Canyon SPS. No Threatened or Endangered wildlife have potential to occur in Maple Canyon; therefore, no mitigation for special status wildlife applies to Maple Canyon SPS. As describes above, MM BIO-10 (Renumbered to MM BIO-9 in the Final Revised and Recirculated IS/MND) provides measures to avoid and minimize impacts to nesting birds/raptors.

Section 4.5, Cultural Resources, and Appendix C of the Revised and Recirculated IS/MND contain thorough documentation of the records searches and survey results and impact analyses of potential for cultural resources in the Project study area, including historic, archaeological, and paleontological resources. Regarding historic resources, although the Big Tujunga Dam is determined as eligible for listing in the National Register of Historic Places, no alteration of the dam structure would occur from sediment removal activities. There would be no adverse effects to the dam or any changes to the historic significance as a result of the Project. Additionally, based on the analyses conducted, no prehistoric archaeological sites are recorded in the vicinity of the Project site, and thus no mitigation measures are required.

Regarding archaeological resources, there is a possibility that archaeological materials could be uncovered during necessary soil disturbance activities. Although

the likelihood of encountering archaeological resources on the Project site is considered low, implementation of MM CUL-1, which describes procedures for monitoring and protocols to be followed in the event that cultural resources are discovered during grading, would reduce this potentially significant impact to a less than significant level.

In terms of potential disturbance of human remains, there is no indication that human remains are present within the Project area. The records search and field survey indicate no evidence of human remains on or near BTR or Maple Canyon SPS. However, in the unlikely event of an unanticipated encounter with human remains in BTR, the *California Health and Safety Code* and the *California Public Resources Code* require that any activity in the area of a potential find be halted, and the Los Angeles County Coroner be notified, as described in RR CUL-1. There would be less than significant adverse impacts to human remains with compliance with RR CUL-1.

Therefore, in light of analyses conducted, no additional surveys or investigations beyond those required through the Mitigation Monitoring and Reporting Program are required.

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3.1.4 INDIVIDUALS

Five comment letters/emails were received from individuals on the Draft IS/MND in 2013. The comment letters are listed below:

- Rick Grubb (Grubb [1])—June 9, 2013
- Snowdy Dodson (Dodson)—June 20, 2013
- Sunland Resident (Resident)—June 21, 2013
- Rick Grubb (Grubb [2])—June 26, 2013
- Lori Paul (Paul)—July 16, 2013

GRUBB_1

From: Rick Grubb [mailto:nobodyslaw@yahoo.com]
Sent: Sunday, June 09, 2013 6:16 PM
To: reservoircleanouts; president@stnc.org; secretary@stnc.org
Cc: Environmentalrep@stnc.org
Subject: Re: Review Period for the Initial Study/Mitigated Negative Declaration (IS/MND)-Big Tujunga Reservoir Sediment Removal Project

Is this the appropriate place to submit comment on the MND? 1

The sediment transport methods selected pose serious detrimental effects to the survival of the Arroyo Toad in Sunland's stretch of the Big Tujunga River Wash. The shear volume of sediment to be removed by this project demands you release some sediment with storm water, and during (high) flows as soon as possible and on a continuing basis. 2
This need not be the only disposal means employed, but it should be the first and the ongoing method, not including this option within the scope of the current project is unconscionable.

"After this sediment removal project is completed, consideration will be given to
operating the slide gate during storm events to prevent the accumulation of sediment in
the reservoir. This would reduce the need for future reservoir sediment removal
projects and create a more natural sediment balance in the watercourse below the dam.
We intend to coordinate with the resource and regulatory agencies including the United
States Forest Service (USFS), the United States Fish and Wildlife Service, and the
California Department of Fish and Wildlife to evaluate if such a flow regime could be
implemented without adverse impacts. These efforts are not a part of this project or its
environmental document." unquote. 3

These efforts ***must*** be part of this project or your impacts will not have been mitigated to below significant level. } 3 cont.

Ricky Grubb
Naturalist and Photographer
Sunland Tujunga

Letter 9: Rick Grubb (1)

Comment Letter Dated June 9, 2013

Grubb (1)-1 The LACFCD appreciates receipt of Mr. Rick Grubb (1) (Grubb [1]) comment letter, dated June 9, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

As stated on page 2-2 of the IS/MND, comments or questions, postmarked by 5:00 PM on June 26, 2013, on the IS/MND could have been sent in writing by mail to the LACFCD P.O. Box address, via email to reservoircleanouts@dpw.lacounty.gov, or by fax to (626) 979-5436.

Grubb (1)-2 Since this comment was made, additional focused surveys for arroyo toad were conducted, as described in Section 4.4.1 of the Revised and Recirculated IS/MND. As discussed in Section 4.4.1, the arroyo toad does not occur downstream of the Dam (see 2016 focused survey for arroyo toad in Appendix B-3). Additionally, LACFCD conducted a protocol focused survey for arroyo toad along Big Tujunga Creek from Big Tujunga Dam downstream to Hansen Dam; no arroyo toad were observed during the survey (BonTerra Consulting 2010). Arroyo toad is believed to be extirpated downstream of Big Tujunga Dam. Dewatering is not expected to impact arroyo toad. Sediment removal activities that could affect the arroyo toad upstream of BTR discussed in Section 4.4.2 of the Revised and Recirculated IS/MND. MM BIO-5 (Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND) provides avoidance and minimization measures that would mitigate impacts on arroyo toad to less than significant.

Grubb (1)-3 The LACFCD has completed its Sediment Management Strategic Plan, which sets forth guidelines for sediment management in flood control facilities throughout Los Angeles County. This document sets forth the LACFCD's commitment to evaluating the implementation of alternative means of sediment disposal, including flow-assisted sediment transport (fasting)sluicing where appropriate. The 2009 Station Fire was an unusual event in that approximately 87 percent of the Big Tujunga Watershed was burned, resulting in unusually large sediment flows that reduced the Reservoir's capacity to accommodate future volumes of sediment. Sluicing Fasting and flushing methods require a balance of the correct volume and flow velocity of water based on the amount, type, and gradation of sediment. Given the tremendous volume of sediment currently in the reservoir and the uncertainty of the volume and intensity of future storm runoff events, sluicing fasting or flushing would likely cause harmful effects to the downstream area's species, habitat, water conservation, and recreation. Therefore, sediment disposal through sluicing fasting is not an option at this time.

The LACFCD is engaged in ongoing discussions with the USFS, the USFWS, and the CDFW regarding ways to safely allow the passage of sediment through the Big Tujunga Reservoir Dam via flow-assisted sediment transport, which may reduce

the need for and/or frequency of future sediment cleanouts. As such, any sluicing fasting or other means of allowing sediment to flow downstream of the Dam prior to the conclusion of the coordinated effort between the LACFCD and the resource agencies would be premature and could potentially have detrimental effects on the federally listed Santa Ana sucker.

DODSON

From: DODSON, SNOWDY D [mailto:snowdy.dodson@csun.edu]
Sent: Thursday, June 20, 2013 10:21 AM
To: reservoircleanouts
Subject: Big Tujunga Reservoir Sediment Removal Project

To Whom it May Concern: Please excuse the informality of my input on the Big Tujunga Sediment Removal Project. I will be out of town prior to the June comments deadline and cannot manage to do a real "letter." However, a few thoughts/concerns that I have are:

1. Your plant surveys have occurred in very dry years (if I'm not mistaken) so there could very well be rare or threatened plants on this property that were not evident and therefore not considered. For example, was Davidson's Mallow on your list? 1

2. I find it difficult to see how you can mitigate the loss of the small though precious riparian area in the Maple Canyon SPS. A riparian area is an ecosystem not just the plants associated w/ that ecosystem. What stream source are you substituting for this loss? Water and its associated plants are a rarity in the San Gabriel Mntns. and need the utmost protection. 2

Snowdy Dodson, President
Los Angeles/Santa Monica Mntns Chapter
Calif. Native Plant Society http://lacnps.org
Board Member, Theodore Payne Foundation, http://theodorepayne.org

Letter 10: Snowdy Dodson

Comment Letter Dated June 20, 2013

Dodson-1 The LACFCD appreciates receipt of Mr. Snowdy Dodson (Dodson) comment letter, dated June 20, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

As described in Section 4.4.1 of the Revised and Recirculated IS/MND, focused plant surveys were conducted in spring/summer 2011 and were updated in spring/summer 2016 (see Appendix B-7). Rainfall data was provided by LACFCD for Big Tujunga Dam for each water year (Table 1). The 2011 focused surveys were conducted in an extremely high rainfall year; 38.35 inches of rain were received at the dam from October 1, 2010 to September 30, 2011. Therefore, results of the 2011 focused surveys are considered optimal for the detection of special status plant species. The 2016 focused surveys were conducted in a below average rainfall year; 16.72 inches of rain were received at the dam from October 1, 2015 to September 30, 2016. Although the rainfall conditions were not optimal during this survey year, reference populations of target species were monitored and confirmed to be blooming prior to the surveys. Based on the reference survey results, Project surveys were conducted when target plant species were observable.

TABLE 1
ANNUAL RAINFALL MEASURED AT BIG TUJUNGA DAM

Year (October 1 to September 30)	Total Annual Rainfall
2008–2009	19.37
2009–2010	36.17
2010–2011	**38.35**
2011–2012	17.50
2012–2013	11.09
2013–2014	11.25
2014–2015	16.09
2015–2016	**16.72**
2016–2017	28.80
2017–2018	12.69
Average Year = 25.56 inches Wet Year > 32 inches **Bold** text denotes years that focused plant surveys were conducted for the Reservoir Restoration Project.	

Davidson's bush-mallow was on the list of target species for both the 2011 and 2016 focused surveys. A reference population for Davidson's bush-mallow was observed in flower on April 20, 2011, at lower Big Tujunga Canyon in Sunland; surveys were conducted on April 20 and 27, 2011, by Botanists Robert Allen and David Bramlet.

A reference population for Davidson's bush-mallow was observed in flower on May 12, 2016; surveys were conducted on May 18, 2016, by Botanists Allison Rudalevige and Katie Gallagher. As mentioned above, the focused survey reports are provided in Appendix B-7.

Dodson-2 As described in Section 4.4.2 of the Revised and Recirculated IS/MND, sediment placement in Maple Canyon would permanently impact 2.11 acres of CDFW jurisdiction. MM BIO-9 (Renumbered MM BIO-8 in the Final Revised and Recirculated IS/MND) requires regulatory permitting with the resource agencies. Potential mitigation options include one or both of the following: (1) payment to a resource agency-approved mitigation bank or regional riparian enhancement program; and/or (2) establishment of riparian habitat (on site or off site) at a ratio of no less than 1:1, determined through consultation with the resource agencies. LACFCD will work with USFS, USACE, CDFW, and RWQCB to determine the appropriate mitigation strategy to replace the functions and values to Maple Canyon SPS. Mitigation will be, at a minimum, biologically equivalent to the habitat value that is being removed. Additionally, per terms of the USFS Special Use Permit, Maple Canyon SPS would be revegetated following completion of the Project.

RESIDENT

From: Nobody [mailto:nobodys.bizness@yahoo.com]
Sent: Friday, June 21, 2013 1:42 PM
To: zev@bos.lacounty.gov; reservoircleanouts; grahambreakwell@fs.fed.us
Subject: Reservoir Cleanout Program – Big Tujunga Reservoir

RE: Reservoir Cleanout Program – Big Tujunga Reservoir

Regarding the 'high value' sediment material to be separated and stockpiled on site until removed (trucked out):
1. Is this not a removal of resources issue with the National Forest? 1
2. 'Minimized' number of truck trips transporting this 'high value' material down from the dam means exactly what? 2
3. How will the 'high value' be determined, and will the County be compensated 'high value' in exchange? 3
4. Why are the impacts to Arroyo Toads and other life-forms downstream considered insignificant?
5. Why are the impacts to Arroyo Toads and other life-forms downstream (considered insignificant) not addressed in this document EXCEPT to say that this document does not address these issues? 4
5a. The sediment needs of the arroyo toad will not even be discussed until after this project is completed (five years or more hence) if discussed at all?

I believe the IS/MND is inadequate and a full Environmental Impact Study/Report is required. 5

Nobody
Sunland resident
nobodys.bizness@yahoo.com
818.352.8764

nobody knows, nobody cares, nobody does anything; just ask

Letter 11: Sunland Resident

Comment Letter Dated June 21, 2013

Resident-1 The LACFCD appreciates receipt of Sunland Resident (Resident) comment letter, dated June 21, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

Subsequent to the completion of the IS/MND, the LACFCD and USFS determined that the environmentally superior and more cost-effective method of beneficially reusing the rocks/aggregate from the excavated sediment would be to limit their transport and use to within the Forest boundaries, rather than to aggregate processors outside of the Forest. In the first year of sediment removal only, aggregate material would be stored at the stockpile area west of Maple Canyon SPS and would be available for use by both the Public Works' Flood Maintenance (FMD) and Road Maintenance Divisions (RMD) for routine maintenance activities that are unrelated to the BTR Sediment Removal Project. In subsequent years, all sediment (including aggregate material) removed from BTR would be deposited with the sediment within Maple Canyon SPS.

Resident-2 The commenter's quoted text is not verbatim from the Draft 2013 IS/MND. As stated on Page 4-107 of the IS/MND, the analysis assumed that during the storm season, approximately 28 round-trip truck trips would occur each day to transport crushed rock materials from the Project site to aggregate processors or other approved site permitted to accept/process such materials. As discussed in Response Resident-1, above, in the first year of sediment removal only, aggregate material would be stored at the stockpile area west of Maple Canyon SPS and would be available for use by both the Public Works' Flood Maintenance (FMD) and Road Maintenance Divisions (RMD) for routine maintenance activities that are unrelated to the BTR Sediment Removal Project. In subsequent years, all sediment (including aggregate material) removed from BTR would be deposited with the sediment within Maple Canyon SPS. Beneficial reuse within the Forest would also eliminate the estimated 28 round-trip truck trips per day through residential neighborhoods to aggregate processors outside the Forest.

Resident-3 The LACFCD's goal of beneficially reusing aggregate materials is in response to community feedback provided through the preparation of the LACFCD's Sediment Management Strategic Plan, which sets forth guidelines for sediment management in flood control facilities throughout Los Angeles County. The LACFCD will not be reimbursed for the beneficial reuse of any aggregate materials, or the costs associated with transporting the materials within the Forest.

Resident-4 Since this comment was made, additional focused surveys for arroyo toad were conducted, as described in Section 4.4.1 of the Revised and Recirculated IS/MND. As discussed in Section 4.4.1, the arroyo toad does not occur downstream of the Dam (see 2016 focused survey for arroyo toad in Appendix B-3). Additionally,

LACFCD conducted a protocol focused survey for arroyo toad along Big Tujunga Creek from Big Tujunga Dam downstream to Hansen Dam; no arroyo toad were observed during the survey (BonTerra Consulting 2010). Arroyo toad is believed to be extirpated downstream of Big Tujunga Dam. Dewatering is not expected to impact arroyo toad. Sediment removal activities that could affect the arroyo toad upstream of BTR discussed in Section 4.4.2 of the Revised and Recirculated IS/MND. MM BIO-5 (Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND) provides avoidance and minimization measures that would mitigate impacts on arroyo toad to less than significant.

As discussed above, the arroyo toad is considered extirpated downstream of the dam, as such, there would be no sediment needs of this species downstream of the dam. Section 4.4.1 of the Revised and Recirculated IS/MND describes the biological resources (i.e., "life forms") downstream of the dam, including vegetation types, flora, and fauna. Tables 4-5 and 4-6 list the potential for special status plant and wildlife species to occur in the Project study area. Jurisdictional resources and wildlife movement are also discussed. Section 4.4.2 of the Revised and Recirculated IS/MND describes impacts on these biological resources while Section 4.4.3 of the Revised and Recirculated IS/MND includes mitigation for those impacts found to be significant. With implementation of these mitigation measures, impacts on biological resources would be considered mitigated to less than significant.

Resident-5 The LACFCD, as lead agency, has authorized the preparation of the IS/MND pursuant to CEQA. The IS/MND indicates that, while the Project would have environmental impacts, modifications and/or mitigation measures have been incorporated into the Project to reduce its potentially adverse impacts to levels considered less than significant (State CEQA Guidelines, Section 15070). As such, an IS/MND is the appropriate environmental document because the proposed Project would not result in any significant unavoidable impacts after mitigation.

GRUBB_2

From: Rick Grubb <nobodyslaw@yahoo.com>
To: reservoircleanouts <reservoircleanouts@dpw.lacounty.gov>
Date: 6/26/2013 3:08 PM
Subject: Big Tujunga Dam Sediment removal project IS/MND comment

from,
Ricky Grubb
Naturalist and Photographer
Sunland Tujunga

Using a MND is inappropriate absent mitigation of significant impacts sediment removal (and chosen transport methods) have done to Arroyo Toads in Sunland's portion of the Big Tujunga River Wash where they were first discovered, formerly final designated Arroyo Toad critical habitat unit 7a.

The US FWS, in the listing of Arroyo Toads' critical habitat cited sediment removal as the largest threat to Arroyo Toads' survival, and singled out Big Tujunga dam sediment transport policy as the demise of critical habitat (subunit 7a) for Arroyo Toads in my community, (Sunland, CA where they were first discovered).
Agency, in this IS//MND failed to discuss the role of sediment removal and sediment balance downstream, on Arroyo Toads' survival in Sunland. 1

Without releasing any sand or gravel, the extinction of arroyo toads in Sunland has not been reduced to less than significant levels, (a problem easily addressed by releasing merely 10% of the high quality sand and gravel contained in the sediment into the river below the big Tujunga dam). 2

Without properly addressing and mitigating the sediment removal impacts on our Arroyo Toad, CEQA requires the use of an EIR as opposed to an IS/MND, or CEQA requires ALL of a projects' impacts be disclosed and if they cannot be avoided or reduced to below a "significant" level, that an EIR be produced for a project, not an MND!

While the agency (LACFD) discusses the need to remove sediment at great length, no discussion is made as to the significant effects removal of sediment has on survival of the Arroyo Toads in Sunland (where they were first discovered), and the demise of critical habitat subunit 7a.
Failure of a project to reduce significant impacts requires an EIR. This IS/MND only avoids discussion of the extinction of Arroyo Toads in Sunland. 3

Sediment transport via "sluicing", in stream channels, was utilized here in Sunland's stretch of the Big Tujunga river for many years, and was the 4

preferred; (indeed the only) means of sediment transport dam operations employed for the removal of the accumulated dirt that was cleaned out from behind the Big Tujunga Dam from 1940 to 1969.
Arroyo Toads flourished here during that period, they have since been (nearly) extirpated from here due to the loss of sandy rills and sand banks they need in the river channels to survive. The operations of the Big T. dam have scoured these from the riverbed, and removal of this sediment via truck/other means is depriving the river of the material to replenish these riverbed structures, and the recovery of the Arroyo Toads here in Sunland has been precluded until the sand and sediment is returned. 4 cont.

Please explain how the sediment removal 20 year plan overall, and the sediment plans for the Big Tujunga wash in particular, will address the recovery of sand bars and sandy rills (formerly) critical habitat subunit 7a Arroyo Toads to Sunland and other riverbeds similarly impacted by LACFCD dam high flows and subsequent sediment removal activity over the next 20 year period. 5

Ricky Grubb Sunland resident & (formerly) the environmental rep on the SunlandTujungaNC board.

Letter 12: Rick Grubb (2)

Comment Letter Dated June 26, 2013

Grubb(2)-1 The LACFCD appreciates receipt of Mr. Rick Grubb (Grubb[2]) second comment letter, dated June 26, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

The LACFCD, as lead agency, has authorized the preparation of the Revised and Recirculated IS/MND pursuant to CEQA. The Revised and Recirculated IS/MND indicates that, while the Project would have environmental impacts, modifications and/or mitigation measures have been incorporated into the Project to reduce its potentially adverse impacts to levels considered less than significant (State CEQA Guidelines, Section 15070). As such, an IS/MND is the appropriate environmental document because the proposed Project would not result in any significant unavoidable impacts after mitigation.

Since this comment was made, additional focused surveys for arroyo toad were conducted, as described in Section 4.4.1 of the Revised and Recirculated IS/MND. As discussed in Section 4.4.1, the arroyo toad does not occur downstream of the Dam (see 2016 focused survey for arroyo toad in Appendix B-3). Additionally, LACFCD conducted a protocol focused survey for arroyo toad along Big Tujunga Creek from Big Tujunga Dam downstream to Hansen Dam; no arroyo toad were observed during the survey (BonTerra Consulting 2010). Arroyo toad is believed to be extirpated downstream of Big Tujunga Dam. Dewatering is not expected to impact arroyo toad. Sediment removal activities that could affect the arroyo toad upstream of BTR discussed in Section 4.4.2 of the Revised and Recirculated IS/MND. MM BIO-5 (Renumbered to MM BIO-4 in the Final Revised and Recirculated IS/MND) provides avoidance and minimization measures that would mitigate impacts on arroyo toad to less than significant.

As discussed above, the arroyo toad is considered extirpated downstream of the dam, as such, there would be no sediment needs of this species downstream of the dam. The absence of arroyo toads downstream of the dam is considered the baseline existing condition for evaluation of Project effects.

The 2005 Critical Habitat designation states that lands originally identified as critical habitat in 2001 along Subunit 7a (along Big Tujunga Creek downstream of the BTR) were excluded from the 2005 Critical Habitat because they are not known to be occupied (USFWS 2005). Consistent with this finding, the 2011 Revised Critical Habitat designation includes only areas upstream of the BTR (USFWS 2011). Upstream of BTR, the sediment removal boundary was reduced to avoid impacts to the 2011 Revised Critical Habitat for arroyo toad.

Grubb(2)-2 Please refer to Response Grubb(2)-2, above, regarding the arroyo toad.

Regarding the issue of releasing sand or gravel downstream of the Dam, it is important to note that the 2009 Station Fire was an unusual event in that approximately 87 percent of the Big Tujunga Watershed was burned, resulting in unusually large sediment flows that reduced the BTR's capacity to accommodate future volumes of sediment. Sluicing and flushing methods require a balance of the right volume and flow velocity of water based on the amount, type, and gradation of sediment. Given the tremendous volume of sediment currently in BTR and the uncertainty of the volume and intensity of future storm runoff events, sluicing or flushing could cause harmful effects to the downstream species, habitat, water conservation, and recreation. Therefore, sediment disposal through sluicing is not an option at this time. LACFCD is considering the use of flow-assisted sediment transport as a method to pass sediment through the dam in the future, which may reduce the need for and/or frequency of future sediment cleanouts. As this is not part of the Proposed Action, it is not addressed in the Revised and Recirculated IS/MND.

Grubb(2)-3 Please see Responses Grubb_2-1 and Grubb_2-2, above.

Grubb(2)-4 Please see Responses Grubb_2-1 and Grubb_2-2, above.

Grubb(2)-5 The LACFCD has completed its Sediment Management Strategic Plan, which sets forth guidelines for sediment management in flood control facilities throughout Los Angeles County. This document sets for the LACFCD's commitment to evaluating the implementation of alternative means of sediment disposal, including sluicing where appropriate. The long-term management of sediment within the LACFCD facilities is beyond the scope of this Project.

Paul

From: Gaboon [mailto:gaboon@sbcglobal.net]
Sent: Tuesday, July 16, 2013 3:32 PM
To: Vizcarra, Edel
Cc: Tim Brick; Rebecca Latta; Cam Stone; Mike McIntyre; Graham Breakwell
Subject: Big Tujunga Reservoir Sediment Removal Project MND: Photos of what will be destroyed

Hi Edel & All,

Case in point with the DPW is their effort to expedite a Mitigated Neg Dec under CEQA to permit destroying what remains of Maple Canyon on USFS land within Angeles National Forest. See the DPW e-mail copied below, dated yesterday (15 July 2013). With apologies for this lengthy e-mail, I think the MND that is marching towards approval should be brought to your attention.

The USFS has a parallel EA in process for the proposed DPW sediment dumping project that would bury the remaining "Friar Tuck" upper fringe of significant oak woodland and old-growth chaparral between the current Sediment Placement Site (SPS) and the edge of the severely denuded burn zone. In vast areas above the Maple Canyon SPS much of the native vegetation was burned away in the Station Fire. 1

On 14 June 2013 Rob and I hiked around Maple Canyon. W discovered for ourselves that the remnant habitat above the current SPS supports a great variety of native flora and fauna:

Numerous resident and migratory birds are present at the site, including, but limited to, at least one large covey of California quail (Callipepla californica) that we saw and heard during our visit; highly social flocks of tiny bushtits (Psaltriparus minimus) gleaning insects among the dense foliage; oak titmouses (Baeolophus inornatus); yellow-rumped warblers (Setophaga coronata); wrens including one Bewick's wren (Thryomanes bewickii) I saw among the toyons; acorn woodpeckers (Melanerpes formicivorus); I also saw one foraging California thrasher (Toxostoma redivivum); several hummingbirds, including Anna's (Calypte anna) and Costa's (Calypte costae); owls (as evidenced by owl pellets on the site), and a Cooper's hawk (Accipiter cooperii). 2

There is what appears to be a Western grey squirrel (Sciurus griseus) stick nest in one of the trees. (Western Grey Squirrels are in decline and designated a federal "Species of Concern" largely due to habitat loss.) I also heard Merriam's chipmunk (Tamias merriami) "chipping" calls and California tree frogs (Pseudacris cadaverina) "quacking." 3

Bobcat (Lynx rufus) tracks cross the margin of the heavily vegetated slopes where burrows of Botta's Pocket Gopher (Thomomys bottae) were evident. (Pocket gophers and California ground squirrels are favorite prey for bobcats.) 4

Many butterflies, including pale swallowtails (Papilio eurymedon), small blues (Subfamily Polymmatinae), variable checkerspot (Euphydryas chalcedona), mourning cloaks (Nymphalis antiopa) and others, were observed. I suspect that Northern three-lined rosy boas (Lichanura orcutti) as well as other snakes (Southern Pacific rattlesnake, gopher snake, two-striped gartersnake, California striped racer, and California kingsnake) may be found on the site along with salamander species living in the deep duff under shrubs and trees. 5 6

Several Our Lord's Candle (Yucca whipplei) were in bloom among the chaparral that is dominated by thick-leaved yerba santa (Eriodictyon crassifolium) and chamise (Adenostoma fasciculatum) on the more arid, south facing slopes. Coast live oak (Quercus agrifolia), canyon live oak (Quercus chrysolepsis), and large scrub oaks (Quercus berberidifolia) grow among numerous shrubs on the more verdant north-facing slope, with a portion of that area still recovering from Station Fire damage. See photos below for samples of the vegetation we observed. 7

Point is, after the Station Fire, the transitional California Montane Chaparral and Woodland zone at the top of Maple Canyon has become a valuable refuge and genetic resource for gradual repopulation and recovery of the higher elevation slopes surrounding the canyon that were burned away in 2009. Yet the DPW has not acknowledged nor sufficiently documented these species in its superficial MND project plan. Because the public and organizations do not have easy access to the site, this incredible, if remnant, resource has gone unnoticed. And, if the DPW has its way, will soon be "removed" and/or buried. Unfortunately, the BonTerra reports in the latest Initial Study / Mitigated Negative Declaration (MND) for Maple Canyon and vicinity do not reflect the biodiversity nor acknowledge its now high regional value. 8 9

Also, the current sediment that fills what was once a beautiful and biodiverse canyon remains a wasteland with a dirt road in it... in spite of what appears to be irrigation and the planting of a few trees on the lower graded levels. The ground is still largely bare except for foreign, flammable, weeds and grasses that the DPW must frequently "weed-whack" to keep under control. 10

Furthermore, sediment removed from Big Tujunga Reservoir is trucked uphill into Maple Canyon, meaning that eventually gravity will bring that un-vegetated sediment back down to once again enter Big Tujunga Creek drainage. 11

There is great concern that the federal owner of the land, the U.S. Forest Service, while opposing further sediment dumping in Angeles National Forest, may approve renewing a permit for the project if there is no vociferous objection from the public or conservation organizations. Unfortunately, Maple Canyon is located out of public view behind locked gates and well below Angeles Forest Highway. Very few visitors know what is there, so no one has spoken up on behalf of what is still flourishing on the site. Furthermore, when a large portion of adjacent canyon has been adversely impacted by the sediment infill, it is often asserted that any remnant woodland is "disturbed" and no longer "pristine," which, in turn, justifies destroying what has survived. 12 13 14

If the DPW successfully fills in the rest of the canyon, this destructive project will set a bad precedent that will affect other sediment projects in the region, making it procedurally easier to eliminate existing habitat. After Maple Canyon is obliterated and endangered fish put at risk by "dewatering" Big Tujunga Reservoir, the DPW will move on to Pacoima Reservoir clean-out, Hahamongna Watershed Park, and Cogswell / Devil's Canyon Dam. In the end, I believe La Tuna Canyon (where massive oaks have been tagged for removal) is still on the DPW's radar as the dept. runs out of places to dump. What will get filled in next after all the canyons and basins are gone? That question is the reason the DPW does not wish to look farther into the logical future where sediment inevitably accumulates again, but there are no more wild places to destroy. Long delayed maintenance becomes a self-fulfilling "emergency" used to justify the next dumping location. When will it stop and what wild lands will be left? It is far better to stop this cycle now, while there is still habitat worth saving. 15 16 17

While at the top of Maple Canyon SPS, I took a few photos of the late spring wildflowers and tremendous diversity of life that still exists there. I could not "bushwhack" up the densely vegetated slope, but I did hike along the margins of the "native habitat zone." See some of those images attached. The light was harsh for photography that day and I am not a professional photographer; however, these photos prove that the rim of the canyon supports abundant habitat. Seeing the SPS in person makes one reflect about what once existed below all the current sediment. That natural and extensive Maple Canyon is tragically gone forever. 18

The USFS needs to hear from all those who recognize the worth of Maple Canyon. If the USFS rightly refuses to issue a permit to fill up Maple Canyon with sediment based on the "significant changes" caused by the Station Fire, the DPW will not be allowed to dump and destroy the hillsides there. This will force the DPW to seriously consider long overdue, innovative alternatives which factor in the high cost of replenishing beaches while concurrently trucking sand and fine gravel back up into the mountains, also at high cost. As Rob stated, this is an illogical, Sisyphean task. 19

I thought it important for you to know what is out-of-sight, but vibrantly still alive, at the top of Maple Canyon. All that grows and depends upon that site is in peril... along with the recovery of the surrounding burned mountains and watershed.

Thank you for your interest in this next "Arcadia oak wasteland" in the making. If the beautiful and beloved oaks and sycamores in Arcadia were so easily toppled for no reason (since that SPS site received no sediment from Santa Anita Dam), then unknown Maple Canyon seems doomed. Immediate steps need to be taken to oppose the Mitigated Neg Dec that is in progress and to encourage the USFS to deny the permit for the DPW to proceed. 20

Bear in mind that this e-mail does not address the additional threat the current DPW MND sediment project poses to the highly endangered, federally listed Santa Ana Sucker (Catostomus santaanae), the Santa Ana Speckled Dace (Rhinichthys osculus), and the Arroyo Chub (Gila orcutti) fishes, all California Species of Special Concern (CSSC); as well as the Western Pond Turtle (Emys marmorata), which is also a CSSC and in catastrophic decline over 80% of its former range. The risk to those species is a topic for subsequent e-mail. 21

Respectfully,
Lori

_____
Lori L. Paul
Robert L. Staehle

Letter 13: Lori Paul

Comment Letter Dated July 16, 2013

Paul-1 The LACFCD appreciates receipt of Ms. Lori Paul (Paul) comment letter, dated July 16, 2013. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

This comment discusses the Project's impact on Maple Canyon SPS, which is on USFS land, and that the USFS is in the process of preparing an Environmental Assessment (EA) pursuant to NEPA for this Project. This information is accurate.

As shown in Table 4-14, the Project would impact 3.83 acres of scrub oak chaparral and 2.49 acres of chamise chaparral in Maple Canyon SPS. Following the Project, 20.97 acres of scrub oak chaparral and 20.15 acres of chamise chaparral. This represents an impact of 17 percent of the scrub oak chaparral and 11 percent of the chamise chaparral mapped in the Project study area; 83 percent of scrub oak chaparral would remain and 89 percent of chamise chaparral would remain. Additionally, following the project, the area where sediment is placed would be revegetated with native species planted from locally collected seed. A Revegetation Plan has been prepared by the USFS for Maple Canyon SPS and includes performance criteria that the site will be required to meet. Therefore, the impact to these chaparral vegetation types/habitats would be temporary. It should be noted that the Project study area also include 4.53 acres of thick leaf yerba santa scrub, 2.62 acres of chamise chaparral-thick leaf yerba santa scrub, 1.35 acre of hoary leaf ceanothus chaparral, and 61.26 acres of birch leaf mountain mahogany chaparral that would not be impacted by the Project. A total of 110.88 acres of chaparral vegetation types within the Project study area (i.e., immediately adjacent to the impact area that would not be impacted by the Project) and would be available for wildlife to use throughout the Project. The Project is also surrounded by the Angeles National Forest, of which, chaparral vegetation types are a large component. Southern California National Forests (i.e., Angeles, Cleveland, Los Padres, and San Bernardino) support more than 830,000 acres of chaparral (USFS 2005). As evaluated in Section 4.4.2 of the Revised and Recirculated IS/MND, the loss of chaparral communities due to Project implementation relative to the availability of this vegetation would be considered less than significant.

The comment regarding the "the severely denuded burn zone" from the Station Fire (August 2009) was more relevant at the time the comment letter was prepared. As of the recirculation of the Revised and Recirculated IS/MND, over 12 years have passed since the Station Fire, allowing the burned habitat to recover. Because chaparral is a fire-adapted habitat that thrives best when burned approximately every 30 years, many of the shrubs are adapted to fires and recover by "crown sprouting" (sprouts grow from the burned trunks/roots) following fire, allowing this habitat type to recover relatively quickly from fires. Additionally, the seeds of many chaparral species germinate following fires. Vegetation mapping was updated in 2017, which was 8 years after the Station Fire and thus reflects its post-fire conditions. Therefore, this portion of the

comment is no longer relevant due to the passage of time and the natural recovery of the habitat.

Paul-2 Section 4.4.1 of the Revised and Recirculated IS/MND gives a representative list of common bird species that were observed in the Project study area during surveys. Each general and focused wildlife survey report included in the Appendices lists all plants and wildlife observed during surveys (see Appendices B-1, B-3, B-4, B-5, B-6, B-7, and B-8). The species mentioned in this comment were all noted as being observed in the study area in either the Revised and Recirculated IS/MND and/or the compendia of species noted during the focused surveys. None of the species mentioned in this comment are listed as special status.

Paul-3 The federal "Species of Concern" list, to which the commenter refers, is no longer maintained by the USFWS. The Special Animals list is a list of all species currently considered special status by the USFWS, the CDFW, the USFS, the Bureau of Land Management, and other conservation organizations. The western gray squirrel is not listed on the most recent Special Animals list (October 2021; CDFW 2021). The western gray squirrel was also not listed on the USFS' most recent list for the Angeles National Forest Threatened, Endangered, Proposed, Candidate, and Forest Service Sensitive Plants and Animals Which May Occur Within the Angeles National Forest, Los Angeles and San Bernardino Counties, California (USFS 2013).

Paul-4 Section 4.4.1 of the Revised and Recirculated IS/MND provides a representative list of common amphibian and mammal species observed in the Project study area. Each general and focused wildlife survey report included in the Appendices lists all plants and wildlife observed during surveys (see Appendices B-1, B-3, B-4, B-5, B-6, B-7, and B-8). Most of the species mentioned in this comment are listed as either observed or expected to occur in the Project study area. None of the species mentioned in this comment are listed as special status.

Paul-5 Section 4.4.1 of the Revised and Recirculated IS/MND included only an evaluation of special status invertebrate species with potential to occur in the Project study area. The Crotch bumblebee, which was recently proposed for State listing, was determined to have potential to occur. All of the species listed in the comment are common species that would be expected to occur. The minor loss of the habitat associated with sediment placement within Maple Canyon SPS (of which 5.23 acres are already developed) would not substantially reduce the population or habitat of these common species within the regional context of the Angeles National Forest. See Response Paul-1, above.

Paul-6 Section 4.4.1 of the Revised and Recirculated IS/MND gives a representative list of common reptile species observed in the Project study area. Each general and focused wildlife survey report included in the Appendices lists all plants and wildlife observed during surveys (see Appendices B-1, B-3, B-4, B-5, B-6, B-7, and B-8). Many of the reptile species mentioned in the comment may occur in the Project study area. The minor loss of the habitat associated with sediment placement within Maple Canyon SPS (of which 5.23 acres are already developed) would not substantially reduce the population or habitat of these common species within the regional context of the Angeles National Forest. See Response Paul-1, above. The northern three-lined boa is addressed in Table

4-6; this species is not expected to occur because it is not historically known from the area. MM BIO-8 (Renumbered to MM BIO-7 in the Final Revised and Recirculated IS/MND) would relocate two-striped garter snakes to outside the work area before work begins.

Paul-7 Section 4.41 of the Revised and Recirculated IS/MND describes the dominant plant species in each vegetation type. The species noted in the comment are listed to describe the upland habitats in the Project study area. See Response Paul-1, above, regarding damage from the Station Fire.

Paul-8 See Response Paul-1, above, regarding damage from the Station Fire.

Paul-9 As discussed in Response Paul-2 through Response Paul-7, above, the Revised and Recirculated IS/MND has addressed these species according to the requirements of CEQA. The various biological studies and reports included in Appendix B of the Revised and Recirculated IS/MND have been prepared in compliance with CEQA, and all relevant information has been reported in accordance with accepted scientific and technical standards that are consistent with the requirements of the USFWS and the CDFW.

Regarding the issue of "public and organizations" having access to the Maple Canyon SPS, as discussed in Section 2.3 of the Revised and Recirculated IS/MND, Maple Canyon SPS is designated as a sediment placement location per the USFS Land Management Plan. The facility is gated, and public access is purposefully restricted to minimize potential for injuries, as well as to minimize opportunities for vandalism and illegal dumping. Regarding the "resource (going) unnoticed", this site has been in operation as an SPS since 1981 and its operation was permitted by the USFS, the USFWS, the USACE, the CDFW, and the RWQCB.

Paul-10 The USFS has included a requirement to revegetate Maple Canyon SPS as a requirement of the Special Use Permit (MM LUP-1). The Revegetation Plan has been drafted by the USFS and would be implemented by LACFCD to the satisfaction of the USFS, as required by the Special Use Permit.

The Revegetation Plan for Maple Canyon includes the following: responsible parties; schedule; methods for site preparation, seeding/planting, and maintenance; performance standards; remedial measures; maintenance monitoring; oak and native tree requirements (including San Gabriel oak); and rare plant requirements. If use of the Maple Canyon SPS is required for future projects, revegetation activities would be in accordance with the requirements of the Special Use Permit and/or future amendments to be approved by the USFS.

Paul-11 The Maple Canyon SPS facility has been designed to ensure that the sediment remains in place. As described on page 4-64 of the Revised and Recirculated IS/MND Regulatory Requirement (RR) GEO-1 requires that grading, excavation, and earthwork shall comply with the County Code (Appendix J of Title 26, Building Code), as they relate to excavations; fills; drainage and terracing; slope planting and erosion control; and other pertinent standards to prevent general hazards and flood hazards on and near areas proposed for ground disturbance. The filling operations would be made within terraces

with slopes designed to limit erosion and drain lines with drop inlets would be installed at regular intervals to intercept runoff flows and to reduce runoff velocity and the potential for erosion.

Paul-12 As discussed on page 2-6 of the Revised and Recirculated IS/MND, Maple Canyon SPS is designated as a sediment placement location per the USFS Land Management Plan. The proposed sediment removal activities would also not conflict with the strategic goals in the Forest Plan, as they relate to community protection, forest health, invasive species, outdoor recreation, energy resources, watershed conditions, and the mission of the U.S. Department of Agriculture. The Project would support the watershed functions of the Angeles National Forest, which is a beneficial impact.

Paul-13 As discussed in Response Paul-9, above, the Maple Canyon SPS facility is gated and public access is purposefully restricted to minimize potential for injuries, as well as to minimize opportunities for vandalism and illegal dumping. The LACFCD has hired qualified biological consultants to independently evaluate the resources present in the Project study area. Reports written by the consultants are reviewed by Biologists at the USFWS, the CDFW, the RWQCB, and/or the USFS, as applicable, and are included in Appendix B. The Biologists hold permits qualifying them to conduct surveys and also binding them to reporting the results of special status species observed during the surveys.

Paul-14 As stated in Table 4-14 of the Revised and Recirculated IS/MND, approximately 5.23 acres are categorized as "Developed" within the total 29.67 acres of impact within Maple Canyon SPS. However, the presence of developed areas does not alter the assessment of any biological resources adjacent to these areas. Neither the Revised and Recirculated IS/MND nor the associated Appendix B technical reports include descriptions of vegetation communities or jurisdictional resources that were diminished in value due to their location near developed areas. However, it is important to note that CEQA mandates that an environmental analysis consider a project's impacts in comparison to the existing conditions of the Project study area, not historic conditions. See also Response Paul-1, above.

Paul-15 Continued use of Maple Canyon SPS would not be precedent setting. As discussed in Section 2.3 of the Revised and Recirculated IS/MND, Maple Canyon SPS is designated as a sediment placement location per the USFS Land Management Plan and has been operating as a sediment placement site since 1981. Additionally, procedures to obtain project approvals and permits for all issues have become increasingly complicated, and it can take many years to get through the planning, approval, and permitting process. The LACFCD has completed its Sediment Management Strategic Plan, which sets forth guidelines for sediment management in flood control facilities throughout Los Angeles County. This document establishes the LACFCD's commitment to evaluating alternative means of sediment disposal, including sluicing where appropriate.

Paul-16 Potential impacts on the Santa Ana sucker were evaluated in Section 4.4.2 of the Revised and Recirculated IS/MND with supporting documentation in Appendix B-5 and B-9. With implementation of MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND), the Project's effect on the Santa Ana sucker would be less than significant. Additionally, a Biological Opinion (BO) must be obtained from the

USFWS prior to the initiation of the Project; the BO will not be granted by the USFWS unless they determine that the Project would not jeopardize the species.

Regarding other flood-control facilities, the LACFCD's primary objective is to provide flood protection and water conservation within its boundaries, which includes over 3,300 miles of underground storm drains, 27 sediment placement sites, 172 debris basins, 27 spreading facilities and 14 major flood-control dams and reservoirs. Operation and maintenance activities at these facilities are critical to ensuring the protection of downstream land uses from flood events. LACFCD complies with CEQA and obtains regulatory permits for activities as required.

Paul-17 As previously discussed, the LACFCD has completed its Sediment Management Strategic Plan, which sets forth guidelines for sediment management in flood-control facilities throughout Los Angeles County. This document establishes the LACFCD's commitment to evaluating alternative means of sediment removal and disposal, including sluicing where appropriate. Specifically, for the Big Tujunga Reservoir and Dam, the LACFCD is engaged in ongoing discussions with the USFS, the USFWS, and the CDFW regarding ways to safely allow the passage of sediment through the Big Tujunga Reservoir Dam via flow-assisted sediment transport, which may reduce the need for and/or frequency of future sediment cleanouts. It should be noted that the FAST'ing method for future cleanouts is pending discussions and approval by the regulatory agencies. At this time, the said agencies do not approve of this method.

Regarding the comment referring to "long delayed maintenance", it is important to note that the 2009 Station Fire was an unusual event in that approximately 87 percent of the Big Tujunga Watershed was burned, resulting in very large sediment flows that reduced the Reservoir's capacity to accommodate future volumes of sediment. Sluicing and flushing methods require a balance of the right volume and flow velocity of water based on the amount, type, and gradation of sediment. Given the volume of sediment currently in BTR and the uncertainty of the volume and intensity of future storm runoff events, sluicing or flushing could cause harmful effects to the downstream species, habitat, water conservation, and recreation. Therefore, alternative means of sediment disposal through sluicing are not an option at this time. Further, the Revised and Recirculated IS/MND is addressing the Project being planned as a non-emergency action to fully address the current status of the Big Tujunga Reservoir and Dam, due to the 2009 Station Fire, and to restore capacity to this facility. The LACFCD-owned property at La Tuna Canyon is not a component of the Project addressed in the Revised and Recirculated IS/MND, nor does the LACFCD currently have plans to utilize the La Tuna Canyon site as a sediment placement location.

Without sluicing as an option, another alternative for the project would be truck excavated material out of Forest Service lands. An initial evaluation of this option showed that it would have more potentially significant environmental impacts such as to air quality, traffic, etc.

Paul-18 The loss of 20.46 acres of native sage scrub/chaparral (14.14 acres of laurel sumac scrub, 2.49 acres of chamise chaparral, 3.83 acres of scrub oak chaparral) would be adverse but would be less than significant when compared to the 830,000 acres of chaparral present in Southern California forests. The significance of an impact, as

defined by CEQA, is based on the context of the loss (how much of the habitat is remaining in the Project region) and the thresholds of significance established by the Lead Agency and the regulatory agencies. It is important to note that CEQA mandates that an environmental analysis consider a Project's impacts in comparison to the existing conditions of the project study area, not historic conditions.

Paul-19 See Response Paul-1, above, for a discussion of the 2009 Station Fire. See Response Paul-17, above, for a discussion of the Sediment Management Strategic Plan completed by the LACFCD, which discusses beach nourishment.

Paul-20 See Response Paul-1, above, for a discussion of the 2009 Station Fire.

Maple Canyon SPS is designated as a sediment placement location per the USFS Land Management Plan and has been operating as a sediment placement site since 1981. The design for Maple Canyon SPS is based on Public Works' Hydraulic Design Manual standards and incorporates features to reduce erosion. When considering the potential options for sediment placement from BTR, initial evaluation determined that the continued use of the adjacent Maple Canyon SPS would have potential environmental impacts that could be mitigated to a less than significant level. The other feasible alternative, trucking the sediment out of the forest and through local neighborhoods to an alternate placement site, would have more potentially significant impacts pertaining to air quality and traffic.

Paul-21 Impacts on the Santa Ana sucker, Santa Ana speckled dace, arroyo chub, and western pond turtle were evaluated in Section 4.4.2 of the Revised and Recirculated IS/MND. MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) provides measures to protect the Santa Ana sucker, arroyo chub, and Santa Ana speckled dace. MM BIO-7 (Renumbered to MM BIO-6 in the Final Revised and Recirculated IS/MND) provides measures to protect western pond turtles. Each of these measures includes pre-construction surveys and relocation of the species out of harm's way prior to the initiation of Project activities. As mentioned above, a BO must be obtained from the USFWS prior to the initiation of the Project; the BO will not be granted by the USFWS unless they determine that the Project would not jeopardize the Santa Ana sucker.

Additionally, LACFCD has prepared a Draft HCP for the long-term operation and maintenance of Big Tujunga Dam. The HCP's Covered Species are Santa Ana sucker, arroyo chub, Santa Ana speckled dace, arroyo toad, western pond turtle, least Bell's vireo, southwestern willow flycatcher, and western, yellow-billed cuckoo[2]. The HCP would provide funding for habitat enhancement projects to benefit Covered Species over a 30-year permit term.

[2] Southwestern willow flycatcher and western, yellow-billed cuckoo have not been observed breeding in the HCP study area to date; however, there is suitable habitat, and they have potential to occur over the duration of the HCP.

3.2 COMMENTS ON THE REVISED AND RECIRCULATED DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

3.2.1 FEDERAL AGENCIES

One comment letter was received from a federal agency. The comment letter is listed below:

- United State Forest Service, Angeles National Forest (ANF)—October 23, 2021

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Letter 14: United States Forest Service, Angeles National Forest

Comment Letter Dated October 23, 2021

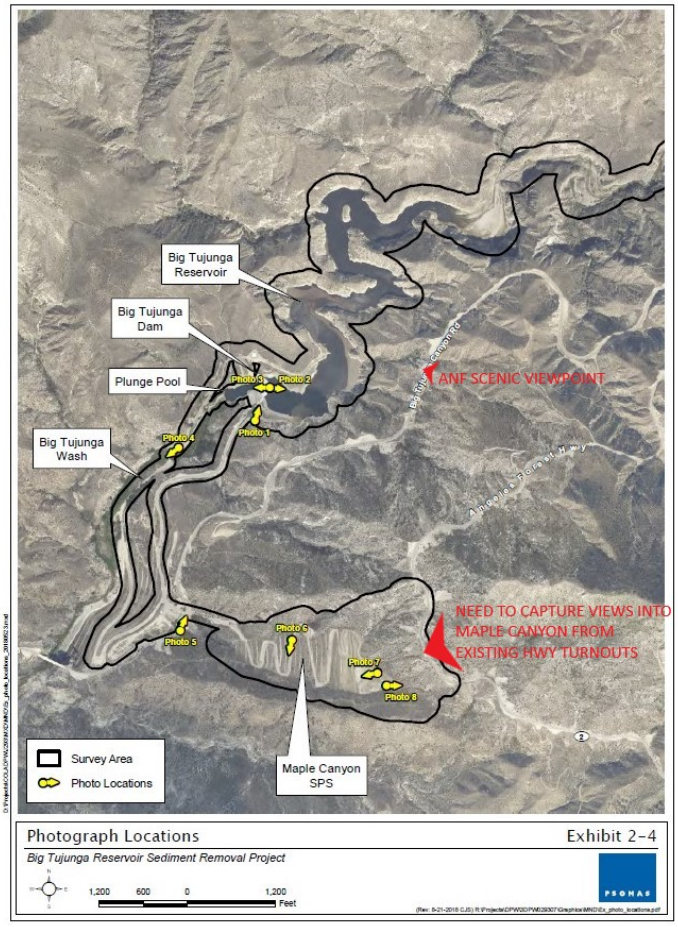
Please note, this letter includes both comments and responses.

The LACFCD appreciates receipt of the United States Forest Service, Angeles National Forest (ANF) comment letter, dated October 23, 2021. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended.

On-Site and Surrounding Land Uses

Comment ANF-1

Missing photo locations are depicted by the two red arrows. Project views need to be captured and analyzed from the Big Tujunga Scenic Viewpoint that looks directly into the Reservoir, and from the turnouts along Angeles Forest Highway that are above the Maple Canyon sediment placement site.



Response ANF-1

The comment is noted and will be forwarded to the decision makers. A detailed analysis of potential visual impacts of the Project is included in Section 4.1, Aesthetics, of the Revised and Recirculated Draft IS/MND. Exhibits 2-4, 2-4A, and 2-4B of the Draft Revised and Recirculated IS/MND provide eight site photographs of views characteristic of the Project site and Project area. The discussion acknowledges views of the upstream side of the dam into the BTR from the Scenic Viewpoint along Big Tujunga Canyon Road, as identified in the comment. The discussion does indicate that the views would be available only to persons who make a stop at the Scenic Viewpoint along the road, otherwise the site would be minimally visible to drivers on the Big Tujunga Canyon Road due to the lower elevation of the BTR; the curved alignment of Big Tujunga Canyon Road in the vicinity of the BTR; and the intervening vegetation and topography. It should also be noted that the BTR has always been visible from this particular viewpoint in the existing condition. The modified condition (i.e., during sediment removal and placement activities) would include the presence of trucks, equipment, and workers at the BTR and Maple Canyon SPS, which is a temporary condition. The Project activities are necessary to allow the BTR to adequately perform its main functions of flood control and water conservation. Sediment removal and placement are parts of the process. Implementation of the proposed Project cannot be avoided, as it would maintain the function of the BTR to provide for the safety of the public. Thus, given the necessity of the Project, sediment removal activities should be an accepted condition. Additionally, it should be recognized, as discussed in Section 4.1, Aesthetics, of the Revised and Recirculated IS/MND, the removal of sediment is temporary in nature and would have less than significant impacts on scenic vistas and the visual character of BTR from the scenic viewpoint and from views along Big Tujunga Canyon Road, as identified in the comment. After completion of the Project and removal of the sediment, the bottom of the BTR would be covered by surface water and would return to its existing visual condition.

As shown in Exhibit 4-1, the U.S. Forest Service (USFS) does identify a scenic viewpoint at Big Tujunga Road. It should be noted that the commenter requested that views be captured and analyzed from a point further northeast than the scenic viewpoint identified by the USFS in Exhibit (i.e., "ANF Scenic Viewpoint" within comment letter). Additionally, as shown on Exhibit 4-1, the USFS does not indicate a scenic viewpoint at the location provided by the commenter (i.e., east of Maple Canyon SPS). In terms of views of the Maple Canyon SPS, they are only available to vehicular activity along a portion of the Angeles Forest Highway, which is located approximately 650 feet from the top of the eastern end of Maple Canyon SPS, as detailed on page 4-5 of the Draft Revised and Recirculated IS/MND. No direct views of the SPS are available as the SPS is located lower than the road. There are no designated hiking trails within, or public access to, Maple Canyon SPS or BTR. It should also be noted that views of the sediment placement activities would be temporary, and upon completion, the revegetation plan to be approved by the U.S. Forest Service would restore biological function to the hillsides and reduce visual impacts, in addition to control erosion at the SPS.

Therefore, given the temporary nature of the activities and the necessity of the sediment removal the potential visual impacts would be less than significant.

Temporary Stockpile Staging Area

Comment ANF-2

This long-term impact is identified, yet the impacts are not addressed thoroughly enough nor mitigated enough to explain how they intend to meet the designated Forest Scenic Integrity Objectives (SIO) within the Project Area (which is a High SIO), in accordance with the Aesthetic Management Standards for this site:

Aesthetic Management Standards

S9: Design management activities to meet the Scenic Integrity Objectives (SIOs) shown on the Scenic Integrity Objectives Map.

S10: Scenic Integrity Objectives will be met with the following exceptions:

- Minor adjustments not to exceed a drop of one SIO level is allowable with the Forest Supervisor's approval.
- Temporary drops of more than one SIO level may be made during and immediately following project implementation providing they do not exceed three years in duration.

High Scenic Integrity: This classification provides for conditions where human activities are not visually evident. This refers to landscapes where the valued (desired) landscape character "appears" intact. Deviations may be present but must repeat the form, line, color, texture, pattern, and scale common to the landscape character. The landscape appears unaltered.

Sediment removal operations would also involve the onsite crushing and stockpiling of rock and gravel materials that are determined to be suitable for beneficial re-use within the Forest. During sediment removal activities, some large rocks would be set aside within the dewatered reservoir; processed/crushed to reduce the size of the rocks; and sorted by size for stockpiling of up to 28,000 cubic yards (cy). This activity may occur during each year of sediment removal activity. Once the aggregate has reached a volume of approximately 28,000 cy from the crushing process, the stockpiles would not be replenished. Aggregate material may be stored at the staging area west of Maple Canyon SPS (as shown on Exhibit 2-1) and would be available for future use by both Public Works' Stormwater Maintenance Division (SWMD) and Road Maintenance Division (RMD) for routine maintenance activities that are unrelated to the BTR Restoration Project. At the staging area, the aggregate would be arranged into 12 gravel cones, which would range in height, from approximately 14 to 41 feet, and in diameter, from 42 to 120 feet at maximum capacity. Exhibits 4-2A and 4-3A, Visual Simulation – Aggregate Stockpiles, in Section 4.1, Aesthetics of this IS/MND, depicts views of the proposed aggregate stockpiles from Big Tujunga Canyon Road. After the aggregate material stockpile has reached a volume of approximately 28,000 cy, all sediment (including aggregate material) removed from BTR would be deposited within Maple Canyon SPS. The stockpiles of aggregate would remain at the staging area until they are eliminated over time through various ongoing road and general maintenance activities. Because the rate at which the stockpiles will be used is unknown, and because the ultimate end-use of the aggregate material is not a part of this proposed Project, this Draft IS/MND considers the environmental impacts associated with the presence of the stockpiles on the Project site ***long term****.*

Response ANF-2

The comment regarding aesthetic management standards and the Scenic Integrity Objectives is noted and will be forwarded to the decision makers. The above-referenced discussion is not part of the analysis of visual impacts in Section 4.1, Aesthetics, of the Revised and Recirculated IS/MND, but rather, part of the Project Description (Section 3.0). Additional discussion and analysis are included in Section 4.1.

Regarding the aggregate stockpile, it should be noted that the discussion pertaining this issue was initiated by the USFS based on the notion that the aggregate materials should be maintained and used within the Forest. LACFCD will confirm the final stockpile size and location with the USFS prior to completion of the Project. Various options are currently being discussed and considered. The discussion and analysis in the Revised and Recirculated IS/MND are meant to assess the maximum potential impacts associated with the aggregate stockpile to provide California Environmental Quality Act (CEQA) clearance for the worst-case condition. Thus, any reduction in the height and size of the stockpile would reduce the potential visual impacts and be permissible under CEQA.

But it is noted that based on the initial discussions with the USFS, to maximize the volume of the aggregate materials within the stockpile, a mathematical formula, taking into account the radius of circle and the height of the cone, was used to determine the maximum height of the aggregate stockpile. As such, the height of 20 feet was not based on a hypothetical decision by the LACFCD. As indicated above, the final decision regarding the location and size of the stockpile will be confirmed with the USFS prior to completion of the Project.

Regarding aggregate reuse, based on initial discussions, the LACFCD and USFS determined that the reuse of rocks/aggregate from the excavated sediment and restriction of their use to within the Forest boundaries was the more environmentally superior and cost-effective method, when compared to transporting this material to aggregate processes outside of the Forest. Beneficial reuse within the Forest would eliminate the estimated 28 round-trip truck trips per day to aggregate processors outside of the Forest. Additionally, the aggregate would be placed at the stockpile area west of Maple Canyon SPS only during the first year of sediment removal. In subsequent years, all sediment and aggregate material removed from BTR would be deposited with the sediment within Maple Canyon SPS. As such, there would be no need for an aggregate haul route through Big Tujunga Canyon Road, Oro Vista Avenue, Foothill Boulevard, Wentworth Street, and Sheldon Street.

Additionally, it is noted that the Draft Revised and Recirculated IS/MND is a CEQA document. It is not a National Environmental Policy Act (NEPA) or a joint CEQA/NEPA document, as such compliance with the designated Forest Scenic Integrity Objectives (SIO) is not a requirement for the Project. It also needs to be recognized that a NEPA Environmental Assessment (EA) is being prepared or this Project. The EA will analyze the potential aesthetics impacts of the Project in light of the USFS significance criteria and thresholds.

Comment ANF-3

Why is 20 feet maximum a determining design factor that is supposed to help these piles seems less visible? Who came up with this seemingly arbitrary height limit and what is the rationale?

As provided in MM AES-1, LACFCD will ensure that the aggregate stockpiles located furthest to the west with the highest visibility from Big Tujunga Canyon Road be removed first. During the final year of sediment removal activities, whether or not activities last for the full five years, the LACFCD must ensure that all remaining stockpiles do not exceed a maximum height of 20 feet. If required in order to meet the 20-ft height restriction, the LACFCD must remove the necessary amount of aggregate from the stockpiles and deposit the aggregate within the Maple Canyon SPS prior to the conclusion of the Project activities. Implementation of MM AES-1 would ensure that impacts pertaining to visual character or quality of the surrounding area is less than significant.

Response ANF-3

Please refer to Response ANF-2, above.

Other Miscellaneous Improvements

Comment ANF-4

Why is there a boat dock installation taking place at the end of this Project, when it was already supposed to have happened in February 2012, as noted in Section 2.3.2. of the Project Proposal:

PROJECT BACKGROUND

In recent years, the Big Tujunga Dam was subject to substantial rehabilitation. The LACFCD commenced the Big Tujunga Dam Seismic Upgrade Project in April 2008 and completed it in February 2012…

The Seismic Upgrade project included rehabilitating and strengthening the dam... Outlet valves were replaced, and a new low-flow valve was added… Additional modifications included raising parapet walls; modifying the crest of the dam to function as an auxiliary spillway; installing a new dam control system; installing a boat dock; constructing a new control house and valve house; and installing a new emergency generator and fuel tank.

Also, it would be good to know that if it hasn't already been implemented, if this proposed boat dock design will be designed to meet the Forest Built Environment Image Guidelines (BEIG) and Scenic Integrity Objectives, since it will likely be visible from the Scenic Overlook that's located along Big Tujunga Road.

Other minor activities that would occur in conjunction with the proposed restoration activities include: (1) hydroblasting to flush a stilling well on the dam crest; (2) repair of the hydraulic sluicegate; (3) access road paving and repair of the culvert crossing; (4) slope protection measures adjacent to the spillway; (5) rehabilitating the northern access ramp to safely access the reservoir bottom; (6) installing a boat dock at the dam face; and (7) performing minor coring on existing dam riser and installing a slide gate to facilitate dewatering. These activities are described in more detail below.

On the existing access road downstream of the dam where the road crosses over the Big Tujunga Wash, a new concrete slab would be poured over the existing culvert crossing. This would be a one-time event that would occur before any large construction trucks/equipment would be

allowed to cross the culvert. Additionally, prior to sediment removal activities, per the requirements set forth in Mitigation Measure (MM) AQ-3, the Project requires the paving of approximately 2.15 miles of haul road behind the dam in order to reduce fugitive dust from truck trips.

As one of the miscellaneous activities, boat dock installation would take place either in the final year of cleanout or when final grade is achieved at the face of the dam. The installation would occur over two weeks using hand tools, truck for transporting materials, and possibly a loader. The activity would involve installing anchor assemblies (four total) at elevations of 2,142 and 2,294 feet; assembling boat dock; and fastening wire rope to lower anchor assembly, through the ring of boat dock, and to upper anchor assembly (both sides).

Response ANF-4

The comment regarding installation of the boat dock is noted and will be forwarded to the decision makers. It is acknowledged that installation of the boat dock was part of the *Big Tujunga Dam Seismic Upgrade Project*, which was completed in February 2012. However, a few components of the said project, including installation of the boat dock, were not completed as part of that project due to extenuating circumstances. Therefore, as installation of the boat dock is necessary for functioning of the BTRRP, the impacts of installation of the boat dock are also addressed in the Revised and Recirculated Draft IS/MND.

As stated on page 3-10 of the Revised and Recirculated Draft IS/MND, the boat dock installation would take place either in the final year of cleanout or when final grade is achieved at the face of the dam. The installation would occur over two weeks using hand tools, a truck for transporting materials, and possibly a loader. The activity would involve installing anchor assemblies (four total) at elevations of 2,142 and 2,294 feet; assembling boat dock; and fastening wire rope to lower anchor assembly through the ring of boat dock and to upper anchor assembly (both sides).

Regarding the design of the boat dock meeting the Forest Built Environment Image Guidelines (BEIG) and Scenic Integrity Objectives, the comment is noted and will be forwarded to the decision makers.

Aesthetics - Existing Conditions

Comment ANF-5

Technically true from passing vehicles, but there are multiple turnouts just above the Maple Canyon SPS where the public can stop and look into the SPS, and photographs need to be taken from these pullouts and analyzed for potential Project viewshed impacts.

BTR is located at the bottom of the canyon, north and west of Big Tujunga Canyon Road, and is minimally visible from transient vehicular traffic due to intervening topography and vegetation. Maple Canyon SPS is located in the hillsides, east of Big Tujunga Canyon Road, and is not visible from transient vehicular traffic along Big Tujunga Canyon Road due to intervening topography, tall trees, and vegetation, and is minimally visible from Angeles Forest Highway.

Response ANF-5

Please refer to Response ANF-1, above.

The comment is noted and will be forwarded to the decision makers. Upon initiating the CEQA process and the visual impacts analysis for the Draft Revised and Recirculated IS/MND, various photo locations points were considered by the LACFCD, and upon review of multiple locations, it was determined that the views identified on Exhibit 4-2, would best represent key vantage points from which "public views" of the Project site would be visible. It should also be noted that Exhibits 2-4, 2-4A, and 2-4B also provide eight photographs of views of the Project site that are characteristic of the site. Additionally, as shown on Exhibit 4-1 of the Draft Revised and Recirculated IS/MND, the USFS only identifies one scenic viewpoint in the vicinity of the Project. As such, the analysis from the said vantage points provides a comprehensive discussion of potential visual impacts.

Comment ANF-6

Although not a Federal Plan, they reference this LA County Plan which identifies scenic resources as *Mountain Vistas* and the *San Gabriel Mountains*, yet the existing Forest Scenic Viewpoint identified in Exhibit 4-1 that looks directly into the Reservoir is not analyzed.

> *The County of Los Angeles General Plan's Conservation and Natural Resources Element states that "[s]cenic resources consist of designated scenic highways and corridors (or routes), and hillsides and ridgelines". These resources include the coastline, mountain vistas, and other scenic features of the region, such as the San Gabriel Mountains, Verdugo Hills, Santa Susana Mountains, Simi Hills, Santa Monica Mountains, and Puente Hills (LACDRP 2015a).*

Response ANF-6

The comment is noted and will be forwarded to the decision makers. Please note, the LACFCD is the Lead Agency on the CEQA document (i.e., Revised and Recirculated IS/MND) for the proposed Project. Pursuant to Section 15367 of the State CEQA Guidelines, the Lead Agency is the public agency that has the principal responsibility for carrying out a project and has the authority the Project and its associated environmental documentation. The LACFCD has the principal authority over this Project; the Project will comply with the County's General Plan, which is the County's "blueprint" or a comprehensive long-term plan for the physical development and presents a jurisdiction's vision for development. The Conservation and Natural Resources Element of the County's General Plan outlines policies and goals to protect the resources, including scenic resources, within the boundaries of the County. As such the analysis of visual impacts must reference the said element and identify the scenic resources that need to be preserved and protected from any future impacts of the Project. Therefore, the standards and objectives within the "LA County Plan" are the equivalent of the designated Forest Scenic Integrity Objectives.

Comment ANF-7

The Forest Land Management Plan has different definitions for scenery and scenic resources, and they are based on landscape viewsheds by the public in general (not just from Scenic Byways, trails, etc.), and the *entire* Forest has been assigned Scenic Integrity Objectives that Standards S9 and S10 require the Forest to strive to meet.

Scenery: General appearance of a place, general appearance of a landscape, or features of a landscape.

Scenery Management: The art and science of arranging, planning and designing landscape attributes relative to the appearance of places and expanses in outdoor settings.

Scenery Management System: The USDA Forest Service methodology for classifying the aesthetic values of landscapes are based upon the scenic attractiveness of the landscape, the landscape's visibility and the public's concern about changes in the landscape from a natural condition.

Scenic: Of or relating to landscape scenery; pertaining to natural or natural-appearing scenery; constituting or affording pleasant views of natural landscape attributes or positive cultural elements.

Scenic Attractiveness: The scenic importance of a landscape based on human perceptions of the intrinsic beauty of landform, rock-form, water-form, and vegetation pattern. Reflects varying visual perception attributes of variety, unity, vividness, intactness, coherence, mystery, uniqueness, harmony, balance and pattern. It is classified as: (1) Distinctive, (2) Typical and (3) Indistinctive.

Scenic Integrity: State of naturalness or, conversely, the state of disturbance created by human activities or alteration. Integrity is stated in degrees of deviation from the existing landscape character.

Scenic Integrity Objectives: The objectives that define the minimum level to which landscapes are to be managed from an aesthetics standpoint.

Scenic Quality: The essential attributes of the landscape that when viewed by people, elicit psychological and physiological benefits to individuals and therefore to society in general.

Scenic Resource: Attributes, characteristics and features of landscapes that provide varying responses from and varying degrees of benefits to humans.

Seen Area: The total landscape area observed based upon landform screening. Seen areas may be divided into zones of immediate foreground, foreground, middle ground, background, and some landscapes are seldom seen by the public.

Seldom Seen: Remote areas of the landscape infrequently viewed by the public or only visible from aerial viewpoints.

> *The County of Los Angeles General Plan's Conservation and Natural Resources Element states that "[s]cenic resources consist of designated scenic highways and corridors (or routes), and hillsides and ridgelines". These resources include the coastline, mountain vistas, and other scenic features of the region, such as the San Gabriel Mountains, Verdugo Hills, Santa Susana Mountains, Simi Hills, Santa Monica Mountains, and Puente Hills (LACDRP 2015a).*

Response ANF-7

The comment is noted and will be forwarded to the decision makers. Please refer to Response ANF-6, above.

Comment ANF-8

The highlighted statement correctly points out that the Maple Canyon SPS is visible from Angeles Forest Highway but fails to acknowledge nor address the project scenic impacts to that viewshed based on their County General Plan criteria, which ironically also identifies the "San Gabriel Mountains" and "mountain vistas" as scenic resources. But they are ignoring/overlooking that fact and simply focusing on the fact that Angeles Forest Highway is not an "Officially Designated Scenic Highways" or "Eligible State Scenic Highway". However, the Forest Land Management Plan takes all viewsheds and the entire Forest as a whole, into account, and these views of the Project from Angeles Forest Highway need to be analyzed for scenic Project impacts.

> *Angeles Forest Highway is located approximately 650 feet from the top eastern end of Maple Canyon SPS. Maple Canyon SPS is visible as it slopes down from the western edge of Angeles Forest Highway. Several freeways and highways have been included in the California Scenic Highway Mapping System as "Officially Designated Scenic Highways" or "Eligible State Scenic Highways". The nearest Officially Designated Scenic Highway is SR-2, which runs through the San Gabriel Mountains from I-210 in La Cañada Flintridge to the San Bernardino County line (Caltrans 2017). As previously discussed, the Project site is not visible from SR-2. I-210, from U.S. 101 to SR 126 is an Eligible State Scenic Highway (not Officially Designated). I-210 is approximately 5.4 miles south of the Project site, and neither BTR nor Maple Canyon SPS are visible from the freeway.*

Response ANF-8

The comment regarding the Forest Land Management Plan taking all viewsheds and the entire Forest as a whole, into account is noted and will be forwarded to the decision makers. However, it should be recognized that the criteria, set forth in the County General Plan, Conservation and Natural Resources Element, are different, and they are used in the analysis and determination of potential visual impacts of the proposed Project. Also, it is noted that the significance threshold against which the analysis is prepared specifically identifies proximity to the "state scenic highway" as the criterion for analyzing impacts. Therefore, using the said criterion is appropriate in analyzing the Project's potential visual impacts.

For additional discussion, please refer to Response ANF-6, above.

Comment ANF-9

All of this content is noted in the document, yet it fails to get addressed in the analysis.

> *Under the Land Management Plan (Forest Plan) for the Angeles National Forest, BTR and Maple Canyon SPS are located in an area designated to have High Scenic Integrity Objectives. The Scenic Integrity Objectives relate to the natural appearance of an area. Areas with High Scenic Integrity include those where the natural landscape appears unaltered and human disturbance is not evident. Scenic integrity objectives can be achieved through the use of best environmental design practices to harmonize changes in the landscape and advance environmentally sustainable design solutions and by mitigating ground disturbance to maintain scenic integrity (USFS 2005a).*

The USDA Land Management Plan for the Angeles National Forest defines the "Angeles Uplands West", which contains BTR, as "a popular, expansive, chaparral-covered landscape that serves as a mid-elevation gateway to the high country (Angeles High Country Place). This area provides dramatic canyon panoramas along the Angeles Crest Scenic Byway. Visitors can also find recreation experiences that provide challenge in a remote setting. It is one of the "Key Places" representing the most picturesque national forest locations, containing its own landscape character" (USFS 2005b).

The USFS identifies the area surrounding the Project site as a "High Impact Recreation Area" as shown on Exhibit 4-1, USFS Recreation Areas. As shown on Exhibit 4-1, a Scenic Viewpoint is identified along Big Tujunga Canyon Road just north of the dam structure to the east of the reservoir. This viewpoint is a location where vehicles can pull off the road and temporarily park in order to view the surrounding scenery. This viewpoint contains six parking spaces and has views of the surrounding mountainsides; the north side of the dam structure; and the water within the reservoir.

Response ANF-9

The comment is noted and will be forwarded to the decision makers.

Please refer to Response ANF-1, above.

Impact Analysis – Regulatory Requirements

Comment ANF-10

Incorrect. There are the following Forest LMP Standards to adhere to:

Aesthetic Management Standards

S9: Design management activities to meet the Scenic Integrity Objectives (SIOs) shown on the Scenic Integrity Objectives Map.

S10: Scenic Integrity Objectives will be met with the following exceptions:

- Minor adjustments not to exceed a drop of one SIO level is allowable with the Forest Supervisor's approval.
- Temporary drops of more than one SIO level may be made during and immediately following project implementation providing they do not exceed three years in duration.

Regulatory Requirements

None required.

Response ANF-10

As discussed in Response ANF-6, above, it is noted that the Revised and Recirculated IS/MND has been prepared pursuant to CEQA. Some LMP standards are applicable to the Project, and they will be included in the NEPA EA, which is being prepared for this Project. The EA will analyze

the potential aesthetics impacts of the Project in light of the USFS significance criteria and thresholds.

Impact Discussion – a) Would the project have a substantial adverse effect on a scenic vista?

Comment ANF-11

That's what you're supposed to do at a "Scenic Viewpoint", literally stop and look, yet this language makes it sound like something that rarely happens at a Scenic Viewpoint and justifying that it would therefore be "minimally visible". This Scenic Viewpoint needs furthermore accurate analysis.

> *Views of the upstream side of the dam into BTR would be available to those who choose to stop at the Scenic Viewpoint along Big Tujunga Canyon Road, as identified in Exhibit 4-1. Unless stopping at the Scenic Viewpoint, these activities would be minimally visible and fleeting to vehicle drivers, hikers, and bicyclists on Big Tujunga Canyon Road due to the lower elevation of BTR; the curvy alignment of Big Tujunga Canyon Road in the vicinity of BTR; and the intervening vegetation and topography. Because sediment is below the water surface, the removal of sediment would have no long-term impact to scenic vistas and the visual character of BTR from the Scenic Viewpoint and from views along Big Tujunga Canyon Road. In the storm season of each year, and after the completion of the proposed Project, the sediment bottom of the BTR would be covered by surface water.*

Response ANF-11

The modified condition (i.e., during sediment removal and placement activities) would include the presence of trucks, equipment, and workers at the BTR and Maple Canyon SPS, which is a temporary condition and is typical of a construction-related project. The impacts of said construction activities during the five years of Project implementation to scenic viewpoints are detailed under Threshold 4.1(a) of the Revised and Recirculated IS/MND. Therefore, no further analysis is required. It should also be noted that the Project would implement activities on a LACFCD-maintained facility. Although the BTR may provide scenic benefits, it is also a facility that requires maintenance to restore capacity to the BTR for flood control and water conservation. For additional details, please refer to Threshold 4.1(a) of said document, and Response ANF-1, above.

Comment ANF-12

Again, there is a designated Scenic Viewpoint that literally looks into BTR. The conclusions drawn in this document have no basis and for some reason are glossing over the obvious, including how there are vehicle pullout s along Angeles Forest Highway that are within 650 of the Maple Canyon SPS looking directly down into the SPS.

> *Hikers come to the Big Tujunga Canyon area for natural and scenic views. Recreational visitors are generally found along Big Tujunga Creek downstream of the dam and, thus, have no or very limited views of BTR and Maple Canyon SPS. As previously discussed, views of Maple Canyon SPS are only available to vehicular activity along a portion of the Angeles Forest Highway, which is located approximately 650 feet from the top of the eastern end of Maple Canyon SPS. There are*

no designated hiking trails within, or public access to, Maple Canyon SPS or BTR. The nearest trailhead is approximately 1.2 miles west of the Project site and hikers would have no view of Project maintenance activities due to distance and intervening vegetation, slopes, and hillsides.

Response ANF-12

Although views would be altered as a result of Project implementation (i.e., during construction activities), these views are characteristic of sediment removal projects. The Project activities are necessary to restore capacity to the BTR for flood control and water conservation. Sediment removal and placement are parts of the process, and this view is typical of a construction-related project. Implementation of the proposed Project cannot be avoided, as it would maintain the flood control and water conservation functions of the BTR for the safety of the public. Thus, given the necessity of the Project, sediment removal activities are accepted conditions of functioning of a dam. Additionally, it should be recognized, as discussed in Section 4.1, Aesthetics, of the Revised and Recirculated IS/MND, the removal of sediment would have less than significant impacts on scenic vistas and the visual character of BTR from the scenic viewpoint and from views along Big Tujunga Canyon Road, as identified in the comment. As discussed above, sediment removal is a typical process for the longevity of any dam, and after completion of the Project and removal of the sediment, the bottom of the BTR would be covered by surface water and would return to its existing visual condition. Further, some materials that may be stockpiled during sediment removal, will be removed at the end of the Project, so the visual quality of the site will return to pre-Project condition. The material will either be placed within the fill at the SPS or placed back within the reservoir footprint along the sides of the canyon.

Comment ANF-13

Since when is a few hours considered a short period of time to take-in a scenic view? Where is this information/rationale derived from? It is a flawed methodology that needs to be revisited.

Thus, changes in scenic views would only be visible to a few select travelers or hikers that may be walking on undesignated trails or hillsides or stopping at the scenic outlook; these travelers would be present for short periods of time (from a few minutes to a few hours) in areas adjacent to BTR and Maple Canyon SPS. Additionally, in 2020, the USFS prepared a Draft Maple Canyon Sediment Placement Site Revegetation Plan to replace the plan previously prepared by LACFCD in coordination with the new SUP for Maple Canyon SPS. The Draft Maple Canyon Sediment Placement Site Revegetation Plan is currently in review by the USFS. As such, the document is not available for public review at this time.

Response ANF-13

In the context of impacts, in general and in CEQA, temporary impacts are defined as impacts that would be finite and not permanent. The duration of "from a few minutes to a few hours" being considered a short period of time may be considered subjective and the opinion of the commenter; however, there are no conflicting applicable thresholds or guidelines stating that the said duration is a long period of time. Nevertheless, the change in visual condition of the project site is noted but is typical of sediment removal activities for any dam. Also, it should be noted, as discussed above, some materials that may be stockpiled during the Project, will be removed at the end of the Project, so the visual quality of the site will return to pre-Project

condition. The material will either be placed within the fill at the SPS or placed back within the reservoir footprint along the sides of the canyon.

Comment ANF-14

It's not reasonable to draw a conclusion based on a Plan that, in just the previous paragraph, was identified as being a "Draft" and still "currently in review".

> *The revegetation plan describes in detail the revegetation activities to restore biological functions to the hillsides; reduce visual impacts; to control erosion at the SPS. This Plan would require the LACFCD to provide annual monitoring reports to the USFS to ensure the success of the revegetation efforts. Once plant growth has fully stabilized after the growing period, steps will be taken to enhance the visual aspects of Maple Canyon SPS from the manmade improvements on the site. The Draft Maple Canyon Sediment Placement Site Revegetation Plan would ensure that aesthetic impacts at Maple Canyon SPS would be less than significant and no mitigation required. Therefore, sediment removal and placement activities within BTR and Maple Canyon, and the revegetation and closing of Maple Canyon SPS would not have a substantial adverse impact on a scenic vista.*

Response ANF-14

The Draft Maple Canyon Sediment Placement Site Revegetation Plan would be implemented per mitigation measure (MM) LUP-1, and is held to performance standards, including the following: "Canopy cover by native species shall attain cover during the 180-day establishment period. Restored areas shall also have acceptable cover at the beginning of the growing season of the year and increase in coverage over the implementation period of ten years. Restored areas shall have an annual nonnative species composition deemed acceptable by the USFS." As such, this impact would be less than significant with implementation of MM LUP-1. It should also be acknowledged that the Draft Maple Canyon Sediment Placement Site Revegetation Plan will be finalized to the satisfaction of the USFS (emphasis added).

Comment ANF-15

Again, if this is occurring, it would be good to know the design and the cumulative effects this may have when seen from the Scenic Vista.

> *Other minor activities that would occur in conjunction with the proposed sediment removal activities include: (1) hydroblasting to flush a stilling well on the dam crest; (2) repair of the hydraulic sluicegate (3) access road paving and repair of the culvert crossing; (4) slope protection measures adjacent to the spillway; (5) the temporary rehabilitating the northern access ramp to safely access the reservoir bottom; (6) installing a boat dock at the dam face; and (7) performing minor coring on existing dam riser and installing a slide gate to facilitate dewatering. The hydroblasting and repair of the sluicegate are activities that would occur largely within the dam structure and with the exception of small trucks and equipment, would not be visible or have any impact on scenic vistas. The rest of the activities may be slightly visible from public views along Big Tujunga Canyon Road, but not such that would result in a significant visual impact.*

Response ANF-15

As stated on page 4-5 of the Revised and Recirculated Draft IS/MND, hydroblasting and repair of the sluicegate are activities that would occur largely within the dam structure and with the exception of small trucks and equipment, would not be visible or have any impact on scenic vistas. The rest of the activities may be slightly visible from public views along Big Tujunga Canyon Road, but not such that would result in a significant visual impact. It should be noted that the specifics of design and duration of these activities is detailed under heading 3.1.8, Other Miscellaneous Improvements, of Section 3.0, Project Description, of the Revised and Recirculated Draft IS/MND. These activities would be minimal and occur for short periods of time (i.e., on the order of days, with the longest activity to occur over one month). Cumulative aesthetic impacts of all Project components are detailed under Threshold 4.21(b) of Section 4.21, Mandatory Findings of Significance. This impact was determined to be less than significant with mitigation. Please see pages 4-154 through 4-159 of the Revised and Recirculated Draft IS/MND for this discussion.

Comment ANF-16

This remains to be seen, since this analysis was not conducted to take into account the Forest Scenery Standards and the Scenic Vista and Angeles Forest Highway views from the turnout. There are also concerns with the assessments made further down in this document regarding Post-Mitigation Stockpiles along Big Tujunga Canyon Road.

> *Therefore, the proposed Project would not have a substantial adverse effect on a scenic vista. Temporary dewatering of BTR and sediment removal activities would be visible from the Scenic Viewpoint, but impacts would not alter the viewshed or topography, and all Project-related impacts would be temporary and less than significant and no mitigation is required.*

Response ANF-16

Please refer to Responses ANF-1 and ANF-2, above.

Comment ANF-17

Without acknowledgement of Forest LMP Standards S9 & S10, on top of other glaring omissions, this conclusion cannot be verified.

> ***Less than Significant with Mitigation.*** *Sediment…*
> *…The stockpiling/staging area for aggregate material adjacent to Big Tujunga Canyon Road is shown on Exhibit 2-1. As described in Section 3.1.6 of this Revised and Recirculated IS/MND, aggregate removed from BTR would be arranged into 12 gravel cones, which would range in height, from approximately 14 to 41 feet tall, and in diameter, from 42 to 120 feet wide at maximum capacity. The first stockpiles that would be visible on the southwesterly portion of the staging area, cones #1 and #2, would be approximately 39 and 41 feet tall, respectively. Other stockpile cones that would exceed 30 feet in height include cones #9, #10, and #11. All other stockpile cones would be between 14 to 26 feet in height.*
>
> *Approximately 28,000 cy of aggregate material would be removed from BTR during sediment removal activities and would be trucked to the staging area. Aggregate crushing within BTR would occur throughout the non-storm season (i.e., April 16 through October 14) throughout the entirety of Project implementation. However, only 28,000 cy of aggregate would be*

stockpiled at the staging area over the course of the annual sediment removal activities. After the aggregate material stockpile reaches a volume of 28,000 cy, all sediment (including aggregate material) removed from BTR would be deposited within Maple Canyon SPS.

Response ANF-17

Please refer to Responses ANF-1 and ANF-2, above.

Comment ANF-18

Any impact that lasts 3 years after Project completion is considered a permanent impact and should be mitigated to meet the established scenic integrity Objectives for this site which is high.

The stockpiles of aggregate would remain at the staging area temporarily, until they were eliminated over time through various ongoing road and general maintenance activities within the Forest. However, because the rate at which the stockpiles would be used is unknown, and because the ultimate end-use of the aggregate material is not a part of this proposed Project, this Revised and Recirculated IS/MND considers the environmental impacts associated with the presence of the stockpiles on the Project site for the long-term.

The bridge that crosses Big Tujunga Canyon Road has views of the southern portions of the access road and the terraced slopes adjacent to the staging area. The proposed Project would use this staging area for the temporary stockpiling of aggregate materials. Currently, this staging area is flat and graded with no vegetation and is directly adjacent to Big Tujunga Canyon Road. These stockpiles would be visible from drivers who stop at parking area just south of the Big Tujunga Canyon Road bridge that crosses over the Big Tujunga Creek, as well as from drivers continuing northward along Big Tujunga Canyon Road.

Response ANF-18

The commenter states that any impact that lasts three years after Project completion is considered a permanent impact. It should be noted that there are no thresholds or criteria supporting this statement. Please refer to Response ANF-12, above.

Comment ANF-19

The simulations clearly show the color contrast of these materials, and contrary to the claims that they "blend with the surrounding rocky landscape in both color and texture" the simulated images clearly show the opposite. Topsoil and vegetation is what gives the natural color and texture that these unearthed materials will not have, which is why they look white against the darker native backdrop.

> *These simulations depict the existing condition and the pre-mitigated condition when all stockpiles would be at their maximum size and height. These two locations provide the most visibility for the stockpiles; there are no views of the staging/stockpile area from the Scenic Overlook or Big Tujunga Canyon Road north of the dam.*
>
> *As shown in Exhibit 4-2A, the stockpiles would be visible from the bridge area, although they would not be a primary feature in the viewshed. As shown in Exhibit 4-2B, the stockpiles would be more visible for drivers on Big Tujunga Canyon Road traveling northward adjacent to the staging area. In this location, the stockpiles would be nearer to the roadway and a more prominent feature. The stockpiles would consist of stones, gravel, rocks, and other aggregate obtained during sediment removal activities, which are earthen materials that blend with the surrounding rocky landscape in both color and texture.*

Response ANF-19

Please refer to Response ANF-2, above. Aggregate material would only consist of material within the BTR. As the aggregate is made of natural materials from the surrounding environment, it would not be an uncharacteristic material for the area and would not introduce an unnatural substance to the environment. The cone-like (i.e., ridgeline) shape of the aggregate stockpiles is characteristic of the surrounding mountains and ridgelines. It should also be noted that the aggregate stockpiles are a temporary condition, which were extensively discussed with the USFS.

Comment ANF-20

Proposed MM AES-1 does not do enough to meet the designated High SIO. As seen in the simulated image below where this MM has been applied, the contrast is still there and will be prominent for travelers along BTR. More needs to be done to meet this criteria:

> **High Scenic Integrity:** This classification provides for conditions where human activities are not visually evident. This refers to landscapes where the valued (desired) landscape character "appears" intact. Deviations may be present but must repeat the form, line, color, texture, pattern and scale common to the landscape character. The landscape appears unaltered.

The aggregate would be obtained from the BTR and consist of materials that are from the natural slopes and drainages of the Big Tujunga Creek watershed within the Forest. As such, they would not appear out of character for the area, which consists of rocky steep slopes and naturally vegetated areas. Additionally, the stockpiles would be placed adjacent to graded switchback access roads, which are in the context of other developed features, including the dam, spillway, BTR office and control house, and parking lots. However, due to the size and height of some of the stockpiles (up to 41 feet tall) and because their elimination cannot be predicted within the 5-year construction period, the visual impacts of the stockpiles must be considered as a long-term feature. Because the Project would not dictate the rate at which the stockpiles are depleted over time, the potential visual impacts of the stockpiles being located at the Project site indefinitely could result in potentially significant visual impacts related to the visual character or quality of the surrounding area prior to mitigation. Therefore, implementation of MM AES-1 is required to reduce the impacts to the visual character of the surrounding area. MM AES-1 requires that the LACFCD ensure that the aggregate stockpiles located furthest to the west with the highest visibility from Big Tujunga Canyon Road must be removed first. During the final year of sediment removal activities, whether or not activities last for the full 5 years, the LACFCD must ensure that all remaining stockpiles do not exceed a maximum height of 20 feet. If required in order to meet the 20-ft height restriction, the LACFCD must remove the necessary amount of aggregate from the stockpiles and deposit the aggregate within the Maple Canyon SPS prior to the conclusion of the Project activities. This post-mitigation condition is depicted in Exhibit 4-3A, Visual Simulation – Post-Mitigation Stockpiles from Bridge Visual Simulation – Stockpiles from Bridge and Exhibit 4-3B, Visual Simulation – Post-Mitigation Stockpiles from Big Tujunga Canyon Road, which depict the most prominent views of the stockpiles in the post-mitigation conditions with the maximum height of 20 feet.

As shown, the mitigated views substantially reduce the visibility and prominence of the stockpiles to viewers at the bridge as well as drivers along Big Tujunga Canyon Road. Additionally, MM AES-1 requires that the most visible stockpiles are eliminated first, which would first reduce the visibility of cones #1 and #2. With implementation of MM AES-1, impacts to the visual character or quality of the surrounding area would be reduced to less than significant.

Response ANF-20

Please refer to Response ANF-2, above. It should also be noted that the aggregate stockpiles are a temporary condition, which were extensively discussed with the USFS.

Mitigation Measures – MM AES-1

Comment ANF-21

Again, what is the rationale behind "20 feet" being a solution to mitigating scenic impacts? A 20 foot mound of contrasting light colored material along the road is still very visible. More needs to be done, in order to truly conclude that the impacts have been reduced to meet the designated Scenic Integrity Objectives for this site.

MM AES-1 *The LACFCD shall ensure that the aggregate stockpiles located furthest to the west with the highest visibility from Big Tujunga Canyon Road must be removed first. During the final year of sediment removal activities, whether or not activities last for the full 5 years, the LACFCD shall ensure that all remaining stockpiles do not exceed a maximum height of 20 feet. If required in order to meet the 20-foot height restriction, the LACFCD shall remove the necessary amount of aggregate from the stockpiles and deposit the aggregate within the Maple Canyon SPS before the conclusion of the Project.*

Response ANF-21

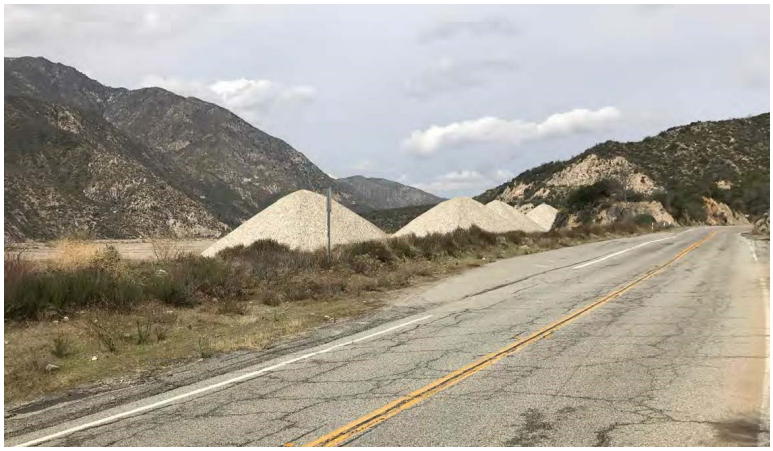
Please refer to ANF-2 regarding the height of the aggregate stockpiles.

Comment ANF-22

This is the simulation that this report says depicts "materials that blend with the surrounding rocky landscape in both color and texture" and that the "impacts to the visual character or quality of the surrounding area would be reduced to less than significant"

Just by looking at this simulation it is clear that that is not the case, and it definitively does meet this SIO:

> **High Scenic Integrity:** This classification provides for conditions where human activities are not visually evident. This refers to landscapes where the valued (desired) landscape character "appears" intact. Deviations may be present but must repeat the form, line, color, texture, pattern and scale common to the landscape character. The landscape appears unaltered.



Response ANF-22

Please refer to Responses ANF-1, ANF-2, and ANF-19, above, regarding the visual impacts and aggregate stockpiles.

Comment ANF-23

As a Forest Landscape Architect, I find that the conclusions drawn by this assessment are inaccurate. Recommend that further analysis and mitigation be implemented that identifies the full scenic/visual impacts of this proposed Project and enables it to meet the Forest Land Management Standards and desired conditions.

Response ANF-23

The comment is noted and will be forwarded to the decision makers. The discussion in Section 4.1, Aesthetics, of the Revised and Recirculated IS/MND, provides a detailed and adequate analysis of potential visual impacts of the proposed Project. The analysis has been prepared using the relevant and applicable significance thresholds and criteria. As such, no further analysis is required.

3.2.2 STATE AGENCIES

One verbal comment (telephone conversation) and two comment letters were received from State Agencies. The comments are listed below:

- California Division of Safety of Dams (CDSOD)—October 12, 2021
- California Department of Transportation, District 7 (Caltrans)—October 20, 2021
- California Department of Fish and Wildlife (CDFW)—October 25, 2021

Comment 15 (Verbal—Telephone Conversation)

October 12, 2021

The commenter, Mr. Richard Draeger of the California Division of Safety of Dams (DSOD) called and expressed that DSOD would like to be notified at the time of sluice gate testing and be present to ensure the sluice gate operates correctly.

Letter 15: California Department of Safety of Dams

Verbal Comment Dated October 12, 2021

DSOD-1 The LACFCD appreciates receipt of Mr. Richard Draeger of California Division of Safety of Dams (DSOD) verbal comment, on October 12, 2021. The comment regarding the operation of the sluice gate is noted and will be included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended. The LACFCD will notify DSOD of the sluice gate testing and will accommodate their presence at the site to ensure operation of the gate.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7- OFFICE OF REGIONAL PLANNING
100 S. MAIN STREET, SUITE 100
LOS ANGELES, CA 90012
PHONE (213) 266-3574
FAX (213) 897-1337
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life.

October 20, 2021

Los Angeles County Public Works
Stormwater Engineering Division, Reservoir Cleanouts
P.O. Box 1460
Alhambra, CA 91802-1460

Caltrans

RE: Big Tujunga Reservoir Restoration Project – Mitigated Negative Declaration (MND)
SCH# 2021090475
GTS# 07-LA-2021-03715
Vic. SR 2 PM 31.698

To the Los Angeles County Flood Control District:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project will remove sediment from the Big Tujunga Reservoir (BTR) and move it to the Maple Canyon Sediment Placement Site (SPS), which is located 1.9 miles from BTR. Maple Canyon SPS can accommodate approximately 4.4 million cubic yards (mcy) of additional sediment, which would bring the SPS to its ultimate planned sediment capacity. The Project involves the use of trucks and equipment to remove sediment and restore capacity to the BTR, and to allow it to adequately perform its main functions of flood control and water conservation. The following minor activities would occur in conjunction with the proposed sediment removal: (1) hydroblasting to flush a stilling well on the dam crest; (2) repairing the hydraulic sluicegate; (3) paving the unpaved sections of the north access road and repairing the culvert crossing; (4) incorporating slope protection measures adjacent to the spillway; (5) rehabilitating the northern reservoir access ramp to safely access the Reservoir bottom; (6) installing a boat dock at the dam face; and (7) performing minor coring on existing dam riser and installing a slide gate to facilitate dewatering.

Intro

The nearest State facility to the proposed project is State Route 2 (SR 2). After reviewing the NOP, Caltrans has the following comments:

Caltrans concurs with RR TRA-2 and MM TRA-1 of the MND. The Construction Transportation Control Plan (CTCP) needs to specify the duration of the construction period and should include detailed plans for bicycle and pedestrian detours during construction, if applicable. These plans should meet or exceed standards required in the California Manual on Uniform Control Devices. Maintaining viable detour routes during construction, that include adequate barriers against motorized traffic, is critical to the safety and comfort of pedestrians and bicyclists.

1

"Provide a safe and reliable transportation network that serves all people and respects the environment"

The proposed project is not expected to generate additional motor vehicle trips during operation, as maintenance activities would be minimal and would be similar to those that occur under existing conditions. Since no additional VMT is being generated as a result of the project, it would not cause a significant VMT impact to SR 2 other than additional trucks during construction. 2

Finally, multiple reviews, approvals, and encroachment permits will be required for any project work proposed on or in the vicinity of the Caltrans right-of-way and all concerns must be adequately addressed. Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will also require a transportation permit from Caltrans. 3

If you have any questions, please contact project coordinator Antara Murshed, at antara.murshed@dot.ca.gov and refer to GTS# 07-LA-2021-03715.

Sincerely,

Miya Edmonson

Miya Edmonson
LD-IGR/CEQA Branch Chief

cc: State Clearinghouse

Letter 16: California Department of Transportation, District 7

Comment Letter Dated October 20, 2021

The LACFCD appreciates receipt of the California Department of Transportation, District 7 (Caltrans) comment letter, dated October 20, 2021. The comments raised in the said letter are addressed below and included in the Final Revised and Recirculated IS/MND document, which will be provided to the Los Angeles County Board of Supervisors for consideration in their decision making when Project approval is recommended. The comment reiterates the Project description. No response is required.

Caltrans-1 The comment concurs with the regulatory requirement (RR TRA-2) regarding a permit from Caltrans for oversized vehicles on State highways and mitigation measure (MM TRA-1) regarding the Traffic Control Plan that would be prepared in compliance with Caltrans' Manual on Uniform Traffic Control Devices (MUTCD). The comment expresses that the Construction Transportation Control Plan (CTCP) should identify the construction period and include detail plans for bicycle and pedestrian detours during construction, if applicable, and consider adequate barriers for safety of pedestrians and bicyclists. The comment is noted and revisions are hereby incorporated to MM TRA-1, on page 4.142, in Section 4.17.3, Mitigation Measures, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> **MM TRA-1** Prior to commencement of any sediment removal activities in the first year of Project implementation, the LACFCD shall prepare a *Construction* Traffic Control Plan *(CTCP)*, in compliance with the *California Manual for Uniform Traffic Control Devices* (MUTCD), and its California supplements, that specifies the duration of the construction period and addresses potential traffic hazards and impacts to traffic congestion related to Project implementation. The Plan shall include, but not be limited to, the following requirements: (1) *detailed plans for bicycle and pedestrian detours during construction; these plans shall meet or exceed the MUTCD standards; (2)* a flag person(s) shall be stationed at the intersection of the Project access road and Big Tujunga Canyon Road during all trucking operations; (~~2~~*3*) *viable detour routes that include adequate barriers against motorized traffic for safety and comfort of pedestrians and bicyclists shall be maintained during construction; (4)* truck traffic shall be managed such that no queuing shall occur on Big Tujunga Canyon Road; (~~3~~*5*) the construction crew shall be required to attend traffic safety meetings to ensure that the Plan is fully implemented; (~~4~~*6*) requirements shall be set for the design and use of traffic signs, driveway access, barricades, and other measures to maintain public

convenience and safety for motorists, cyclists, pedestrians, and construction workers; and (~~5~~*7*) the coordination protocol shall be confirmed with law enforcement and other emergency agencies, as necessary.

It should be noted, as identified in Section 4.17, Transportation, of the IS/MND, due to the nature of the Project, it would not create a demand for alternative transportation systems and would not affect public transit services. No demand for pedestrian facilities or trails would be created by the Project since there would be no change to land uses in the Project area. While the Angeles National Forest offers various opportunities for hiking and biking, there are no designated trails near the Project site. The nearest trailhead is Condor Peak located approximately 1.2 miles southeast of the entrance road to BTR. Additionally, the Project site is not near any alternative transportation systems. It was determined that the increase in truck traffic on Big Tujunga Canyon Road would have less than significant impacts on alternative transportation systems. Nevertheless, MM TRA-1 identifies (as item 4) that requirements will be set in place for traffic signs, driveway access, barricades, and other measures to maintain public convenience and safety for motorists, cyclists, pedestrians, and construction workers during construction activities.

Caltrans-2 The comment acknowledges that the Project would not result in additional trips during operation, and consequently no significant VMT impacts would occur to State Route 2 (SR 2), except for additional trips during construction. The comment is noted and no further response is required.

Caltrans-3 The comment identifies that any work in the vicinity of Caltrans right-of-way as well as use of oversized vehicles on State highways would require permits from Caltrans. The LACFCD concurs, and the comment is noted and will be forwarded to the decision makers.

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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

October 25, 2021

Alex Ho
Los Angeles County Flood Control District
P.O. Box 1460
Alhambra, CA 91802
alho@dpw.lacounty.gov

CDFW

Subject: Comments on the Mitigated Negative Declaration for the Big Tujunga Reservoir Restoration Project, SCH #2021090475, Los Angeles County

Dear Mr. Ho:

The California Department of Fish and Wildlife (CDFW) has reviewed the draft revised and recirculated Initial Study/Mitigated Negative Declaration (MND) from the Los Angeles County Flood Control District (LACFCD; Lead Agency; **hereafter** "County") for the Big Tujunga Reservoir Restoration Project (Project). CDFW also reviewed the preceding 2013 draft MND and provided comments and recommendations in a letter dated July 2, 2013. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Public Resources Code, § 21070; Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of California Environmental Quality Act (CEQA), CDFW is directed to provide biological expertise to lead agencies as part of environmental review, focusing on project activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration (LSA) regulatory authority (Fish & G. Code, § 1600 *et seq.*) and the California Endangered Species Act (CESA; Fish & G. Code, § 2050 *et seq.*). To the extent implementation **of the Project as proposed may result in "take", as defined by State law, or CESA**-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Intro

Project Description and Summary

Objective: The County is proposing the implementation of the Project, which involves the removal of up to 4.4 million cubic yards (MCY) of sediment from Big Tujunga Reservoir (Reservoir) over a term not to exceed five years. The sediment will be placed in the adjacent Maple Canyon Sediment Placement Site (SPS). The Project includes several components including vegetation removal, dewatering, surface water diversion, sediment excavation, sediment hauling, sediment placement, installation of new drainage infrastructure at Maple Canyon SPS, revegetation of Maple Canyon SPS, and monitoring. Reservoir dewatering, plunge pool dewatering, surface water diversions, and all sediment removal activities would occur every year of the Project term during the non-storm season, between approximately April 16 and October 14. Routine flood control and water conservation operations at Big Tujunga Dam (Dam) would resume during the storm season from approximately October 15 to April 15. The County is also proposing several minor activities to occur in conjunction with sediment removal activities. These minor activities include: (1) hydroblasting to flush a stilling well on the dam crest; (2) repairing the hydraulic sluicegate; (3) paving the unpaved sections of the north access road and repairing the culvert crossing; (4) incorporating slope protection measures adjacent to the spillway; (5) rehabilitating the northern reservoir access ramp to safely access the Reservoir bottom; (6) installing a boat dock at the dam face; and (7) performing minor coring on existing dam riser and installing a slide gate to facilitate dewatering. — Intro

Location: The Project is located at Big Tujunga Reservoir and Maple Canyon SPS within Angeles National Forest in the San Gabriel Mountains, Los Angeles County, California.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the County in adequately identifying, avoiding, **and/or mitigating the Project's significant, or potentially significant, direct** and indirect impacts on fish and wildlife (biological) resources.

Comment #1: No-Flow Contingency Plan

Issue: Project activities will intentionally restrict stream flow for a controlled duration and may unintentionally restrict stream flow for an unknown duration. — 1-A

Specific impacts: Project activities may impact aquatic species, riparian species, and their stream and riparian habitat downstream from the Dam. The Project may result in the loss or decline of instream habitat, loss of wildlife connectivity to a water source, loss or decline of an **aquatic species' spawning areas, entrapment of aquatic species in isolated pools due to loss of** water surface elevation, and direct take of fish, other aquatic species, and/or redds. Project activities include closing all outlet valves at Big Tujunga Dam, halting all water releases from the Reservoir to Big Tujunga Creek, and dewatering of the Reservoir, and dewatering of the plunge pool. These Project activities could result in the loss of wetted stream habitat, degraded stream habitat quality, degraded water quality, increased physiological stress and/or mortality of aquatic and riparian species, and take of special status species. — 1-B

Special status species observed immediately downstream from the Project location include arroyo chub (*Gila orcuttii*), Santa Ana speckled dace (*Rhinichthys osculus* ssp.), Santa Ana sucker (*Catostomus santaanae*), western pond turtle (*Emys marmorata*), **least Bell's vireo** (*Vireo bellii pusillus*), southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), southwestern willow flycatcher — 1-C

(*Empidonax traillii extimus*), yellow-breasted chat (*Icteria virens*), and yellow warbler (*Setophaga petechia*). Additional special status species are likely to occur in the Big Tujunga Creek riparian zone immediately downstream from the Project location. 1-C (cont.)

Why impacts would occur: Section 3.1.3 in the MND describes intentionally halting all water releases from the Reservoir for a scheduled period of five days. This would be done by closing all outlet valves in the **Dam. The MND describes "pre-dewatering activities" intended to prepare** the Reservoir for dewatering. These pre-dewatering activities include installing a temporary surface water diversion system, dewatering the plunge pool below the Dam, and installing water quality filtration best management practices (BMPs) at the downstream end of the plunge pool. 1-D

CDFW is concerned that the Project could unintentionally generate a scenario where insufficient water passes through the Dam to downstream resources. This situation could arise at the end of each sediment removal season during the five-year Project term when the **County's contractor** demobilizes from the Project site. The MND describes how the contractor would removal all components of the temporary surface water diversion system ("bypass line") before the first major storm of the storm season. With all diversion structures removed, the Reservoir would presumably begin to fill with water conveyed by existing natural inflows from its tributaries including Big Tujunga Creek immediately upstream. However, these inflows would likely become impounded by the Dam until the water surface elevation within the Reservoir could rise enough to reach a dam outlet structure for downstream release (e.g., Riser 1, which has an inlet elevation of 2,188 feet above mean sea level, or the hydraulic slide gate at an elevation of 2,144 feet above mean sea level). The duration of this no-flow period would be dependent on several factors including but not limited to precipitation patterns within the watershed, watershed-specific hydrology, reservoir topography, reservoir sediment characteristics, dam design, dam outlet structure operational condition, and flood control operational procedures. The County has expressed a preference to hold water in a minimum pool ponded within the Reservoir to protect dam outlet valves during flood control operations (Big Tujunga Dam Low-Effect Habitat Conservation Plan section 3.1; see also MND section 2.3.4). Without a planned approach to provide sufficient water downstream during and immediately after sediment removal activities, the Project may substantially impact downstream resources, especially during periods of drought. 1-E 1-F

Evidence impacts would be significant: Section 5937 of the Fish and Game Code requires a dam owner to allow sufficient water at all times to pass over, around, or through a dam, to keep in good condition any fish that may exist below the dam. Insufficient water flows could directly and indirectly impact downstream resources including several special status species. Impacts to any special status species may be considered potentially significant (CEQA Guidelines, § 15380). 1-G

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends that the County develop a No-Flow Contingency Plan prior to the beginning of Project activities, including dewatering of Big Tujunga Reservoir, in consultation with the appropriate regulatory agencies (e.g., CDFW, U.S. Fish and Wildlife Service, Regional Water Quality Control Board). This contingency plan should provide detailed guidance and specific protocols for Project personnel to follow in preparation and in response to situations where insufficient water passes through Big Tujunga Dam to downstream resources. To avoid violation of Fish and Game Code section 5937, the County should include methods for 1-H

providing sufficient water to pass through Big Tujunga Dam. This plan should also include monitoring for stream condition, water quality, and stranded or distressed aquatic life downstream from the Project location. Surveys and relocation activities involving affected aquatic life should adhere to the Special Status Fish Relocation Plan described in Mitigation Measure BIO-4 of this MND. In the absence of a No-Flow Contingency Plan, downstream flows from Big Tujunga Reservoir may only be halted in emergency situations to prevent downstream flooding. 1-I 1-J

Mitigation Measure #2: CDFW recommends that the County design and conduct sediment removal within Big Tujunga Reservoir in a manner that avoids or minimizes the likelihood of potential no-flow scenarios. For example, sediment removal plans could prioritize excavation activities around certain dam outlet structures to reduce the duration of a no-flow scenario. Additionally, County contractors could excavate entrainment channels to help direct early seasonal storm flows to operational dam outlet structures for downstream release. 1-K

Mitigation Measure #3: CDFW recommends that the County design and implement Project activities within the plunge pool in a manner that does not contribute to a no-flow scenario. Sediment removal and the installation of water quality Best Management Practices within the plunge pool should not impede downstream flows or present a barrier to fish passage. 1-L

Comment #2: Impacts to Water Quality

Issue: Project activities may degrade water quality and impact aquatic species occurring within and downstream from the Reservoir.

Specific impacts: Project activities such as dewatering, surface water diversion, and sediment removal may result in increased turbidity, change in pH, change in water temperature, change in dissolved oxygen, direct take of aquatic species and redds, reduced reproductive capacity in aquatic species, and loss of resources for aquatic organisms. 2-A

Why impacts would occur: Project activities include dewatering the Reservoir through dam outlet valves ("pre-dewatering" during the storm season), dewatering the Reservoir minimum pool through water pumps, dewatering the plunge pool through water pumps, surface water diversion through bypass pipes, and sediment removal by mechanical excavation. These Project activities would occur for approximately seven months per year (April to October) for the duration of the Project term not to exceed five years. Dewatering activities in the Reservoir and plunge pool are likely to increase turbidity downstream as fine-grain sediments on the reservoir bottom become resuspended and discharged through dam outlet structures and/or water pumps. Increased turbidity can directly injure and irritate respiratory structures in aquatic organisms and result in mortality. Increased turbidity can also result in the decline or loss of instream vegetation that serves as food and habitat resources for aquatic species. Surface water diversions can potentially increase water temperatures, particularly if diverted flows are allowed to stagnate in artificial unshaded pools and/or they are conveyed through black-colored, solar-heated bypass pipelines. Adverse water temperatures can injure and stress sensitive aquatic organisms and result in mortality. High water temperatures can also reduce available dissolved oxygen, a critical resource essential to the survival of aquatic fauna. Several special status aquatic species have been documented to occur nearby, within, or downstream from the Reservoir including arroyo toad (*Anaxyrus californicus*), arroyo chub, coast range newt (*Taricha torosa*), Santa Ana speckled dace, Santa Ana sucker, two-striped garter snake (*Thamnophis* 2-B 2-C 2-D 2-E 2-F

hammondii), and western pond turtle. Arroyo toad and Santa Ana sucker are Endangered Species Act (ESA)-listed endangered and threatened species, respectively. Arroyo chub, coast range newt, Santa Ana speckled dace, two-striped garter snake, and western pond turtle are California Species of Special Concern (SSC; CDFW 2021c). 2-F (cont.)

An impact analysis provided by this MND **states, "As dewatering of** the Reservoir progresses, the amount of sediment carried in the water could increase as the reservoir [surface] becomes closer to the sediment in the bottom of the reservoir. If sediment-laden water is released into Big Tujunga Creek, it could impact water quality for the Santa Ana sucker downstream of [Big Tujunga Reservoir], possibly harming eggs of the sucker, and could therefore result in a potentially significant impact. Therefore, as required by [Mitigation Measure] BIO-4, filtration BMPs would be used to capture sediment during dewatering, before it is released into Big **Tujunga Creek" (page 4**-56 in Section 4.4.2). However, CDFW is concerned that these proposed measures are inadequate to avoid or even sufficiently minimize water quality impacts. The MND Project Description and Mitigation Measure BIO-4 describe the modification of the existing plunge pool to function as a desilting or sedimentation basin and water filtration BMP. Unlike conventional water quality BMPs such as Baker tanks or purpose-built desilting basins, the proposed plunge pool filtration BMP concept appears incapable of halting discharges of turbid water if needed. Therefore, turbid water (and other poor water characteristics like low dissolved oxygen, high water temperature, or adverse pH) will flow downstream unhindered, resulting in impacts to downstream resources. 2-G

Evidence impacts would be significant: CDFW concurs with the MND water quality impact analysis quoted above. Water quality impacts from Project activities could result in the direct injury, mortality, and/or reduced reproductive capacity of several special status aquatic species. CEQA provides protection not only for ESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of SSC could require a mandatory finding of significance by the County (CEQA Guidelines, § 15065). Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species by CDFW or U.S. Fish and Wildlife Service (USFWS). 2-H

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends the County implement the following discharge standards to avoid and/or minimize water quality impacts from pre-dewatering and dewatering activities:

After the reservoir water level reaches 2,188 ft above mean sea level (minimum pool elevation) before the start of each sediment removal season or lower in future seasons, reservoir water should only be discharged downstream if it meets or exceeds the following water quality standards: 2-I

A. Oil and Grease. Waters should not contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water that cause nuisance, or that otherwise adversely affect beneficial uses.

B. Dissolved Oxygen. At a minimum, the mean annual dissolved oxygen concentration of all waters should be greater than 7 mg/L, and no single determination should be less than 5.0 mg/L, except when natural conditions cause lesser concentrations. The dissolved oxygen content of all surface waters should not be depressed below 6 mg/L as a result of waste discharges.

C. pH. The pH of inland surface waters should not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels should not be changed more than 0.5 units from natural conditions as a result of waste discharge.

D. Temperature. Waters with measured temperature exceeding 78 °F (25.5 °C) should not be discharged downstream.

E. Turbidity. Downstream TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases should not exceed 20%. Where natural turbidity is greater than 50 NTU, increases should not exceed 10%. Ambient levels should be measured at a sampling location in Big Tujunga Creek at least 200 feet upstream from the point of diversion.

2-I (cont.)

All of the following water quality parameters must be examined within the same calendar day of the intended water discharge: oil and grease, dissolved oxygen, pH, temperature, and turbidity. **Reservoir minimum pool (or "dead pool")** water that meets or exceeds water quality standards can be discharged downstream directly to the plunge pool. Plunge pool dewatering discharges must meet or exceed the same water quality standards described above. Water quality measurements for each discharge shall be recorded and provided to CDFW upon request.

Mitigation Measure #2: CDFW recommends the County amend Mitigation Measure BIO-4 to include the following underlined language to avoid and/or minimize water quality impacts from surface water diversion activities:

I. **"When the bypass line is in place, water temperature shall be maintained from the inflow** to the outflow. The bypass line shall be insulated and/or methods shall be used to decrease the water temperature prior to it re-entering the stream (e.g., submerge, cover, or shade the bypass line; avoiding black or corrugated pipe if not shaded). A temporary trash rack shall be installed upstream of the stream bypass inlet pipe to help mitigate the potential for many types of blockages. This trash rack shall be monitored daily by a CDFW-approved qualified Biological Monitor or Designated Biologist and maintained daily to ensure effective operation for the duration of surface water diversion activities.

If a stream diversion is actively diverting surface water, then a CDFW-approved qualified Biological Monitor or Designated Biologist shall monitor water quality at a location upstream from the point of diversion and at the outlet of the diversion. Water quality parameters to be monitored include dissolved oxygen, pH, flow (e.g., cubic feet per second), and water temperature. Water quality monitoring data shall be collected under low flow conditions when the stream flow is stable at the point of diversion. Dissolved oxygen, pH, flow, and water temperature data shall be collected twice daily at the diversion before entering the conveyance, and at the downstream outlet of the diversion (once within 30 minutes before/after astronomical sunrise and once at 1200 hours of the workday) on Monday, Wednesday, and Friday during each week while stream diversion

2-J

remains in place. CDFW will be notified of the person conducting the data collection via Email prior to initiating data collection. LACFCD will report stream diversion water quality monitoring data to CDFW on a weekly basis or upon CDFW request. The person collecting data shall be qualified to interpret water quality data and be responsible for interpreting data. CDFW will be notified immediately upon a staff change from the previous notification by LACFCD. LACFCD, LACFCD's **designee, and/or CDFW shall** determine whether the diversion is causing a substantial adverse impact, and LACFCD will cease operations until corrective measures are implemented. LACFCD shall notify CDFW representatives immediately if dead fish or adverse water quality parameters are observed. 2-J (cont.)

If a stream diversion is actively diverting surface water, then a CDFW-approved qualified Biological Monitor or Designated Biologist shall monitor turbidity at a location 200 feet upstream from the point of diversion and at the outlet of the diversion. Turbidity at the outlet of the diversion should not exceed turbidity levels measured concurrently at a location 200 feet upstream from the point of diversion. Stream turbidity data shall be collected daily by LACFCD or their designee. LACFCD will report stream diversion turbidity monitoring data to CDFW on a weekly basis. LACFCD, LACFCD's **designee,** and/or CDFW shall determine whether the diversion is causing a substantial adverse impact, and Permittee will cease operations until corrective measures are implemented. LACFCD shall notify CDFW representatives immediately if an increase in turbidity is **observed."** 2-K

Mitigation Measure #3: CDFW recommends the County implement the following practices to reduce turbidity and other problems of degraded water quality during pre-dewatering releases from Big Tujunga Reservoir (water elevations at or above 2,188 feet above mean sea level): 2-L

1. Install water quality BMPs over or upstream from all dam outlet structures to reduce turbidity. Examples of appropriate BMPs might include geotextile filter fabric or turbidity curtains.

2. Reduce water releases from Big Tujunga Reservoir to the minimum rate needed to slowly lower the reservoir water elevation or to match natural inflows. Consider periodically closing dam outlet structures for short intervals to allow the reservoir minimum pool to function as a desilting basin. 2-M

3. Install aeration devices to increase dissolved oxygen in the plunge pool prior to pre-dewatering water releases from Big Tujunga Reservoir. Examples of appropriate aeriation devices might include floating paddle wheels or bubblers. 2-N

Mitigation Measure #4: If the County cannot avoid Project activities during the peak spawning season for special status fish (see Comment #5 below), CDFW recommends the County to **expedite installation of the surface water diversion system ("bypass pipe") as early as possible** to limit turbid water discharges from the reservoir minimum pool. This could potentially be achieved after the first construction season by leaving portions of the diversion system pre-assembled in nearby staging areas or secured safely within the reservoir basin. 2-O

Mitigation Measure #5: CDFW recommends installation of protective structures intended to exclude aquatic species from the surface water diversion system. These structures should

include temporary trash racks and fish blocking nets installed approximately 100 feet upstream from the bypass pipe intake and fish-exclusion screening installed directly over the bypass pipe intake. These structures will likely require frequent maintenance by Project personnel. CDFW recommends temporarily lining the streambed under these structures with durable sheeting material or other CDFW-approved material to minimize suspension of sediment by personnel working within the stream. 2-O (cont.)

Comment #3: Impacts to Streams

Issue: The County has prepared the Big Tujunga Dam Low-Effect Habitat Conservation Plan (HCP) pursuant to Section 10 of the federal ESA to support consultation with USFWS. As noted in the HCP and this MND, permitting from CDFW may be required. CDFW is concerned that the Project, including its ongoing presence, operation, and maintenance of Big Tujunga Dam, impacts streams and riparian habitats. 3-A

Specific impacts: According to Table 4-15 **Jurisdictional "Waters of the U.S. and CDFW** Jurisdictional **Waters"** on page 4-67 of the MND, a total of 93.41 acres of streams and riparian habitat occur within the survey area. The Project would impact 46.02 acres within the Reservoir and Big Tujunga Creek upstream from the Dam, 1.45 acres within the dam plunge pool, and 2.11 acres within Maple Canyon SPS. Furthermore, the Project may potentially impact stream **and riparian habitat downstream from the Project site not previously identified by the Project's** jurisdictional delineation efforts. 3-B

Why impacts would occur: Project activities include vegetation removal, dewatering, surface water diversion, sediment removal by mechanical excavation, sediment placement, and continued dam operations. These Project activities could result in temporary or permanent impacts to streams. Vegetation removal within the Reservoir and Maple Canyon SPS may increase sediment and debris input to a stream. 3-C The Project proposes vegetation removal and sediment placement activities permanently impacting 2.11 acres of unspecified stream or riparian habitat within Maple Canyon SPS including 0.08 acres of California sycamore woodland. The Project also proposes vegetation removal and sediment removal impacting 46.02 acres within the Reservoir and Big Tujunga Creek upstream from the Dam and 1.45 acres within the dam plunge pool. Vegetation removal within the Reservoir, plunge pool, and upper Big Tujunga Creek would permanently impact white alder grove-California sycamore woodland, black willow thicket, arroyo willow thicket, mulefat thicket, smartweed-cocklebur patch, freshwater seep, and disturbed freshwater seep habitats. Sediment removal within the reservoir and plunge pool would change the contour and channel cross-section of a streambed. 3-D Dewatering activities may impact vegetated habitat within and near the reservoir basin and upper Big Tujunga Creek by removing the primary source of available surface water. Surface water diversion activities may impact vegetated habitat within and near the reservoir basin and upper Big Tujunga Creek by altering natural recharge of groundwater from surface flows. 3-E The continued presence of the Dam impacts stream and riparian habitats by presenting an impassable barrier to fish passage, impounding and restricting natural stream flows, and restricting natural sediment transport. 3-F

Evidence impacts would be significant: CDFW exercises its regulatory authority as provided by Fish and Game Code section 1600 et *seq.* to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated plant communities. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify 3-G

CDFW prior to beginning any activity that may do one or more of the following: divert or obstruct the natural flow of any river, stream, or lake; change the bed, channel, or bank of any river, stream, or lake; use material from any river, stream, or lake; or, deposit or dispose of material into any river, stream, or lake. 3-G (cont.)

The Project may result in structures that could be considered very high threats or stressors to fish passage. Per CEQA Guidelines section 15065(a), a project may have a significant effect on biological resources if the project has the potential to substantially reduce the habitat of a fish species or substantially reduce the number or restrict the range of a special status species. Per Fish and Game Code section 5901, it is unlawful to construct or maintain in any stream any device or contrivance the prevents, impedes, or tends to prevent or impeded, the passing of fish up and downstream. Additionally, per Fish and Game Code section 5936, it is unlawful to willfully destroy, injure, or obstruct any fishway. Lastly, per Fish and Game Code section 5937, the owner of any dam shall allow sufficient water at all times to pass through a fishway, or to keep in good condition any fish that may be planted or exists below the dam. 3-H 3-I

The Project may impact streams and riparian habitats, which absent appropriate mitigation, could result in substantial erosion or siltation within and downstream from the Project site. Furthermore, the Project may result in the loss of riparian habitat. Specifically, the Project may result in the direct removal of white alder grove-California sycamore woodland, California sycamore woodland, black willow thicket, arroyo willow thicket, mulefat thicket, smartweed-cocklebur patch, freshwater seep, and disturbed freshwater seep habitats. Additional riparian habitat types may be impacted indirectly by Project activities. Riparian habitats provide important food, nesting habitat, cover, and migration corridors for wildlife. Only 5 to 10 percent of California's original riparian habitat exists today and much of the remaining habitat is in a degraded condition (NRC 2002). Among the riparian habitats that occur within the Project area, white alder grove-California sycamore woodland, white alder grove–willow thicket, California sycamore woodland, black willow thicket, and arroyo willow thicket are considered Sensitive Natural Communities (CDFW 2021b). 3-J

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: The Project will result in the alteration of streams. As such, CDFW **concurs with the Project's proposal to notify CDFW pursuant under** Fish and Game Code section 1600 *et seq*. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration (LSA) Agreement with the applicant is required prior **to conducting the proposed activities. Please visit CDFW's** Lake and Streambed Alteration Program webpage for information about the LSA Notification process and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal (CDFW 2021a). LSA Notification should occur prior to any of the following Project activities: (1) water releases from Big Tujunga Dam to lower the reservoir water level to an elevation of 2,188 feet above mean sea level; (2) Project vegetation disturbing activities within and near streams at Maple Canyon SPS; **(3)** "pre-dewatering activities" as described in section 3.1.2 of this MND; and (4) any ground-disturbing activities related to sediment removal in Big Tujunga Reservoir or the plunge pool. 3-K

Mitigation Measure #2: CDFW also recommends the County notify CDFW regarding ongoing routine operational and maintenance activities at Big Tujunga Dam in an effort to approach compliance with State law (Fish & G. Code, §§ 1600 *et seq*., 5901, 5937). This LSA Notification 3-L

can also be submitted through the EPIMS Permitting Portal. LSA Notification for dam operations and maintenance should occur prior to beginning water releases from Big Tujunga Dam to lower the reservoir water level to an elevation of 2,188 feet above mean sea level or other minimum pool elevation. 3-L (cont.)

Mitigation Measure #3: CDFW recommends the County mitigate for Project impacts to streams and riparian habitat by replacing habitat at no less than 3:1 ratio for all impacts. CDFW considers all Project impacts from sediment removal and sediment placement to be permanent. Mitigation lands should support streams and riparian habitat of similar vegetation composition, density, coverage, and species richness and abundance. 3-M

Recommendation #1: CDFW's issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from the County for the Project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 *et seq.* and/or under CEQA, the CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.

Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project site. The LSA Agreement may include further erosion and pollution control measures. To compensate for any on- and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on- or off-site habitat creation, enhancement or restoration, and/or protection, and management of mitigation lands in perpetuity. 3-N

Recommendation #2: Per Fish and Game Code section 5901, it is unlawful to construct or maintain in any stream any device or contrivance the prevents, impedes, or tends to prevent or impeded, the passing of fish up and downstream. Accordingly, the County should coordinate with CDFW prior to implementing the Project so CDFW may determine if the Project would be in violation of Fish and Game Code section 5901. 3-O

Comment #4: Impacts to Least Bell's Vireo and Southwestern Willow Flycatcher

Issue: The Project could impact least Bell's vireo and southwestern willow flycatcher, both ESA- and CESA-listed species.

Specific impacts: Project activities could result in nest abandonment or decreased feeding frequency. This could result in increased nestling mortality thus significant impacts on least **Bell's vireo** and/or southwestern willow flycatcher.

Why impacts would occur: Project activities include vegetation removal, sediment removal by mechanical excavation, sediment hauling, dewatering, and surface water diversion. **Least Bell's** vireo or southwestern willow flycatcher individuals nesting within or near the Project site could be impacted by Project activities. Project activities could create elevated levels of noise, human activity, dust, ground vibrations, and vegetation disturbance. These disturbances and stressors occurring near potential nests could cause individuals to abandon their nests, resulting in the loss of fertile eggs or nestlings. 4-A

Evidence impacts would be significant: CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). The Project has proposed Mitigation Measure BIO-6 to mitigate for **potential impacts on least Bell's vireo** and southwestern willow flycatcher. The mitigation measure would attempt to avoid **"to the extent possible"** vegetation removal during the nesting season and conduct focused protocol surveys to determine the presence and location of least **Bell's vireo and southwestern willow flycatcher each year prior to the start of** seasonal sediment removal activities. Mitigation Measure BIO-6 as proposed may not (1) commit the Project to mitigation, (2) adopt specific performance standards the mitigation will achieve, nor (3) identify the type(s) of potential action(s) that can feasibly achieve that performance standard that will be considered, analyzed, and potentially incorporated in the mitigation measure (CEQA Guidelines, § 15126.4). Consequently, Mitigation Measure BIO-6, as it is currently proposed, may be inadequate to reduce the **Project's potential impacts on least Bell's vireo** and southwestern willow flycatcher. 4-B

Inadequate avoidance, minimization, and mitigation measures for impacts on least Bell's vireo and southwestern willow flycatcher will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status by CDFW or USFWS. Take under ESA is more broadly defined than CESA. Take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. 4-C

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends the County amend Mitigation Measure BIO-6 to include the following underlined **language to offer increased protections to least Bell's vireo and** southwestern willow flycatcher:

A. ~~"To the extent possible,~~ vegetation clearing of riparian habitat shall be conducted during the non-breeding season (September 16 to March 14) in order to minimize direct impacts on nests of this species. Vegetation clearing of riparian communities shall be monitored by a CDFW-approved qualified Biologist (one with experience monitoring in riparian habitat). No riparian vegetation removal activities shall be conducted from March 15 to September 15. 4-D

B. Prior to the start of sediment removal activities each year, a CDFW-approved qualified **Biologist (one with experience and all necessary permits to survey for least Bell's vireo** and southwestern willow flycatcher) shall survey all riparian habitat within 500 feet of the **construction limits for the presence of least Bell's vireo and southw**estern willow flycatcher nests/territories. Focused surveys for each species shall adhere to established USFWS survey protocols. Three surveys shall be conducted within two weeks prior to the initiation of Project activities each year. Any active nests/territories shall be mapped on an aerial photograph and marked on applicable construction plans. A Letter Report will be prepared and submitted to the LACFCD, USFWS, and CDFW to document the results of the pre-construction survey within 30 days of completion of the survey. 4-E

C. A no less than 500-**foot protective buffer shall be established around a least Bell's vireo** or southwestern willow flycatcher territory identified in the field. Project activities including sediment removal, sediment hauling, vehicle traffic, and foot traffic shall not occur within this 500-foot protective buffer. The protective buffer shall be marked with lath and rope, orange snow fencing, or other suitable fencing to provide an adequate buffer from construction work. Signs shall be posted to indicate that the area is an **"Environmentally Sensitive Area" and that no work activities shall occur within the** fencing. WEAP training shall educate workers on the importance of Environmentally Sensitive Areas. The Biological Monitor shall check the fencing/signage weekly to ensure that it stays in place throughout sediment removal activities and shall notify the **LACFCD's Construction Inspector immediately if the fencing/signage needs to be** repaired."

4-F

Mitigation Measure #2: If the Project or any Project-related activity for the duration of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the County must seek appropriate take authorization under CESA before commencing Project activities. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a Consistency Determination in certain circumstances, among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and Mitigation Measures may be required to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

4-G

Comment #5: Impacts to Special Status Fish Species

Issue: The following fish species occur within and/or downstream from the Project site: arroyo chub, Santa Ana speckled dace, and Santa Ana sucker. The arroyo chub and Santa Ana speckled dace are both SSC. The Santa Ana sucker is an ESA-listed threatened species.

5-A

Specific impacts: Project activities may result in impacts on special status fish species through direct injury or mortality, direct take from pumps, impediment to fish passage, habitat modification, loss or decline of spawning or rearing areas, reduced reproductive capacity, change in stream flow, entrapment in isolated pools due to loss of water surface elevation, increased turbidity, change in pH, change in water temperature, or change in dissolved oxygen.

5-B

Why impacts would occur: Project activities include vegetation removal, dewatering, surface water diversion, sediment removal by mechanical excavation, and sediment placement. These Project activities would occur for approximately seven months per year (April to October) for the duration of the Project term not to exceed five years. Dewatering activities in the Reservoir and plunge pool are likely to increase turbidity downstream as fine-grain sediments on the reservoir bottom become resuspended and discharged through dam outlet structures and/or water pumps. Increased turbidity can directly injure and irritate respiratory structures in aquatic organisms and result in mortality. Increased turbidity can also result in the decline or loss of instream vegetation that serves as food and habitat resources for aquatic species. Surface water diversions can potentially increase water temperatures, particularly if diverted flows are

5-C

5-D

allowed to stagnate in artificial unshaded pools and/or they are conveyed through black-colored, solar-heated bypass pipelines. Adverse water temperatures can injure and stress sensitive aquatic organisms and result in mortality. High water temperatures can also reduce available dissolved oxygen, a critical resource essential to the survival of these sensitive fish species. The Project also proposes to intentionally halt all-natural stream flow to existing habitat for special status fish (including USFWS-designated Critical Habitat for Santa Ana sucker). The Project could also result in unintentional impoundment of stream flows behind the Dam. These Project activities could result in the loss of wetted stream habitat, degraded of stream habitat quality, degraded water quality, increased physiological stress and/or mortality of aquatic and riparian species, entrapment of fish in isolated pools, and take of special status species.

5-D (cont.)

5-E

The Project has proposed Mitigation Measure BIO-4 to mitigate for potential impacts on arroyo chub, Santa Ana speckled dace, and Santa Ana sucker. However, CDFW is concerned that this mitigation measure and other measures proposed in this MND remain inadequate to avoid impacts on these special status species. Project activities include dewatering the plunge pool using pumps. This plunge pool is known to be inhabited by arroyo chub, and Santa Ana speckled dace and Santa Ana sucker also potentially occur there. Mitigation Measure BIO-4 as proposed in this MND could potentially allow these small-bodied fish, juveniles, larvae, or eggs to be drawn into pumps. Mitigation Measure BIO-4 also proposes the installation of water filtration BMPs to convert the existing plunge pool into a temporary sedimentation or desilting basin. However, this proposed concept may not be able to sufficiently prevent discharges with adverse water quality into known special status fish habitat.

5-F

5-G

Evidence impacts would be significant: A California SSC is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
- is listed as ESA-, but not CESA-, threatened, or endangered; meets the State definition of threatened or endangered but has not formally been listed;
- is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; and/or,
- has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA threatened or endangered status (CDFW 2021c).

5-H

CEQA provides protection not only for CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of SSC could require a mandatory finding of significance (CEQA Guidelines, § 15065). Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct and cumulative effect, either directly or through habitat

modifications, on any species identified as a candidate, sensitive, or special status species by CDFW or USFWS. 5-H (cont.)

The Project may result in structures that could be considered very high threats or stressors to fish passage. Per CEQA Guidelines section 15065(a), a project may have a significant effect on biological resources if the project has the potential to substantially reduce the habitat of a fish species or substantially reduce the number or restrict the range of a special status species. Per Fish and Game Code section 5901, it is unlawful to construct or maintain in any stream any device or contrivance the prevents, impedes, or tends to prevent or impeded, the passing of fish up and downstream. Additionally, per Fish and Game Code section 5936, it is unlawful to willfully destroy, injure, or obstruct any fishway. Lastly, per Fish and Game Code section 5937, the owner of any dam shall allow sufficient water at all times to pass through a fishway, or to keep in good condition any fish that may be planted or exists below the dam. 5-I

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends the County avoid all of the following Project activities during the peak spawning season for these special status fish species (March 1 to July 31) including: (1) removal or modification of riparian vegetation; (2) dewatering the reservoir minimum pool; (3) installing and operating the surface water diversion system; (4) sediment removal, and (5) intentionally or unintentionally halting natural stream flows. 5-J

Mitigation Measure #2: If the Project activities listed above cannot be avoided during the peak fish spawning season (March 1 to July 31), CDFW recommends the County mitigate for impacts to special status fish species. The County should consult CDFW and USFWS to develop and implement a mitigation plan that addresses long-term habitat enhancement projects in Big Tujunga Creek downstream from Big Tujunga Dam. Examples of suitable habitat enhancement projects include removal of non-native riparian vegetation, removal of non-native wildlife, removal of barriers to fish movement, installation or supplementation of instream cobble and gravel substrate, installation or supplementation of instream woody debris, and removal of trash and homeless encampments. 5-K

Mitigation Measure #3: CDFW recommends the County conduct a long-term Downstream Resources Study. This Downstream Resources Study should be designed and conducted to actively monitor for potential changes in the physical and biological functions in Big Tujunga Creek downstream from Big Tujunga Dam. The Downstream Resources Study should begin with a baseline study conducted prior to initiation of Project activities. The same sampling locations should be used for baseline and subsequent monitoring studies. Specific methods sampling locations, sampling frequency, and monitoring parameters should be approved by CDFW in advance. 5-L

Mitigation Measure #4: CDFW recommends the County amend Mitigation Measure BIO-4 to include the following underlined language to offer increased protections to arroyo chub, Santa Ana speckled dace, and Santa Ana sucker: 5-M

B. **"A ~~one-visit~~** pre-construction survey for Santa Ana sucker, arroyo chub, and Santa Ana speckled dace shall be conducted by a CDFW-approved qualified Biologist (one holding a 10[a] permit for the Santa Ana sucker) immediately prior to i~~nstallation of water quality BMPs at the downstream end of~~ initiation of Project activities in the plunge pool.

[...]

D. Regardless of whether special status fish species are observed during pre-construction surveys, the combination of water quality BMPs, fish exclusion screening, and~~/or~~ blocking nets shall be used to exclude special status fish species from entering the work area from downstream. [...] 5-N

[...]

H. A screen with 0.125-inch (3.2-millimeter) mesh shall be used at the inflow of the pump for dewatering the reservoir to prevent non-native animals from spreading from the reservoir to areas below the dam occupied by Santa Ana sucker. All non-native animal species encountered during dewatering of the reservoir shall be permanently removed from the reservoir. Post-project, placement of non-native species shall not be allowed in the reservoir, plunge pool, or Big Tujunga Creek/Wash. The inflow of all pumps dewatering the plunge pool shall be covered with fish exclusion screening. Fish exclusion screening shall meet the following specifications:

I.

a. Porosity: The screen surface shall have a minimum open area of 27 percent. CDFW recommends the maximum possible open area consistent with the availability of appropriate material, and structural design considerations. The use of open areas less than 40 percent shall include consideration of increasing the screen surface area, to reduce slot velocities, assisting in both fish protection and screen cleaning. 5-O

b. Round Openings: Round openings in the screening shall not exceed 2.38 mm (3/32 in).

c. Square Openings: Square openings in screening shall not exceed 2.38 mm (3/32 in) measured diagonally.

d. Slotted Openings: Slotted openings shall not exceed 1.75 mm (0.0689 in).

[...]

J. A CDFW-approved qualified Biological Monitor (one with experience with special status fish species) shall conduct daily monitoring for stranded aquatic life along the creek during dewatering outside the storm season (April 16 to October 14), any periods with insufficient water flow through the dam, and stream bypass installation. The Biological Monitor shall also conduct weekly monitoring throughout sediment removal activities to ensure that BMPs are in place and no release of sediment is observed downstream of the plunge pool; and to ensure that Santa Ana sucker, arroyo chub, or Santa Ana speckled dace are not stranded as dewatering flows recede. The Biological Monitor shall visually monitor habitat and instream conditions (i.e., no flows, insufficient flow to sustain aquatic life, isolation of pools) and quantitatively monitor water quality (i.e., water temperature, pH, dissolved oxygen, and turbidity levels) at no fewer than three locations on a weekly basis during dewatering and sediment removal activities ~~from the dam to approximately 1.5 mile~~ downstream of the dam. These selected monitoring locations shall be pre-approved by CDFW. If the Biological Monitor observes dead or distressed aquatic life, the Biological Monitor shall **immediately notify LACFCD's Construction** Inspector that immediate corrective action is required and LACFCD shall immediately notify CDFW and USFWS. If the Biological Monitor notes a change in the condition of downstream habitat that was likely caused by dewatering flows and/or BMPs not functioning effectively to protect water quality, the Biological Monitor shall immediately 5-P

notify the LACFCD's Construction Inspector that immediate corrective action is required. If corrective action has not been taken within 48 hours, the Biological Monitor shall **recommend that LACFCD's Construction Inspector suspend construction activities and** the Biological Monitor shall report the conditions and necessary corrective actions to the LACFCD, USFWS, and CDFW; work shall remain suspended until the condition is corrected to the satisfaction of the LACFCD, USFWS, and CDFW. If the Biological Monitor observes Santa Ana sucker or other special status species adults, juvenile, or larva stranded in drying pools outside the active channel during dewatering or at any time during construction, he/she shall be authorized to relocate the fish to suitable habitat in the adjacent active channel. The Biological Monitor shall prepare Weekly Monitoring Reports describing construction activities as they pertain to the Santa Ana sucker and Santa Ana sucker Critical Habitat areas; the reports shall be submitted to the LACFCD, USFWS, and CDFW. 5-P (cont.)

K. The SSFRP shall also include discussion of potential relocation necessary based on natural flow conditions from the dam to 1.5 mile downstream of the dam. If the Biological Monitor notices that water levels in active channel of the creek in this area decrease to shallow conditions or that isolated pools develop as a result of natural rainfall conditions, the Biological Monitor shall notify the LACFCD, USFWS, and CDFW of the conditions so the resource agencies (i.e., USFWS or CDFW) may consider relocating special status fish to suitable habitat or temporarily into captivity to avoid potential mortality. LACFCD shall be responsible for relocating fish and other aquatic species if drying or adverse stream conditions develop as a result of Project activities and/or the presence of Big Tujunga Dam within Big Tujunga Creek. ~~Because this would be a result of weather conditions and not a result of the Project, the LACFCD shall not be responsible for relocating the fish (if needed) but shall cooperate with agency efforts to rescue fish~~. No relocation shall occur until the USFWS and CDFW have confirmed that relocation shall **occur."** 5-Q

Comment #6: Impacts to Coast Range Newt

Issue: Coast range newt could potentially occur within and/or downstream from the Project site. Project activities may impact this sensitive SSC unless specific mitigation measures are implemented.

Specific impacts: Project activities may result in direct injury or mortality (trampling, crushing), reduced reproductive capacity, population declines, or local extirpation of an SSC. Direct take from pumps, habitat modification, loss or decline of spawning or rearing areas, change in stream flow, increased turbidity, change in pH, change in water temperature Also, loss of foraging, breeding, nesting, or nursery habitat for an SSC may occur. 6-A

Why impacts would occur: CDFW is concerned that the Project does not propose any mitigation measures to avoid impacts on coast range newt. Coast range newt could potentially occur within the Project area. The Project area offers suitable habitat for this species within Big Tujunga Creek upstream from the Reservoir as well as downstream from the Dam. The California Natural Diversity Database (CNDDB) shows a reported coast range newt occurrence approximately 3.75 kilometers away to the southeast from the dam plunge pool. Project activities include vegetation removal, dewatering, surface water diversion, sediment removal by mechanical excavation, and sediment placement. These Project activities would occur for 6-B

approximately seven months per year (April to October) for the duration of the Project term not to exceed five years. Dewatering activities in the Reservoir and plunge pool are likely to increase turbidity downstream as fine-grain sediments on the reservoir bottom become resuspended and discharged through dam outlet structures and/or water pumps. Increased turbidity can directly injure and irritate respiratory structures in newt larvae and result in mortality. Increased turbidity can also result in the decline or loss of instream vegetation that serves as habitat and spawning substrate for coast range newt. Surface water diversions can potentially increase downstream water temperatures, particularly if diverted flows are allowed to stagnate in artificial unshaded pools and/or they are conveyed through black-colored, solar-heated bypass pipelines. Adverse water temperatures can injure and stress sensitive aquatic organisms and result in mortality. High water temperatures can also reduce available dissolved oxygen, a critical resource essential to the survival of these coast range newt larvae.

6-B (cont.)

6-C

Evidence impacts would be significant: CEQA provides protection not only for CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of SSC could require a mandatory finding of significance (CEQA Guidelines, § 15065). Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species by CDFW.

6-D

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends the County amend Mitigation Measure BIO-8 to include the following underlined language to offer increased protections to coast range newt:

"Prior to the initiation of dewatering/installation of the bypass line each year (March or April, depending on water levels in the reservoir), preconstruction surveys for the two-striped garter snake and coast range newt shall be conducted by a CDFW-approved qualified Biologist (one with experience and the necessary permits to handle ~~this~~ these species). Concurrently with the western pond turtle trapping effort described in MM BIO-6, the Biologist shall also visually search for two-striped garter snakes and coast range newts in the Project impact area. If any two-striped garter snakes or coast range newts are captured, they shall be relocated to a suitable site along Big Tujunga Creek upstream of the construction area or along Big Tujunga Creek downstream of the downstream access road boundary. Prior to relocating any two-striped garter snakes or coast range newts, the LACFCD and CDFW shall approve the potential relocation site(s) and methods for transfer to the relocation sites. Additionally, a qualified Biologist shall be present during dewatering of the plunge pool to ensure no two-striped garter snakes or coast range newts are stranded. If any two-striped garter snakes or coast range newts are observed during the monitoring, they shall be captured by the Biologist and released at the relocation site. A Letter Report shall be prepared to document the results of the pre-construction surveys and monitoring and shall be provided to the LACFCD and CDFW within 30 days of completion of the survey."

6-E

Comment #7: Impacts to San Gabriel Oak

Issue: The Project does not propose any measures to mitigate for impacts to San Gabriel oak trees (*Quercus durata* var. *gabrielensis*). Additionally, focused surveys for sensitive and rare plant species presented in this MND are outdated. 7-A 7-B

Specific impacts: CDFW is concerned that the County has not proposed mitigation for Project impacts on San Gabriel oak trees. Project activities may cause direct tree injury or mortality, habitat fragmentation, alteration of soil chemical and physical makeup, increased competition with exotic invasive weeds, and reduced photosynthesis, and reduced reproductive capacity. These impacts would result in native plant population declines or local extirpation of this special status plant species. The cumulative effects of these impacts would be permanent or occur over several years.

Why impact would occur: The MND describes direct impacts on San Gabriel oak with the proposed removal of at least 10 individuals within Maple Canyon SPS. San Gabriel oak has a California Rare Plant Ranking (CRPR; CNPS 2021) of 4.2. This species is considered to be rare because its distribution is limited to a small area within the San Gabriel Mountains and because it is threatened by human development. The Project does not propose any mitigation for impacts on San Gabriel oak. This would result in an ultimate total net loss of oak trees associated with the Project activities. 7-C

The MND impact assessment was derived from a focused survey for rare plants conducted in 2016. Impacts to species not previously known or identified to be on the Project site or within its vicinity presently have the possibility to occur due to outdated surveys. The 2016 survey may no longer represent the current state of the species on site. Therefore, Project activities may result in direct mortality, population declines, or local extirpation of sensitive or special status species that were previously unidentified or unknown to exist on site. 7-D

Evidence impact would be significant: Impacts to special status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these sensitive plant species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW. 7-E

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends conducting new focused surveys for sensitive and rare plants occurring within and near the Project site and disclosing the results in the final CEQA document. Based on the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW 2018), a qualified biologist **should "conduct botanical** surveys in the field at the times of year when plants will be both **evident and identifiable. Usually this is during flowering or fruiting."** The final CEQA documentation should provide a thorough discussion on the presence/absence of sensitive plants on-site and identify measures to protect sensitive plant communities from Project-related direct and indirect impacts. 7-F

Mitigation Measure #2: CDFW recommends avoiding all Project impacts on all rare plant species or sensitive natural communities including San Gabriel oak. If avoidance is not feasible, impacts to individual San Gabriel oak trees should be mitigated at a ratio of no less than 3:1. All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan, to be approved by CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and, a funding mechanism to assure for in perpetuity management and reporting. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (AB 1094; Government Code, §§ 65965-65968). 7-G

Additional Comments and Recommendations

Comment #8: Impacts to Crotch's Bumble Bee
CDFW recommends the County amend Mitigation Measure BIO-3 to include the following underlined language to minimize impacts **to Crotch's bumble bee**:

"~~If CDFW determines that listing of the Crotch bumble bee is not warranted prior to implementation of the Project, or during implementation of the Project, this measure shall not be required. If CDFW makes a determination, or if CDFW determines that listing of the Crotch bumble bee is warranted, the following measure shall be required.~~

A pre-construction focu**sed survey for Crotch's bumble bee shall be conducted during the Crotch's bumble bee active period (March to July) prior to the initiation of vegetation removal** activities and prior to sediment placement activities each season. Three visual surveys will be conducted by a CDFW-approved qualified Biologist (i.e., one with experience in the identification of bee species). Surveys shall be conducted at least two hours after sunrise and three hours before sunset during suitable weather conditions. Sunny days with temperatures greater than 60 degrees Fahrenheit and wind speeds less than eight mph are optimal, but **partially cloudy days or overcast conditions are permissible if a person's shadow is visible.** Surveys should not be conducted during wet, foggy, or rainy conditions. Meandering transects shall be walked slowly within the Maple Canyon SPS impact area (disturbance area plus 50 **feet) to obtain a 100% survey cover. Transect spacing will depend on the habitat."** 8-A

Comment #9: Impacts to Nesting Birds
Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any raptor. CDFW recommends that measures be taken to fully avoid impacts to nesting birds and raptors. 9-A

The Project proposes Mitigation Measure BIO-10 to mitigate for potential impacts on nesting birds. CDFW recommends the County amend Mitigation Measure BIO-10 to include the following underlined language to offer increased protections to nesting birds: 9-B

"The following measures shall be followed prior to work within the ~~Reservoir, plunge pool, or stream and in the developed areas of the dam~~ entire Project area.

A. To the extent possible, vegetation clearing shall be conducted during the non-breeding season (September 1 to January 31) in order to minimize direct impacts on nesting birds. If vegetation clearing would be initiated during the breeding season for nesting birds/raptors (February 1–August 31), the maintenance activity shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act.

9-B (cont.)

B. In order to avoid direct impacts on active nests, a pre-construction survey shall be conducted by a CDFW-approved qualified Biologist (one with experience conducting nesting bird surveys) for nesting birds and/or raptors within four days prior to clearing of any vegetation or any work near existing structures. The nesting bird survey area shall include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors. If the Biologist does not find any active nests in or immediately adjacent to the impact area, the vegetation clearing/construction work shall be allowed to proceed. If a cessation of Project activities occurs for 5 or more consecutive days, nesting bird surveys shall be conducted anew."

9-C

CDFW also recommends the County conduct vegetation removal in phases to offer increased protections to nesting birds and other wildlife, as well as better watershed management. If the County intends to begin sediment removal and sediment placement activities by April 2022, CDFW recommends the County fully avoid the bird nesting season and complete the minimal required vegetation removal in the sediment removal area and Maple Canyon SPS before the next nesting bird season begins February 1, 2022.

9-D

Filing Fees

The Project, as proposed, could have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

Conclusion

CDFW appreciates the opportunity to comment on the Project to assist the County in identifying and mitigating potential impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the County has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines; § 15073(e)]. If you have any questions or comments regarding this letter, please contact David T. Lin, Senior Environmental Scientist (Specialist) at David.Lin@wildlife.ca.gov or (562) 619-0509.

10-A

Sincerely,

Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW
Victoria Tang, Los Alamitos – Victoria.Tang@wildlife.ca.gov
John O'Brien, Los Alamitos – John.Obrien@wildlife.ca.gov
David T. Lin, Los Alamitos – David.Lin@wildlife.ca.gov
Jennifer Pareti, Los Alamitos – Jennifer.Pareti@wildlife.ca.gov
Susan Howell, San Diego – Susan.Howell@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov
CEQA Program Coordinator, Sacramento – CEQAcommentletters@wildlife.ca.gov
State Clearinghouse, Office of Planning and Research – State.Clearinghouse@opr.ca.gov

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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project.

Biological Resources (BIO)				
Mitigation Measure (MM) or Recommendation (REC)		**Timing**	**Responsible Party**	
MM-BIO-1-No-Flow Contingency Plan	The County shall develop a No-Flow Contingency Plan prior to the beginning of Project activities, including dewatering of Big Tujunga Reservoir, in consultation with the appropriate regulatory agencies (e.g., CDFW, U.S. Fish and Wildlife Service, Regional Water Quality Control Board). This contingency plan shall provide detailed guidance and specific protocols for Project personnel to follow in preparation and in response to situations where insufficient water passes through Big Tujunga Dam to downstream resources. To avoid violation of Fish and Game Code section 5937, the County shall include methods for providing sufficient water to pass through Big Tujunga Dam. This plan shall also include monitoring for stream condition, water quality, and stranded or distressed aquatic life downstream from the Project location. Surveys and relocation activities involving affected aquatic life shall adhere to the Special Status Fish Relocation Plan described in Mitigation Measure BIO-4 of this MND. In the absence of a No-Flow Contingency Plan, downstream flows from Big Tujunga Reservoir shall only be halted in emergency situations to prevent downstream flooding.	Prior to and during Project activities	Los Angeles County Flood Control District (LACFCD or County)	11-A
MM-BIO-2-No-Flow Contingency Plan	The County shall design and conduct sediment removal within Big Tujunga Reservoir in a manner that avoids or minimizes the likelihood of potential no-flow scenarios.	Prior to and during Project activities	County	11-B

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MM-BIO-3-No-Flow Contingency Plan	The County shall design and implement Project activities within the plunge pool in a manner that does not contribute to a no-flow scenario. Sediment removal and the installation of water quality Best Management Practices within the plunge pool shall not impede downstream flows or present a barrier to fish passage.	Prior to and during Project activities	County	11-C
MM-BIO-4-Impacts to Water Quality	The County shall implement the following to avoid and/or minimize water quality impacts from pre-dewatering and dewatering activities: After the reservoir water level reaches 2,188 ft above mean sea level (minimum pool elevation) before the start of each sediment removal season or lower in future seasons, reservoir water shall only be discharged downstream if it meets or exceeds the following water quality standards: A. Oil and Grease. Waters shall not contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses. B. Dissolved Oxygen. At a minimum, the mean annual dissolved oxygen concentration of all waters shall be greater than 7 mg/L, and no single determination shall be less than 5.0 mg/L, except when natural conditions cause lesser concentrations. The dissolved oxygen content of all surface waters shall not be depressed below 6 mg/L as a result of waste discharges. C. pH. The pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharges. Ambient pH levels shall not be changed more than 0.5 units from natural conditions as a result of waste discharge. D. Temperature. Waters with measured temperature exceeding 78 °F (25.5 °C) shall not be discharged downstream. E. Turbidity. Downstream TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed	Prior to and during Project activities	County	11-D

	20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Ambient levels shall be measured at a sampling location in Big Tujunga Creek at least 200 feet upstream from the point of diversion. All of the following water quality parameters must be examined within the same calendar day of the intended water discharge: oil and grease, dissolved oxygen, pH, temperature, and turbidity. Reservoir minimum pool (or **"dead pool") water that meets or exceeds water quality** standards can be discharged downstream directly to the plunge pool. Plunge pool dewatering discharges must meet or exceed the same water quality standards described above. Water quality measurements for each discharge shall be recorded and provided to CDFW upon request.			11-D (cont.)
MM-BIO-5-Impacts to Water Quality	I. When the bypass line is in place, water temperature shall be maintained from the inflow to the outflow. The bypass line shall be insulated and/or methods shall be used to decrease the water temperature prior to it re-entering the stream (e.g., submerge, cover, or shade the bypass line; avoiding black or corrugated pipe if not shaded). A temporary trash rack shall be installed upstream of the stream bypass inlet pipe to help mitigate the potential for many types of blockages. This trash rack shall be monitored daily by a CDFW-approved qualified Biological Monitor or Designated Biologist and maintained daily to ensure effective operation for the duration of surface water diversion activities. If a stream diversion is actively diverting surface water, then a CDFW-approved qualified Biological Monitor or Designated Biologist shall monitor water quality at a location upstream from the point of diversion and at the outlet of the diversion. Water quality parameters to be monitored include dissolved oxygen, pH, flow (e.g. cubic feet per second), and water temperature. Water quality monitoring data shall be collected under low flow	Prior to and during Project activities	County	11-E

	conditions when the stream flow is stable at the point of diversion. Dissolved oxygen, pH, flow, and water temperature data shall be collected twice daily at the diversion before entering the conveyance, and at the downstream outlet of the diversion (once within 30 minutes before/after astronomical sunrise and once at 1200 hours of the work day) on Monday, Wednesday, and Friday during each week while stream diversion remains in place. CDFW will be notified of the person conducting the data collection via Email prior to initiating data collection. LACFCD will report stream diversion water quality monitoring data to CDFW on a weekly basis or upon CDFW request. The person collecting data shall be qualified to interpret water quality data and be responsible for interpreting data. CDFW will be notified immediately upon a staff change from the **previous notification by LACFCD. LACFCD, LACFCD's** designee, and/or CDFW shall determine whether the diversion is causing a substantial adverse impact, and LACFCD will cease operations until corrective measures are implemented. LACFCD shall notify CDFW representatives immediately if dead fish or adverse water quality parameters are observed. If a stream diversion is actively diverting surface water, then a CDFW-approved qualified Biological Monitor or Designated Biologist shall monitor turbidity at a location 200 feet upstream from the point of diversion and at the outlet of the diversion. Turbidity at the outlet of the diversion shall not exceed turbidity levels measured concurrently at a location 200 feet upstream from the point of diversion. Stream turbidity data shall be collected daily by LACFCD or their designee. LACFCD shall report stream diversion turbidity monitoring data to CDFW on a **weekly basis. LACFCD, LACFCD's designee, and/or CDFW** shall determine whether the diversion is causing a substantial adverse impact, and Permittee will cease operations until corrective measures are implemented. LACFCD shall notify			11-E (cont.)

	CDFW representatives immediately if an increase in turbidity is observed.			11-E (cont.)
MM-BIO-6- Impacts to Water Quality	The County shall implement the following practices to reduce turbidity and other problems of degraded water quality during pre-dewatering releases from Big Tujunga Reservoir (water elevations at or above 2,188 feet above mean sea level): 1. Install water quality BMPs over or upstream from all dam outlet structures to reduce turbidity. Examples of appropriate BMPs might include geotextile filter fabric or turbidity curtains. 2. Reduce water releases from Big Tujunga Reservoir to the minimum rate needed to slowly lower the reservoir water elevation or to match natural inflows. If downstream conditions allow, the County shall consider periodically closing dam outlet structures for short intervals to allow the reservoir minimum pool to function as a desilting basin. 3. Install aeration devices to increase dissolved oxygen in the plunge pool prior to pre-dewatering water releases from Big Tujunga Reservoir.	Prior to and during Project activities	County	11-F
MM-BIO-7- Impacts to Water Quality	If the County cannot avoid Project activities during the peak spawning season for special status fish (March 1 to July 31), the County shall expedite **installation of the surface water diversion system ("bypass pipe") as early as possible** to limit turbid water discharges from the reservoir minimum pool.	Prior to and during Project activities	County	11-G
MM-BIO-8- Impacts to Streams	The County shall notify CDFW pursuant to Fish and Game Code section 1600 *et seq.* prior to any Project activities including: (1) water releases from Big Tujunga Dam to lower the reservoir water level to an elevation of 2,188 feet above mean sea level; (2) Project vegetation disturbing activities within and near streams at Maple Canyon SPS; (3) **"pre-dewatering activities" as described in section 3.1.2 of this MND;** and (4) any ground-disturbing activities related to sediment removal in Big Tujunga Reservoir or the plunge pool.	Prior to Project activities	County	11-H

MM-BIO-9-Impacts to Streams	The County shall notify CDFW regarding ongoing routine operational and maintenance activities at Big Tujunga Dam in an effort to approach compliance with State law (Fish & G. Code, §§ 1600 *et seq.*, 5901, 5937). LSA Notification for dam operations and maintenance shall occur prior to beginning water releases from Big Tujunga Dam to lower the reservoir water level to an elevation of 2,188 feet above mean sea level or other minimum pool elevation.	Prior to Project activities	County	11-I
MM-BIO-10-Impacts to Streams	The County shall mitigate for Project impacts to streams and riparian habitat by replacing habitat at no less than 3:1 ratio for all impacts. Mitigation lands shall support streams and riparian habitat of similar vegetation composition, density, coverage, and species richness and abundance.	Prior to Project activities	County	11-J
MM-BIO-11-Impacts to Least Bell's Vireo and Southwestern Willow Flycatcher	A. Vegetation clearing of riparian habitat shall be conducted during the non-breeding season (September 16 to March 14) in order to minimize direct impacts on nests of this species. Vegetation clearing of riparian communities shall be monitored by a CDFW-approved qualified Biologist (one with experience monitoring in riparian habitat). No riparian vegetation removal activities shall be conducted from March 15 to September 15. B. Vegetation clearing of riparian habitat shall be conducted during the non-breeding season (September 16 to March 14) in order to minimize direct impacts on nests of this species. Vegetation clearing of riparian communities shall be monitored by a CDFW-approved qualified Biologist (one with experience monitoring in riparian habitat). No riparian vegetation removal activities shall be conducted from March 15 to September 15. C. A 500-foot protective buffer shall be established around a least **Bell's vireo or southwestern willow flycatcher territory identified** in the field. Project activities including sediment removal, sediment hauling, vehicle traffic, and foot traffic shall not occur within this 500-foot protective buffer. The protective buffer shall be marked with lath and rope, orange snow fencing, or other	Prior to and during Project activities	County	11-K

	suitable fencing to provide an adequate buffer from construction work. Signs shall be posted to indicate that the area is an **"Environmentally Sensitive Area" and that no work activities** shall occur within the fencing. WEAP training shall educate workers on the importance of Environmentally Sensitive Areas. The Biological Monitor shall check the fencing/signage weekly to ensure that it stays in place throughout sediment removal **activities and shall notify the LACFCD's Construction Inspector** immediately if the fencing/signage needs to be repaired.			11-K (cont.)
MM-BIO-12- Impacts to Least Bell's Vireo and Southwestern Willow Flycatcher	If the Project or any Project-related activity for the duration of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the County shall seek appropriate take authorization under CESA before commencing Project activities.	Prior to Project activities	County	11-L
MM-BIO-13- Impacts to Special Status Fish Species	The County shall avoid all of the following Project activities during the peak spawning season for these special status fish species (March 1 to July 31) including: (1) removal or modification of riparian vegetation; (2) dewatering the reservoir minimum pool; (3) installing and operating the surface water diversion system; (4) sediment removal, and (5) intentionally or unintentionally halting natural stream flows.	Prior to and during Project activities	County	11-M
MM-BIO-14- Impacts to Special Status Fish Species	If the Project activities listed above cannot be avoided during the peak fish spawning season (March 1 to July 31), the County shall mitigate for impacts to special status fish species. The County shall consult CDFW and USFWS to develop and implement a mitigation plan that addresses long-term habitat enhancement projects in Big Tujunga Creek downstream from Big Tujunga Dam.	Prior to and during Project activities	County	11-N
MM-BIO-15- Impacts to Special Status Fish Species	The County shall conduct a long-term Downstream Resources Study. This Downstream Resources Study shall be designed and conducted to actively monitor for potential changes in the physical and biological functions in Big Tujunga Creek downstream from Big Tujunga Dam. The Downstream Resources Study shall begin with a baseline study conducted prior to initiation of Project activities. The same sampling	Prior to and during Project activities	County	11-O

	locations shall be used for baseline and subsequent monitoring studies. Specific methods sampling locations, sampling frequency, and monitoring parameters shall be approved by CDFW in advance.			11-O (cont.)
MM-BIO-16- Impacts to Special Status Fish Species	[...] B. A pre-construction survey for Santa Ana sucker, arroyo chub, and Santa Ana speckled dace shall be conducted by a CDFW-approved qualified Biologist (one holding a 10[a] permit for the Santa Ana sucker) immediately prior to initiation of Project activities in the plunge pool. [...] D. Regardless of whether special status fish species are observed during pre-construction surveys, the combination of water quality BMPs, fish exclusion screening, and blocking nets shall be used to exclude special status fish species from entering the work area from downstream. The design of the exclusion and method of installation shall be included in the SSFRP and approved by the LACFCD, USFWS, and CDFW. Blocking nets and water quality BMPs shall be installed under the supervision of a Biological Monitor in order to ensure that no special status fish species are impacted during installation of the exclusion measures. [...] H. A screen with 0.125-inch (3.2-millimeter) mesh shall be used at the inflow of the pump for dewatering the reservoir to prevent non-native animals from spreading from the reservoir to areas below the dam occupied by Santa Ana sucker. All non-native animal species encountered during dewatering of the reservoir shall be permanently removed from the reservoir. Post-project, placement of non-native species shall not be allowed in the reservoir, plunge pool, or Big Tujunga Creek/Wash. The inflow of all pumps dewatering the plunge pool shall be covered with fish exclusion screening. Fish exclusion screening shall meet the following specifications: a. Porosity: The screen surface shall have a minimum open	Prior to and during Project activities	County	11-P

	area of 27 percent. CDFW recommends the maximum possible open area consistent with the availability of appropriate material, and structural design considerations. The use of open areas less than 40 percent shall include consideration of increasing the screen surface area, to reduce slot velocities, assisting in both fish protection and screen cleaning. b. Round Openings: Round openings in the screening shall not exceed 2.38 mm (3/32 in). c. Square Openings: Square openings in screening shall not exceed 2.38 mm (3/32 in) measured diagonally. d. Slotted Openings: Slotted openings shall not exceed 1.75 mm (0.0689 in). [...] J. A CDFW-approved qualified Biological Monitor (one with experience with special status fish species) shall conduct daily monitoring for stranded aquatic life along the creek during dewatering outside the storm season (April 16 to October 14), any periods with insufficient water flow through the dam, and stream bypass installation. The Biological Monitor shall also conduct weekly monitoring throughout sediment removal activities to ensure that BMPs are in place and no release of sediment is observed downstream of the plunge pool; and to ensure that Santa Ana sucker, arroyo chub, or Santa Ana speckled dace are not stranded as dewatering flows recede. The Biological Monitor shall visually monitor habitat and instream conditions (i.e., no flows, insufficient flow to sustain aquatic life, isolation of pools) and quantitatively monitor water quality (i.e., water temperature, pH, dissolved oxygen, and turbidity levels) at no fewer than three locations on a weekly basis during dewatering and sediment removal activities downstream of the dam. These selected monitoring locations shall be pre-approved by CDFW. If the Biological Monitor observes dead or distressed aquatic life, the Biological Monitor			11-P (cont.)

	shall immediately notify LACFCD's Construction Inspector that immediate corrective action is required and LACFCD shall immediately notify CDFW and USFWS. If the Biological Monitor notes a change in the condition of downstream habitat that was likely caused by dewatering flows and/or BMPs not functioning effectively to protect water quality, the Biological Monitor shall **immediately notify the LACFCD's Construction Inspector that** immediate corrective action is required. If corrective action has not been taken within 48 hours, the Biological Monitor shall **recommend that LACFCD's Construction Inspector suspend** construction activities and the Biological Monitor shall report the conditions and necessary corrective actions to the LACFCD, USFWS, and CDFW; work shall remain suspended until the condition is corrected to the satisfaction of the LACFCD, USFWS, and CDFW. If the Biological Monitor observes Santa Ana sucker or other special status species adults, juvenile, or larva stranded in drying pools outside the active channel during dewatering or at any time during construction, he/she shall be authorized to relocate the fish to suitable habitat in the adjacent active channel. The Biological Monitor shall prepare Weekly Monitoring Reports describing construction activities as they pertain to the Santa Ana sucker and Santa Ana sucker Critical Habitat areas; the reports shall be submitted to the LACFCD, USFWS, and CDFW. K. The SSFRP shall also include discussion of potential relocation necessary based on natural flow conditions from the dam to 1.5 mile downstream of the dam. If the Biological Monitor notices that water levels in active channel of the creek in this area decrease to shallow conditions or that isolated pools develop as a result of natural rainfall conditions, the Biological Monitor shall notify the LACFCD, USFWS, and CDFW of the conditions so the resource agencies (i.e., USFWS or CDFW) may consider relocating special status fish to suitable habitat or temporarily			11-P (cont.)

	into captivity to avoid potential mortality. LACFCD shall be responsible for relocating fish and other aquatic species if drying or adverse stream conditions develop as a result of Project activities and/or the presence of Big Tujunga Dam within Big Tujunga Creek. No relocation shall occur until the USFWS and CDFW have confirmed that relocation shall occur.			11-P (cont.)
MM-BIO-17-Impacts to Coast Range Newt	Prior to the initiation of dewatering/installation of the bypass line each year (March or April, depending on water levels in the reservoir), preconstruction surveys for the two-striped garter snake and coast range newt shall be conducted by a CDFW-approved qualified Biologist (one with experience and the necessary permits to handle these species). Concurrently with the western pond turtle trapping effort described in MM BIO-6, the Biologist shall also visually search for two-striped garter snakes and coast range newts in the Project impact area. If any two-striped garter snakes or coast range newts are captured, they shall be relocated to a suitable site along Big Tujunga Creek upstream of the construction area or along Big Tujunga Creek downstream of the downstream access road boundary. Prior to relocating any two-striped garter snakes or coast range newts, the LACFCD and CDFW shall approve the potential relocation site(s) and methods for transfer to the relocation sites. Additionally, a qualified Biologist shall be present during dewatering of the plunge pool to ensure no two-striped garter snakes or coast range newts are stranded. If any two-striped garter snakes or coast range newts are observed during the monitoring, they shall be captured by the Biologist and released at the relocation site. A Letter Report shall be prepared to document the results of the pre-construction surveys and monitoring and shall be provided to the LACFCD and CDFW within 30 days of completion of the survey.	Prior to and during Project activities	County	11-Q
MM-BIO-18-Impacts to San Gabriel Oak	The County shall retain a qualified botanist with experience surveying for southern California rare plants. A qualified botanist shall conduct a rare plant survey for at least two survey seasons at the appropriate time of year prior to any Project-related vegetation removal or ground disturbance where there is suitable habitat for rare plants. Surveys shall	Prior to Project activities	County	11-R

	be performed according to CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. The qualified biologist shall prepare a report to LACFCD, CDFW, and USFWS (if applicable), for review. At a minimum, the survey report shall provide the following information: a. A description and map of the survey areas. The map will show surveyor(s) track lines to document that the entire site was covered during field surveys. b. Field survey conditions that shall include name(s) of qualified botanists(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched. c. If rare plants are detected, maps(s) will be provided showing the location of individual plants or populations, and number of plants or density of plants per square feet occurring at each location. d. A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each rare plant or population is found. A sufficient description of biological conditions, shall include native plant composition (e.g., density, cover, and abundance) within impacted habitat.			11-R (cont.)
MM-BIO-19-Impacts to San Gabriel Oak	The County shall avoid all Project impacts on all rare plant species or sensitive natural communities including San Gabriel oak. If avoidance is not feasible, impacts to individual San Gabriel oak trees shall be mitigated at a ratio of no less than 3:1. All revegetation/restoration areas that will serve as mitigation shall include preparation of a restoration plan, to be approved by CDFW prior to any ground disturbance.	Prior to and during Project activities	County	11-S
MM-BIO-20-Impacts to Crotch's Bumble Bee	A pre-**construction focused survey for Crotch's bumble bee shall be conducted during the Crotch's bumble bee active period (March to July)** prior to the initiation of vegetation removal activities and prior to sediment placement activities each season. Three visual surveys will be conducted by a CDFW-approved qualified Biologist (i.e., one with experience in the identification of bee species). Surveys shall be conducted at least two hours after sunrise and three hours before	Prior to Project activities	County	11-T

	sunset during suitable weather conditions. Sunny days with temperatures greater than 60 degrees Fahrenheit and wind speeds less than eight mph are optimal, but partially cloudy days or overcast **conditions are permissible if a person's shadow is visible. Surveys** shall not be conducted during wet, foggy, or rainy conditions. Meandering transects shall be walked slowly within the Maple Canyon SPS impact area (disturbance area plus 50 feet) to obtain a 100% survey cover. Transect spacing will depend on the habitat.			11-T (cont.)
MM-BIO-21-Impacts to Nesting Birds	The following measures shall be followed prior to work within the entire Project area. A. To the extent possible, vegetation clearing shall be conducted during the non-breeding season (September 1 to January 31) in order to minimize direct impacts on nesting birds. If vegetation clearing would be initiated during the breeding season for nesting birds/raptors (February 1–August 31), the maintenance activity shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act. B. In order to avoid direct impacts on active nests, a pre-construction survey shall be conducted by a CDFW-approved qualified Biologist (one with experience conducting nesting bird surveys) for nesting birds and/or raptors within four days prior to clearing of any vegetation or any work near existing structures. The nesting bird survey area shall include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors. If the Biologist does not find any active nests in or immediately adjacent to the impact area, the vegetation clearing/construction work shall be allowed to proceed. If a cessation of Project activities occurs for 5 or more consecutive days, nesting bird surveys shall be conducted anew.	Prior to and during Project activities	County	11-U

MM-BIO-22-Impacts to Nesting Birds	The County shall conduct vegetation removal in phases to offer increased protections to nesting birds and other wildlife, as well as better watershed management. If the County intends to begin sediment removal and sediment placement activities by April 2022, the County shall fully avoid the bird nesting season and complete the minimal required vegetation removal in the sediment removal area and Maple Canyon SPS before the next nesting bird season begins February 1, 2022.	Prior to and during Project activities	County	11-V
REC-BIO-1-Impacts to Streams	To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 *et seq.* and/or under CEQA, the CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project site. The LSA Agreement may include further erosion and pollution control measures. To compensate for any on- and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on- or off-site habitat creation, enhancement or restoration, and/or protection, and management of mitigation lands in perpetuity.	Prior to Project activities	County	11-W
REC-BIO-2-Impacts to Streams	Per Fish and Game Code section 5901, it is unlawful to construct or maintain in any stream any device or contrivance the prevents, impedes, or tends to prevent or impeded, the passing of fish up and downstream. Accordingly, the County should coordinate with CDFW prior to implementing the Project so CDFW may determine if the Project would be in violation of Fish and Game Code section 5901.	Prior to Project activities	County	11-X

Letter 17: California Department of Fish and Wildlife

Comment Letter Dated October 25, 2021

Introduction

The comments acknowledge review of both the 2013 IS/MND as well as the Revised and Recirculated IS/MND. The commenter identifies the role of the CDFW as the Trustee Agency (for fish and wildlife resources and holds those resources in trust by statute for all the people of the State—Fish & G. Code, Sections 711.7, subdivision [a] & 1802; Public Resources Code, Section 21070; Guidelines, Section 15386, subdivision [a]) and Responsible Agency (under CEQA—Public Resources Code, Section 21069; CEQA Guidelines, Section 15381). The comment is noted and will be forwarded to the decision makers.

The comment also reiterates the Project description. The comment is noted, and no further response is required.

Comment #1: No Flow Contingency Plan

CDFW-1A The Project Description of the Revised and Recirculated IS/MND clearly defines the amount of time that the flow would be restricted to accomplish Project activities. As described in the Project Description and shown in Table 3-1 of the Revised and Recirculated IS/MND, the valves would be closed for five days during dewatering of the plunge pool, installation of the bypass line, and installation of water quality BMPs. These activities cannot be done while the creek is flowing; therefore, flows must be stopped for a limited time period. Once the bypass line and BMPs have been installed, flows would not be restricted; the bypass pipeline would carry all available flows from upstream of BTR to downstream of the plunge pool throughout the sediment removal work. Inflow would equal to outflow during the non-storm season, reflecting the non-storm season natural creek flow conditions.

CDFW-1B This portion of the comment summarizes the Project Description described in Section 3.0 and the Project impacts described in Section 4.4.2 of the Revised and Recirculated IS/MND.

CDFW-1C This portion of the comment describes the special status species described in Section 4.4.1 of the Revised and Recirculated IS/MND. The comment states that least Bell's vireo and southwestern willow flycatcher have been observed immediately downstream of the Dam. While potentially suitable habitat is present immediately downstream of the Dam, neither has been observed in this location.

It should be noted that, to date, least Bell's vireo has not been observed downstream of the Dam within the Project survey area, which extends 1.5 mile downstream of the Dam. Although full protocol surveys for least Bell's vireo were conducted upstream and downstream of BTR in 2012, 2016, and 2018, this species has only been observed in one spring/summer (incidental observations during protocol arroyo toad surveys in 2017) and only upstream of BTR. While the Project survey area has not been a regularly occupied area (possibly because it is at the higher end

of the least Bell's vireo's elevational range), the impact analysis in Section 4.4.2 assumes that it could occur in potentially suitable habitat in any year during Project implementation and requires pre-construction surveys and mitigation measures to avoid and minimize impacts on the species if it occurs during the Project.

It should also be noted that the southwestern willow flycatcher has never been observed in the Project survey area. Protocol focused surveys have been conducted upstream and downstream of BTR in 2012, 2016, and 2018 and this subspecies has never been observed. Migrant willow flycatchers have been observed during these surveys; however, migrant flycatchers can occur in any habitat as they move through the region; an observation does not indicate habitat suitability. Nevertheless, the impact analysis in Section 4.4.2 assumes that southwestern willow flycatcher could occur in any year during Project implementation and requires pre-construction surveys and mitigation measures to avoid and minimize impacts on the species if it occurs during the Project.

CDFW-1D **Why impacts would occur:** This portion of the comment accurately summarizes the Project description (Section 3.1.3). No further response is required,

CDFW-1E The Contractor is expected to continue sediment removal activities until the first storm of the season is predicted, at which point, they would demobilize for the season. During sediment removal activities, the downstream system would receive any available surface flows from upstream of BTR (as they would in a natural system with no Dam) via the bypass pipeline.

Since the Contractor would not demobilize until the first storm of the season is predicted, the first storm is expected to follow shortly after demobilization. The first storm would bring water to refill BTR. As stated by the commenter, the amount of time that it would take to refill BTR to minimum pool is dependent on the timing and intensity of storms that season. The reservoir was previously dewatered over multiple storm seasons for the Seismic Upgrade Project (2007–2010). During the 2007–2008 storm season, the reservoir reached minimum pool on January 25, 2008; during the 2008–2009 storm season, the reservoir reached minimum pool on February 7, 2009; and during the 2009–2010 storm season, the reservoir reached minimum pool on December 13, 2009. Although water would be held behind the Dam until reaching minimum pool, leakage of 1–2 cubic feet per second (cfs) would supply water to downstream riparian and aquatic habitats once there is some water held in BTR, even when the valves are closed.

Additionally, once the first storm occurred, tributaries downstream of the Dam would flow freely to support the riparian habitat and aquatic species downstream. There are four tributaries within 1.1 mile downstream of the Dam (Maple Canyon, Hansen Canyon, Breakneck Canyon, and Clear Creek) that would provide flows to the stream following a storm. Overall, approximately 46 percent of the watershed area is located downstream of the Dam (82.3 square miles upstream of the Dam; 70.7 square miles downstream of the Dam); therefore, holding water until the Dam reaches minimum pool would not deprive the downstream system of flows as downstream areas would receive tributary storm flows.

Psomas conducted a Tributary Analysis as part of the hydraulic studies to support the Big Tujunga Dam Habitat Conservation Plan (Psomas 2020). This modeling effort determined that the limit of hydraulic influence for releases up to 600 cfs[3] during the storm season is Clear Creek, approximately 1.1 mile downstream of the Dam. This means that more than 50 percent of flows along Big Tujunga Creek come from tributaries downstream of Clear Creek during storms up to 600 cfs.

CDFW-1F During sediment removal activities, the bypass pipeline would carry all available flows downstream of the Dam. No outflow can be provided if there is no inflow; during sediment removal, inflow/outflow would be entirely dependent on natural conditions.

During periods of below average rainfall, riparian habitat and aquatic resources decline, even when no Project activities are occurring. The 10-year Santa Ana Sucker and Benthic Macroinvertebrate monitoring showed declining Habitat Rank scores (based on physical habitat variables), declining Benthic Index of Biotic Integrity scores (based on benthic macroinvertebrate diversity), the number and of special status fish species, and the distribution of special status fish were all lower during periods of low rainfall than in years of higher rainfall (Psomas 2019). Similar declines in habitat quality and species numbers were observed throughout the region during periods of low rainfall.

See Response CDFW-1E, above, for a discussion of flows following the completion of sediment removal activities until minimum pool is reached.

CDFW-1G This comment is titled "Evidence impacts would be significant"; however, it is a statement of California Fish and Game Code, it does not provide "evidence" that the Project would not provide sufficient water.

Psomas conducted a Historic Aerial Analysis as part of the hydraulic studies to support the Big Tujunga Dam Habitat Conservation Plan (Psomas 2020). The extent of riparian vegetation and the sinuosity of the creek were analyzed between Big Tujunga Dam and Hansen Dam over the time period from 1954 to 2017 (i.e., when aerial photographs were available). This analysis found little change in the stream morphology of Big Tujunga Creek had occurred over the period analyzed and that the extent of riparian vegetation had increased substantially over the same period (1954 to 2017). Public Works provided Psomas with BTR outflow data covering the period from 1990 to 2018 to accomplish the hydraulic analyses. Dam operations included several time periods when there were no releases for weeks or months, yet the overall riparian system continued to function as a natural riparian system and has increased in cover. Therefore, it could be argued that "sufficient water" has been provided to support the downstream riparian system.

Supplemental releases throughout the non-storm season are a recent addition to the system beginning with the completion of the Seismic Upgrade Project in 2012. Since that time, riparian vegetation has increased and the amount of sediment

[3] While 600 cfs was used in the modeling exercise for a conservative model, Dam operations only release up to 500 cfs so as not to overtop the Oro Vista Avenue crossing downstream.

settling out has caused the stream to become embedded. While it is unknown whether the increase in vegetation was due to recovery from the 2009 Station Fire, the addition of the supplemental releases, or both. During the most recent Santa Ana Sucker Working Group Meeting (April 2021), it was discussed that having five years without supplemental releases during the Reservoir Restoration Project would be interesting to compare the system with and without supplemental releases to help assess whether the supplemental releases are beneficial or detrimental to the habitat quality for the Santa Ana sucker (Psomas 2021a).

See Responses CDFW-1E and CDFW-1F, above, for a discussion of flows to support the downstream riparian habitat and aquatic species during and immediately following sediment removal activities each year.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1

CDFW-1H Public Works will work with CDFW to minimize no flow periods. At this time, the most feasible approach is to pump water up to the riser elevation (2,188 feet) until the reservoir reaches the elevation of the outlet structure. Additional details will be available as the Project design is finalized. A no flow contingency plan could be prepared prior to initiation of the Project.

CDFW-1I MM Bio-4 (Revised to MM Bio-3 in the Final Revised and Recirculated IS/MND) already provides monitoring for stream condition, water quality, and stranded or distressed special status fish downstream from the Project. As noted by the commenter, the Special Status Fish Relocation Plan required by MM BIO-4 (Revised to MM Bio-3 in the Final Revised and Recirculated IS/MND) will describe pre-construction survey and relocation activities for special status fish.

CDFW-1J As described in the Flood Control Act, the Dam is operated "to protect the areas downstream from damage from flood or storm waters and to provide for the control and conservation of flood, storm, and other waste waters and to conserve these waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within the district" (i.e., through groundwater recharge). Dam construction was completed 1931; since that time, Dam operations have included time periods where the valves were closed to hold water for water conservation purposes or during maintenance projects.

See Response CDFW-1G, above, for a discussion of how Dam operations have supplied sufficient water to the downstream system, as consistent with California Fish and Game Code 5937.

Mitigation Measure #2

CDFW-1K Please see Response CDFW-1H, above.

Mitigation Measure #3

CDFW-1L Per MM BIO-4 (Revised to MM BIO-3 in the Final Revised and Recirculated IS/MND), special status fish would be relocated out of the plunge pool prior to work activities. BMPs would be installed in the plunge pool, including a barrier that would exclude special status fish from re-entering the plunge pool during Project activities so that they would not be harmed or killed by Project activities. Downstream of the plunge pool, there would be no barriers to fish passage. The bypass pipeline would provide available flows to the downstream system.

Comment #2: Impacts to Water Quality

CDFW-2A **Specific impacts:** This portion of the comment summarizes the potential water quality impacts that could impact special status species, as discussed in Section 4.4.2.

CDFW-2B **Why impacts would occur:** This portion of the comment summarizes Project activities, as discussed in Section 3.1, that could affect water quality. The comment states that the activities would occur for seven months out of the year (mid-April through mid-October) each year of the Project. It should be noted that the dewatering, installation of the bypass line, and installation of BMPs would occur within one month in a wet year (more quickly in an average or dry year); sediment removal activities would occur for the remainder of the time period (mid-May through mid-October). The most critical time period for water quality would occur during dewatering for the first month of Project activities each year.

CDFW-2C This portion of the comment states that dewatering of BTR and the plunge pool could affect water quality (e.g., increase turbidity), which is consistent with the discussion of potential water quality impacts that could impact special status species in Section 4.4.2 of the Revised and Recirculated IS/MND. However, this comment does not consider implementation of MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND), which would mitigate for water quality impacts through the use of best management practices (BMPs).

CDFW-2D The commenter provides additional detail explaining how water quality (turbidity) could affect special status fish. The new text is hereby incorporated on page 4-57, in Section 4.4.2, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> If sediment-laden water is released into Big Tujunga Creek, it could impact water quality for the Santa Ana sucker downstream of BTR~~, possibly harming eggs of the sucker~~. *Increased turbidity could injure or irritate the respiratory structures of the sucker, which could cause mortality. It could also settle over eggs of the sucker, affecting reproduction, and/or could settle over food resources (e.g., algae), which provide food for the sucker.* ~~and could~~ Therefore, *effects on water quality could* result in a potentially significant impact.

CDFW-2E The commenter provides additional detail explaining how water quality (high temperature) could affect special status fish. The following text is hereby incorporated on page 4-57, in Section 4.4.2, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text):

> *During sediment removal, a bypass line would carry flows from Big Tujunga Creek upstream of BTR to the creek downstream of the dam near the plunge pool. Surface water diversions can potentially increase water temperatures, particularly if diverted flows are allowed to stagnate in artificial unshaded pools or if they are conveyed through black-colored, solar-heated bypass pipelines. Adverse water temperatures could stress Santa Ana sucker and result in mortality. Additionally, high water temperatures can reduce available dissolved oxygen, which could also stress Santa Ana suckers and result in mortality. Therefore, as required by MM BIO-3, the water temperature at the outflow will be similar to the water temperature at the inflow.*

MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) already included measures to address maintaining water temperature from the inflow to the outflow of the bypass lines; therefore, no changes are needed to the mitigation measure.

CDFW-2F This portion of the comment describes the special status species described in Section 4.4.1 of the Revised and Recirculated Draft IS/MND. The comment states that arroyo toad and Coast Range newt have been observed downstream of BTR. While potentially suitable habitat is present downstream of the Dam, neither has been observed in this location.

As stated in Section 4.4.1, focused surveys for arroyo toad were conducted downstream of the Dam in 2016 and 2018; no arroyo toad were observed downstream of the Dam. This is consistent with a focused survey that was conducted from one mile downstream of Big Tujunga Dam downstream to the inflow to Hansen Reservoir. Arroyo toad are considered extirpated from downstream of the Dam.

Many focused surveys have been conducted in the Project survey area from 2011 through 2018. While none of the protocol surveys specifically focused on Coast Range newt, methods of the surveys were consistent with the detection of the species, but Coast Range newt has never been observed. As stated in Section 4.4.1, potential habitat is present, and the species may occur.

CDFW-2G Primary desilting activities would occur upstream of the dam in a basin designed to limit turbidity within the released water; baker tanks, and/or sand filters may also be used if determined necessary to reduce turbidity of the released water. The plunge pool would serve as a final desilting/sedimentation basin with a turbidity curtain and other water quality BMPs. The design of the overall dewatering/diversion plan is currently being refined within the framework, as described in the Project documents.

CDFW-2H **Evidence impacts would be significant:** This comment states that a significant impact on water quality could result in a mandatory finding of significant per Section 15065 of CEQA. Section 4.4.2 identifies water quality as a potentially significant impact to special status species; water quality BMPs are required within the mitigation for special status fish (MM BIO-4 [Renumbered as MM BIO-3 in the Final Revised and Recirculated IS/MND]) and western pond turtle (MM BIO-7 [Renumbered as MM BIO-6 in the Final Revised and Recirculated IS/MND]). With implementation of these mitigation measures, effects on water quality would not be expected to cause a species to drop below self-sustaining levels or to substantially restrict the range of an endangered, rare, or threatened species. Therefore, a mandatory finding of significance would not be necessary.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1:

CDFW-2I This comment provides specific water quality standards CDFW would like implemented into the mitigation measures. The new text is hereby incorporated into MM BIO-4 (Renumbered as MM BIO-3 in the Final Revised and Recirculated IS/MND), on page 4-74, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> *F.* Prior to dewatering of the reservoir (beyond normal dam operations) and/or any work in the plunge pool, LACFCD's Contractor shall install water quality filtration BMPs to satisfy permitting requirements from the LACFCD, USACE, RWQCB, and/or CDFW. Filtration BMPs—including but not limited to sand/gravel bags, silt fencing and/or other filtering devices—shall be placed between the plunge pool and Big Tujunga Creek to prevent sediment from exiting the plunge pool into downstream waters. Once installed, the BMPs would allow the plunge pool to serve as a large sedimentation basin in which waters released from the dam would be temporarily retained to allow for sediments to drop to the bottom of the pool. These BMPs would be designed with the goal of preventing or limiting the flow of disturbed sediment and particulate matter downstream during Project activities. *Waters released from the Reservoir and/or plunge pool shall not contain oils, greases, waxes, or other materials in concentration that results in a visible film or coating on the surface of the water or on objects in the water. Downstream total suspended solids (TSS) shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20 percent of the baseline (i.e., sample taken from the bottom of BTR right next to the tower a few days prior to the initiation of dewatering). Where natural turbidity is greater than 50 NTU, increases shall not exceed 10 percent of the the baseline. Discharge pH shall not be changed more than 0.5 units from ambient levels and shall be between 6.5 and 8.5. Dissolved oxygen concentrations shall not be depressed below 6 milligrams per liter (mg/L), except when natural conditions cause lesser concentrations. Ambient levels*

shall be measured at a sampling location in Big Tujunga Creek at least 200 feet upstream of the point of diversion.

The LACFCD shall hire an ECM to inspect the BMPs daily throughout ~~sediment removal~~ *Project activities. During dewatering of the Reservoir and plunge pool, water quality measurements shall be taken by the ECM (or a qualified Biological Monitor) daily when discharges will be made. Only discharges that meet or exceed the standards above shall be released from the Reservoir and plunge pool. Water quality measurements for each discharge shall be recorded and provided to the resource agencies weekly and/or upon request.* If BMPs are not functioning properly, the ECM shall notify LACFCD immediately and corrective action shall be taken immediately. If effective corrective action is not taken within 48 hours, the ECM shall recommend that LACFCD's Construction Inspector suspend construction activities; the ECM shall report the conditions and necessary corrective actions to the LACFCD, USFWS, CDFW, and/or RWQCB; work shall remain suspended until the condition is corrected to the satisfaction of the LACFCD and the appropriate resource agencies.

I. When the bypass line is in place, water temperature shall be maintained from the inflow to the outflow. The bypass line shall be insulated and/or methods shall be used to decrease the water temperature prior to it re-entering the stream (e.g., submerge, cover, or shade the bypass line; avoiding black or corrugated pipe if not shaded). *Waters with measured temperatures exceeding 78 degrees Fahrenheit shall not be discharged downstream. Additionally, a temporary trash rack shall be installed upstream of the bypass inlet and shall be monitored daily by the ECM (or a qualified Biologist) and maintained as needed to ensure effective operation of the bypass pipeline.*

<u>Mitigation Measure #2:</u>

CDFW-2J The following new text is hereby incorporated into MM BIO-4 (Renumbered to MM BIO-3 in the Revised and Recirculated IS/MND), on page 4-74, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

F. Prior to dewatering of the reservoir (beyond normal dam operations) and/or any work in the plunge pool, LACFCD's Contractor shall install water quality filtration BMPs to satisfy permitting requirements from the LACFCD, USACE, RWQCB, and/or CDFW. Filtration BMPs—including but not limited to sand/gravel bags, silt fencing and/or other filtering devices—shall be placed between the plunge pool and Big Tujunga Creek to prevent sediment from exiting the plunge pool into downstream waters. Once installed, the BMPs would allow the plunge pool to serve as a large sedimentation basin in which waters released from the dam would be temporarily retained to allow for sediments to drop to the bottom of the pool. These BMPs would be designed with the goal of preventing or limiting the flow of disturbed sediment and

particulate matter downstream during Project activities. *Waters released from the Reservoir and/or plunge pool shall not contain oils, greases, waxes, or other materials in concentration that results in a visible film or coating on the surface of the water or on objects in the water. Downstream total suspended solids (TSS) shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20 percent of the baseline (i.e., sample taken from the bottom of BTR right next to the tower a few days prior to the initiation of dewatering). Where natural turbidity is greater than 50 NTUs, increases shall not exceed 10 percent of the baseline. Additionally, waters shall not contain oils, greases, waxes, or other materials in concentration that results in a visible film or coating on the surface of the water or on objects in the water. Discharge pH shall not be changed more than 0.5 units from ambient levels and shall be between 6.5 and 8.5. Dissolved oxygen concentrations shall not be depressed below 6 milligrams per liter (mg/L), except when natural conditions cause lesser concentrations. Ambient levels shall be measured at a sampling location in Big Tujunga Creek at least 200 feet upstream of the point of diversion.*

The LACFCD shall hire an ECM to inspect the BMPs daily throughout Project activities. *During dewatering of the Reservoir and plunge pool, water quality measurements shall be taken by the ECM (or a qualified Biological Monitor) daily when discharges will be made. Only discharges that meet or exceed the standards above shall be released from the Reservoir and plunge pool. Once the bypass pipeline is in place, water quality measurements shall be taken by the ECM (or qualified Biological Monitor) at a location 200 feet upstream of the inflow to the bypass pipeline and at the outflow of the bypass pipeline. Water quality measurements shall be recorded once per working day for the first four days after reservoir dewatering starts, and once per week thereafter and shall include flow, water temperature, dissolved oxygen, pH, and turbidity. The ECM or qualified Biological Monitor collecting water quality data shall be qualified to collect and interpret water quality data. Water quality data shall be recorded and shall be provided to the resource agencies weekly and/or upon request.* If BMPs are not functioning properly, the ECM shall notify LACFCD immediately and corrective action shall be taken immediately. *If dead fish or adverse water quality conditions are observed, LACFCD or their designee shall notify the resource agencies immediately.* If effective corrective action is not taken within 48 hours, the ECM shall recommend that LACFCD's Construction Inspector suspend construction activities; the ECM shall report the conditions and necessary corrective actions to the LACFCD, USFWS, CDFW, and/or RWQCB; work shall remain suspended until the condition is corrected to the satisfaction of the LACFCD and the appropriate resource agencies.

I. When the bypass line is in place, water temperature shall be maintained from the inflow to the outflow. The bypass line shall be insulated and/or methods shall be used to decrease the water temperature prior to it re-

entering the stream (e.g., submerge, cover, or shade the bypass line; avoiding black or corrugated pipe if not shaded). *Waters with measured temperatures exceeding 78 degrees Fahrenheit shall not be discharged downstream. Additionally, a temporary trash rack shall be installed upstream of the bypass inlet and shall be monitored daily by the ECM (or a qualified Biologist) and maintained as needed to ensure effective operation of the bypass pipeline.*

CDFW-2K See Response CDFW-2G, above.

Mitigation Measure #3:

CDFW-2L Normal operation of the reservoir allows releases to minimum pool at elevation 2,188 feet, which is the elevation of the lowest riser. Because the lowest riser is approximately 20 feet above the sediment level, no increase in turbidity is expected for dewatering to minimum pool. Therefore, the proposed measure would not be necessary. See Response CDFW-2G, above, which describes the use of a desilting basin upstream of the dam to reduce turbidity of the released water.

CDFW-2M During pre-dewatering releases, water will be released at a rate of 250 cfs, which will naturally aerate the water as it discharges from the dam. Use of devices at this stage are not anticipated to be necessary. See Response CDFW-2J, above, which requires water quality monitoring. If dissolved oxygen levels drop during a later stage of dewatering (e.g., pumping), aeration devices would be considered.

CDFW-2N The LACFCD cannot avoid conducting Project activities during the peak spawning season (March 1 to July 31) as it would reduce the number of months available for sediment removal from about 6 months to about 1.5 months each year, quadrupling the overall construction time that would be needed to complete Project activities (i.e., 20 years instead of 5 years).

The goal is to have the bypass line installed as quickly as possible each season. The time that it takes to install the bypass line would depend on the reservoir level and the inflow rate. For this Project, the bypass line and the desilting system would be constructed as two separate systems; the bypass line would bring flows from upstream of the reservoir while the desilting system would bring flows from dewatering below minimum pool. Therefore, the speed with which the bypass line is constructed would not reduce turbidity, which would be handled by the desilting system.

Mitigation Measures #4 and #5:

CDFW-2O The requirement for a temporary trash rack was added to MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) per Response CDFW-2J, above.

Fish blocking nets are not considered necessary at the bypass pipeline intake because no fish (native or non-native) were observed during the focused fish surveys upstream of BTR (2011 and 2019; both included electrofishing). If the

resource agencies translocate native fish upstream prior to/during the initiation of the Project, appropriate exclusion measures will be implemented, as described in the HCP.

The current design of the bypass intake includes a polypropylene liner with aggregate on top. The location of the intake would be in the upper reservoir where the sediment is coarse sand, which if disturbed, would be expected to settle quickly rather than being transported through the bypass pipe.

Comment #3: Impacts to Streams

CDFW-3A **Issues:** The proposed action evaluated in the Revised and Recirculated IS/MND includes only activities related to the sediment removal maintenance project. The ongoing presence of the Dam, its operation, and other Dam maintenance activities are considered the existing condition for the Revised and Recirculated IS/MND impact analysis.

MM BIO-9 (Renumbered as MM BIO-8 in the Final Revised and Recirculated IS/MND) states that a Streambed Alteration Agreement would need to be obtained from CDFW for impacts within their jurisdiction.

CDFW-3B **Specific Impacts:** This comment correctly states the acres of impacts to CDFW jurisdiction. It should be noted that the jurisdictional delineation delineated Big Tujunga Creek to approximately one mile downstream of the plunge pool, even though there would be no direct impacts to the creek below the plunge pool. Section 4.4.2 of the Revised and Recirculated IS/MND discusses potential water quality impacts on downstream resources (i.e., the downstream Significant Ecological Area). MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) includes measures to protect water quality and MM BIO-9 (Renumbered as MM BIO-8 in the Final Revised and Recirculated IS/MND) requires that a permit be obtained from the RWQCB. Implementation of these measures, and compliance with regulatory permits will ensure that impacts on downstream jurisdictional resources are less than significant.

CDFW-3C **Why impacts would occur:** This comment summarizes Project activities. Vegetation removal within BTR would be limited to the upper portion of the Reservoir and would total 0.92 acre of woody vegetation (0.23 acre of arroyo willow thicket, 0.06 acre of white alder grove—willow thicket, 0.17 acre of black willow thicket, and 0.46 acre of mulefat scrub). This vegetation would be removed from within the BTR footprint; the sediment and debris would be expected to settle out in BTR and would not affect downstream conditions along Big Tujunga Creek. Vegetation removal within Maple Canyon SPS would increase sediment and debris within the 2.11 acres of jurisdictional drainages that would be permanently impacted by sediment placement; however, it should be noted that these are dry except following storms. In compliance with jurisdictional permits that would be obtained per MM BIO-9 (Renumbered to MM BIO-8 in the Final Revised and Recirculated IS/MND), BMPs will be used to protect exposed soils in Maple Canyon SPS following vegetation removal so that there is no runoff of sediment/debris to downstream areas.

The following new text is hereby incorporated in Section 3.1.5, Sediment Placement at Maple Canyon SPS, on page 3-7, in Section 3.0, Project Description of the Draft Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> Prior to any sediment placement, areas within the fill footprint of Maple Canyon SPS would be cleared of vegetation and grubbed. *BMPs will be used to protect exposed soils in Maple Canyon SPS following vegetation removal so that there is no runoff of sediment/debris to downstream areas. BMPs will remain in place until the revegetation plan for the SPS is implemented.*

CDFW-3D The comment correctly states that the Project would permanently impact 2.11 acres (including 0.08 acre of California sycamore woodland) in Maple Canyon SPS. The comment correctly states that the Project would impact 46.02 acres within BTR and 1.45 acres in the plunge pool that are under the jurisdiction of CDFW. However, areas within BTR and the plunge pool are largely unvegetated as they are comprised of open water. Additionally, the edges of BTR are vertical cliffs that lack vegetation along the water's edge for the majority of BTR. Vegetation within BTR is located only at the upper end of BTR where the configuration is stream-like. As mentioned above, vegetation removal within the would affect 0.92 acre of riparian scrub/woodland vegetation (0.23 acre of arroyo willow thicket, 0.06 acre of white alder grove—willow thicket, 0.17 acre of black willow thicket, and 0.46 acre of mulefat scrub) and 2.29 acres of riparian herb (smartweed—cocklebur patch). These vegetation types are expected to re-establish along the creek in the same areas following completion of vegetation removal, with seeds washing down from upstream seed sources, as they did following the previous sediment removal Project in the 1980s. Riparian herb vegetation can establish within a few months, while riparian scrub can establish within a few years. Therefore, the impact would be considered temporary. Following the sediment removal, the upper end of BTR would be structured as a natural streambed to blend with Big Tujunga Creek upstream of BTR; therefore, the cross-section would include bank areas where riparian vegetation could become established.

CDFW-3E Dewatering activities are not expected to impact vegetated habitat within and near the BTR basin because the only vegetation is located at the upper end of BTR (see Response CDFW-3D, above). Vegetation in the stream-like portion of BTR obtains water from flows in Big Tujunga Creek, which would continue until the bypass pipeline is installed. Vegetation within the Project work area (where the bypass pipeline would be installed) would be removed prior to bypass pipeline installation. Therefore, vegetation within and near BTR is not expected to be affected by dewatering.

CDFW-3F See Response CDFW-3A, above.

CDFW-3G **Evidence impacts would be significant:** This comment is titled "Evidence impacts would be significant"; however, it is a statement of California Fish and Game Code. MM BIO-9 (Renumbered as MM BIO-8 in the Final Revised and Recirculated IS/MND) would ensure that the appropriate CDFW Streambed Alteration Agreement is obtained per Section 1600 of the California Fish and Game Code.

CDFW-3H See Response CDFW-3A, above.

CDFW-3I See Response to CDFW-1G, above, for a discussion of sufficient water and Responses to CDFW-1E and CDFW-1F, above, related to downstream flows for the Project.

CDFW-3J As noted by the commenter and discussed in Section 4.4.2 of the Revised and Recirculated IS/MND, the Project would impact riparian habitats including 0.92 acre of riparian scrub/woodland vegetation (0.23 acre of arroyo willow thicket, 0.06 acre of white alder grove—willow thicket, 0.17 acre of black willow thicket, and 0.46 acre of mulefat scrub) and 2.29 acres of riparian herb (smartweed—cocklebur patch) upstream of BTR, and 2.11 acres of CDFW jurisdictional areas (including 0.08 acre of California sycamore woodland) in Maple Canyon SPS. As discussed in Section 4.4.2 of the Revised and Recirculated IS/MND, white alder grove–California sycamore woodland, white alder grove–willow thicket, California sycamore woodland–red willow thicket, black willow thicket, and arroyo willow thicket are considered vulnerable by CDFW (i.e., sensitive natural communities).

The commenter states that impacting streams and riparian habitats could result in substantial erosion or siltation within and downstream of the Project site "absent appropriate mitigation"; however, the Project would include mitigation measures to implement BMPs to protect water quality (MM BIO-4 [Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND]) and would be required to obtain regulatory permits per MM BIO-9 (Renumbered to MM BIO-8 in the Final Revised and Recirculated IS/MND) that would require implementation of BMPs to protect water quality. With implementation of water quality BMPs as required by MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) and regulatory permits, erosion and siltation would be expected to be less than significant.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1

CDFW-3K MM BIO-9 (Renumbered to MM BIO-8 in the Final Revised and Recirculated IS/MND) requires that a CDFW Streambed Alteration Agreement be obtained prior to initiation of Project activities, including vegetation removal, dewatering below minimum pool, and ground-disturbing activities. Water releases to lower the reservoir level to minimum pool are considered within normal Dam operations.

Mitigation Measure #2

CDFW-3L See Response CDFW-3A, above.

Mitigation Measure #3

CDFW-3M See Response CDFW-3D, above, for a discussion of permanent versus temporary vegetation impacts.

MM BIO-9 (Renumbered to MM BIO-8 in the Final Revised and Recirculated IS/MND) requires that a CDFW Streambed Alteration Agreement be obtained. It also states that mitigation ratios will be no less than 1:1 as determined through consultation with the resource agencies. Mitigation for impacts on CDFW jurisdictional area will be negotiated during permitting. The final mitigation ratio will be included in the Streambed Alteration Agreement.

CDFW-3N **Recommendation #1:** Comment noted.

CDFW-3O **Recommendation #2:** See Response CDFW-3A, above.

Comment #4: Impacts to Least Bell's Vireo and Southwestern Willow Flycatcher

CDFW-4A **Specific Impacts and why impacts would occur:** This comment summarizes potential Project impacts, which are described in Section 4.4.2. Also, see Response CDFW-1C, above.

CDFW-4B **Evidence impacts would be significant:** This comment is titled "Evidence impacts would be significant"; however, it is a statement of California Fish and Game Code, it does not provide "evidence" that the Project would result in take of least Bell's vireo or southwestern willow flycatcher.

The tentative construction plan is to clear riparian vegetation (the habitat of least Bell's vireo and southwestern willow flycatcher) at the upper end of the sediment removal footprint between September 15 and October 15, which is after least Bell's vireo and southwestern willow flycatcher have left for their wintering grounds and prior to the initiation of the storm season. There is 0.92 acre of riparian scrub/woodland to be removed from the upper end of BTR (0.23 acre of arroyo willow thicket, 0.06 acre of white alder grove—willow thicket, 0.17 acre of black willow thicket, and 0.46 acre of mulefat scrub). Because it is a limited amount, its removal is only expected to take a few days; therefore, it should be achievable in the planned timeframe.

Although riparian habitat that would be directly impacted would be removed outside the nesting season, riparian habitat would remain adjacent to the sediment removal area. Therefore, MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND) requires pre-construction surveys for least Bell's vireo and southwestern willow flycatcher prior to the start of work and continuing weekly during work within 500 feet of suitable riparian scrub/woodland habitat. If any least Bell's vireo or southwestern willow flycatchers are observed, active nests will be protected with a 500 foot Environmentally Sensitive Area (ESA) buffer.

CDFW-4C It is unclear how MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND) would not commit the Project to mitigation as it is a required mitigation measure.

As explained above in Response CDFW-1C, above, protocol surveys for least Bell's vireo and southwestern willow flycatcher were conducted in 2012, 2016, and 2018; no least Bell's vireo or southwestern willow flycatcher were observed during any of

the protocol surveys. In all of the field surveys that have been conducted in the survey area, spanning the time period from 2011 through 2019, one least Bell's vireo territory has been observed upstream of BTR (2017). Least Bell's vireo was observed over 460 feet upstream of the sediment removal footprint, at its closest observation, and 1,050 feet upstream during two other survey visits (see Exhibit 4-5). The upper location is located around a bend in the canyon; both the distance and the canyon topography would shield the upstream location from indirect impacts of noise and human activity occurring in the sediment removal area.

MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND) would require pre-construction surveys whenever work would be within 500 feet of riparian habitat (upstream or downstream of BTR). If either species is observed, a protective buffer would be established around the active nest to protect it from noise, human activity, and other construction effects.

Within BTR, if work needed to occur within 500 feet of occupied habitat, it may be possible to delay work within 500 feet until the area is no longer occupied (i.e., after least Bell's vireo/southwestern willow flycatcher leave for their wintering grounds in late August/September, as determined by a qualified Biologist).

If work needed to occur within 500 feet and could not be avoided while the habitat was occupied (e.g., haul roads downstream of the plunge pool adjacent to riparian habitat), a Riparian Bird Construction Plan (RBCP) would be prepared for review and approval by the resource agencies; work would only commence within 500 feet of an active nest with an approved RBCP in place. MM BIO-6 (D) (Renumbered to MM BIO-5 [D] in the Final Revised and Recirculated IS/MND) provides a quantitative threshold of 60 dBA for noise at the edge of the least Bell's vireo/southwestern willow flycatcher territory (i.e., specific performance standard). It states that "appropriate noise reduction measures (e.g., temporary noise barriers)" will be used to achieve the noise reduction. The measure required biological monitoring during installation of the temporary noise barriers (e.g., sound walls) and requires the establishment of noise monitoring stations that will be monitored weekly throughout work from March 15 to September 15. The RBCP cannot be prepared until the specific location of the least Bell's vireo/southwestern willow flycatcher is known. Once the location (if any) is known, LACFCD can determine the appropriate placement of noise barriers in relation to work activities to reduce noise in the habitat to below the threshold identified.

In summary, MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND) is (1) required (i.e., commits the Project to mitigation); (2) requires specific performance standards that the mitigation will achieve (i.e., 500-foot protective buffer; use of temporary noise measures to reduce noise to 60 dBA or less at the edge of the territory); and (3) identifies potential actions that can feasibly achieve the performance standard (i.e., ESA fencing/signage, biological monitoring, temporary noise barriers, noise monitoring), which are standard measures used throughout the industry to protect these species. MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND) is adequate to avoid and minimize impacts on least Bell's vireo and southwestern willow flycatcher; no take is anticipated to occur.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1:

CDFW-4D The current plan is to remove all riparian vegetation outside of the breeding season (i.e., March 15 to September 15); however, MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND) allows some flexibility to respond to conditions that may arise during construction, assuming the removal would be in compliance with project permits. If any riparian vegetation would be removed during the breeding season, a pre-construction survey for least Bell's vireo/southwestern willow flycatcher and a pre-construction survey for nesting birds (MM BIO-9 in the Final Revised and Recirculated IS/MND) would be conducted prior to removal of the vegetation. The mitigation measure has not been revised to restrict vegetation removal to outside the breeding season because it is not considered necessary to avoid impacts on these species; appropriate avoidance measures are already included in the measure.

CDFW-4E The suggested comments are hereby incorporated into MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND), on page 4-79, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

A. Prior to the start of sediment removal activities each year, a qualified Biologist (~~one with experience and necessary permits to survey for least Bell's vireo and southwestern willow flycatcher~~ approved by the resource agencies) shall survey all riparian habitat within 500 feet of the construction limits for the presence of least Bell's vireo and southwestern willow flycatcher nests/territories. Three surveys shall be conducted within two weeks prior to the initiation of Project activities each year. *During each survey, methods shall follow the current USFWS protocols (except for the number and timing of surveys, which will follow this measure).* Any active nests/territories shall be mapped on an aerial photograph and marked on applicable construction plans. A Letter Report will be prepared and submitted to the LACFCD, USFWS, and CDFW to document the results of the pre-construction survey within 30 days of completion of the survey.

CDFW-4F The suggested comments are hereby incorporated into MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND), on page 4-79, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text):

B. A 500-foot protective buffer shall be established around a least Bell's vireo or southwestern willow flycatcher territory identified in the field. *Project activities including sediment removal, sediment hauling, vehicle traffic, and foot traffic shall not occur within this 500-foot protective buffer.* The protective buffer shall be marked with lath and rope, orange snow fencing, or other suitable fencing to provide an adequate buffer from construction work. Signs shall be posted to indicate that the area is an "Environmentally

Sensitive Area" and that no work activities shall occur within the fencing. WEAP training shall educate workers on the importance of Environmentally Sensitive Areas. The Biological Monitor shall check the fencing/signage weekly to ensure that it stays in place throughout sediment removal activities and shall notify the LACFCD's Construction Inspector immediately if the fencing/signage needs to be repaired.

Mitigation Measure #2:

CDFW-4G MM BIO-6 (Renumbered to MM BIO-5 in the Final Revised and Recirculated IS/MND) states that LACFCD will obtain a Consistency Determination (Section 2080.1) from CDFW; the species addressed are also federally listed and a Section 7 Consultation will address the species at a federal level. The Project CEQA document addresses all Project impacts to least Bell's vireo/southwestern willow flycatcher and includes mitigation that is expected to meet the requirements of a California Endangered Species Act (CESA) Incidental Take Permit (ITP).

Comment #5: Impacts to Special Status Fish Species

CDFW-5A **Issue:** This comment summarizes the impacts on special status fish species. As stated in Section 4.4.1 of the Revised and Recirculated IS/MND, no special status fish occur upstream of BTR or within BTR. MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) requires that special status fish be captured and relocated out of the plunge pool prior to the initiation of work activities (e.g., pumping water out of the plunge pool). With the implementation of MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND), no direct take of special status fish species is expected. Blocking nets would be used to prevent special status fish from re-entering the Project area. While this would be a temporary impediment to fish passage into the plunge pool during work activities, it would not disrupt movement of the species to upstream areas as Big Tujunga Dam already prevents fish passage upstream of the plunge pool.

CDFW-5B **Specific Impacts:** This comment summarizes Project activities and the construction schedule. See Response CDFW-2B, above.

Why impacts would occur:

CDFW-5C See Responses CDFW-2C and CDFW-2D, above.

CDFW-5D See Response CDFW-2E, above.

CDFW-5E As described in Table 3-1, the valves would be closed for a period of five days during installation of the bypass line. Once the bypass line is installed, natural stream flow would be diverted through the bypass line for the remainder of the non-storm season while work activities are occurring. Once the bypass line is installed, downstream habitat would receive all available stream flows via the bypass line.

Big Tujunga Dam was completed 1931; since that time, Dam operations have included time periods where the valves have been temporarily closed to hold water

for water conservation purposes or during maintenance projects. While some segments of the stream may dry (depending on rainfall, tributary flows, and the length of time the valves are closed), other segments will remain wetted and will act as refugia. Streams in Southern California dry during the non-storm season under natural conditions; native aquatic species are adapted to these conditions.

CDFW-5F MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) requires that special status fish species be relocated out of the plunge pool prior to the initiation of Project activities. Specifically, the measure states "The SSFRP shall be prepared, approved, and implemented prior to dewatering (beyond normal dam operations)". Therefore, dewatering of the plunge pool would not affect special status fish species because they would be relocated out of the plunge pool prior to dewatering the plunge pool using pumps.

CDFW-5G See Response CDFW-2G, above.

CDFW-5H **Evidence impacts would be significant:** This comment is titled "Evidence impacts would be significant"; however, it is a definition of California Species of Special Concern and CEQA Section 15380, it does not provide "evidence" that the Project would take of special status species that would require a mandatory finding of significance. Section 4.4.2 of the Revised and Recirculated IS/MND cites Section 15380 of CEQA in the determination that impacts on some California Species of Special Concern (i.e., arroyo chub, Santa Ana speckled dace, western pond turtle) would be potentially significant and require mitigation. With implementation of MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) and MM BIO-7 (Renumbered to MM BIO-6 in the Final Revised and Recirculated IS/MND), Project effects on these species would not be expected to cause a species to drop below self-sustaining levels or to substantially restrict the range of these species. Therefore, a mandatory finding of significance would not be necessary.

CDFW-5I See Responses CDFW-3A and CDFW-5A, above, regarding fish passage. See Response CDFW-1G, above, for a response to California Fish and Game Code 5937.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1:

CDFW-5J Project activities cannot entirely avoid the spawning season for special status fish species (i.e., March 1 to July 31). If this approach were taken, 2.5 months (August 1 to October 15) would be available for Project activities each summer/fall prior to the storm season, when the Dam is needed to function for public safety. The Project is estimated to take approximately 35 months to complete; limiting Project activities to 2.5 months each year would extend the Project over 14 years. This would not be feasible from a construction cost/logistics standpoint and would not be desirable for the species to be exposed to the indirect effects of construction over this length of time. It would also leave Maple Canyon Sediment Placement site unvegetated for a longer length of time.

See Response CDFW-4D, above, which limits riparian vegetation removal to between September 16 and March 14.

It is not feasible to conduct dewatering and installation of the surface water diversion (including temporary halting of flows for five days) prior to March 1 because the Dam needs to operate for flood control purposes to protect public safety until April 15. However, MM BIO-4 (G) (Renumbered to MM BIO-3 [G] in the Final Revised and Recirculated IS/MND) includes a measure that limits the maximum release to 180 cfs during the peak spawning season (March 1 to July 31).

Mitigation Measure #2:

CDFW-5K MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) has been required to mitigate for Project impacts on special status fish.

LACFCD is currently preparing a Habitat Conservation Plan (HCP) for the Operation and Maintenance of Big Tujunga Dam in consultation with the USFWS (Psomas 2021b). The HCP includes funding for long-term enhancement projects including, but not limited to, removal of non-native riparian vegetation, removal of non-native wildlife, removal of barriers to fish movement, installation or supplementation of instream cobble and gravel substrate, installation or supplementation of instream woody debris, and removal of trash and homeless encampments. CDFW has served in an advisory role during preparation of the HCP.

Mitigation Measure #3:

CDFW-5L Comment noted. Section 4.4.3 provides mitigation measures for all Project impacts that would be considered significant.

Mitigation Measure #4:

CDFW-5M The suggested comments are hereby incorporated into MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND), on page 4-73, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

B. A ~~one visit~~ pre-construction survey for Santa Ana sucker, arroyo chub, and Santa Ana speckled dace shall be conducted by a qualified Biologist (~~one holding a 10[a] permit for the Santa Ana sucker~~ approved by the resource agencies) immediately prior to *the initiation of Project activities, including* installation of water quality BMPs at the downstream end of the plunge pool. If any Santa Ana suckers or other special status fish species are observed, the Biologist shall relocate all individuals to areas of suitable habitat per the SSFRP. All non-native animal species encountered during the pre-construction survey shall be permanently removed from the plunge pool and creek.

CDFW-5N The suggested comments are hereby incorporated into MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND), on page 4-74, in Section

4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

D. Regardless of whether special status fish species are observed during pre-construction surveys, the combination of water quality BMPs, *fish exclusion screening*, and~~/or~~ blocking nets shall be used to exclude special status fish species from entering the work area from downstream. The design of the exclusion and method of installation shall be included in the SSFRP and approved by the LACFCD, USFWS, and CDFW. Blocking nets and water quality BMPs shall be installed under the supervision of a Biological Monitor in order to ensure that no special status fish species are impacted during installation of the exclusion measures.

CDFW-5O The suggested comments are hereby incorporated into MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND), on page 4-75, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

G. *The inflow of all pumps used for dewatering shall be covered with fish exclusion screening. The screen used on the pump for dewatering the plunge pool shall meet the following specifications: (1) a porosity with a minimum open area of 27 percent; (2) round openings shall not exceed 0.094 inch (2.38 millimeters [mm]); (3) square openings shall not exceed 0.094 inch (2.38 mm), measured diagonally; (4) slotted openings shall not exceed 0.0689 inch (1.75 mm). The screen used on the pump for dewatering the reservoir shall have a screen with* ~~A screen with~~ 0.125-inch (3.2-mm~~millimeter~~) mesh ~~shall be used at the inflow of the pump for dewatering the reservoir~~ to prevent non-native animals from spreading from the reservoir to areas below the dam occupied by Santa Ana sucker. All non-native animal species encountered during dewatering of the reservoir shall be permanently removed from the reservoir. Post-project, placement of non-native species shall not be allowed in the reservoir, plunge pool, or Big Tujunga Creek/Wash.

CDFW-5P The suggested comments are hereby incorporated into MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND), on page 4-76, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

J. A qualified Biological Monitor (~~one with experience with special status fish species~~ *approved by the resource agencies*) shall conduct daily monitoring along the creek during dewatering outside the storm season (April 16 to October 14) and stream bypass installation. The Biological Monitor shall also conduct weekly monitoring throughout sediment removal activities to ensure that BMPs are in place and no release of sediment is observed downstream of the plunge pool; and to ensure that Santa Ana sucker, arroyo chub, or Santa Ana speckled dace are not stranded as dewatering flows recede. The Biological Monitor shall visually monitor habitat *and instream conditions* from the dam to approximately

1.5 mile downstream of the dam. *The Biological Monitor shall also quantitatively monitor water quality (i.e., water temperature, pH, dissolved oxygen, and turbidity levels) at no fewer than three locations (approved by the resource agencies) on a weekly basis during dewatering and sediment removal activities.* If the Biological Monitor notes *dead or distressed aquatic life, or* a change in the condition of downstream habitat*/instream conditions* that was likely caused by dewatering flows and/or BMPs not functioning effectively to protect water quality[4], the Biological Monitor shall immediately notify the LACFCD's Construction Inspector that immediate corrective action is required. *If dead or distressed aquatic life was observed by the Biological Monitor and reported to the LACFCD Construction Inspector, LACFCD shall immediately notify the resource agencies.* If corrective action has not been taken within 48 hours, the Biological Monitor shall recommend that LACFCD's Construction Inspector suspend construction activities and the Biological Monitor shall report the conditions and necessary corrective actions to the LACFCD, USFWS, and CDFW; work shall remain suspended until the condition is corrected to the satisfaction of the LACFCD, USFWS, and CDFW. If the Biological Monitor observes Santa Ana sucker or other special status species adults, juvenile, or larva stranded in drying pools outside the active channel during dewatering or at any time during construction, he/she shall be authorized to relocate the fish to suitable habitat in the adjacent active channel. The Biological Monitor shall prepare Weekly Monitoring Reports describing construction activities as they pertain to the Santa Ana sucker and Santa Ana sucker Critical Habitat areas; the reports shall be submitted to the LACFCD, USFWS, and CDFW.

The commenter requested that daily monitoring for distressed wildlife be conducted daily during any periods of insufficient water flow through the dam; this comment was not incorporated. Once the bypass pipeline is installed, all available water would be provided to downstream areas via the bypass line. Assuming the bypass pipeline is functioning effectively, the lack of flow would be a result of natural weather conditions, not a result of Project activities. Biological monitoring would continue to occur weekly throughout the Project and the Biological Monitor would note a lack of flow and a trend toward drying, which would be discussed in the weekly reports provided to the resource agencies.

The commenter requested deletion of the text shown in strikeout "~~from the dam to approximately 1.5 miles~~ downstream of the dam". This change was not incorporated because this was added to the measure based on a previous comment from the U.S. Forest Service asking for the monitoring area to be defined. Without this, the distance downstream of the dam that will be monitored would be

[4] Flood control releases may occur in association with a storm that occurs during the non-storm season. Changes in the condition of stream habitat related to flood control releases would not be included in the notification/corrective action requirements unless they were associated with repairing BMP functioning for the maintenance project following the storm.

ambiguous and could mean anything from 50 feet downstream to several miles downstream.

CDFW-5Q The suggested comments are hereby incorporated into MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND), on page 4-77, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> K. The SSFRP shall also include discussion of potential relocation necessary based on natural flow conditions from the dam to 1.5 mile downstream of the dam. If the Biological Monitor notices that water levels in active channel of the creek in this area decrease to shallow conditions or that isolated pools develop~~ as a result of natural rainfall conditions~~, the Biological Monitor shall notify the LACFCD, USFWS, and CDFW of the conditions ~~so the resource agencies (i.e., USFWS and CDFW) may consider relocating~~ *to discuss relocation of* special status fish to suitable habitat or temporarily into captivity to avoid potential mortality. *The Biological Monitor shall relocate special status fish to suitable habitat per methods described in the SSFRP to a location approved by the resource agencies. If there is no suitable habitat available, the resource agencies shall temporarily hold the special status fish in captivity.* ~~Because this would be a result of weather conditions and not a result of the Project, the LACFCD shall not be responsible for relocating the fish (if needed) but shall cooperate with agency efforts to rescue fish.~~No relocation shall occur until the USFWS and CDFW have confirmed that relocation shall occur.

The following text was not incorporated into the measure "if adverse stream conditions develop as a result of Project activities and/or the presence of Big Tujunga Dam within Big Tujunga Creek. See Response CDFW-3A, above, regarding the presence of Big Tujunga Dam. In practice, it may be difficult to determine whether drying conditions are the result of Project activities, weather conditions, or both. Therefore, the revised text bases the relocation solely on the observation of the drying stream and imperiled special status fish rather than requiring the cause to be determined.

Comment #6: Impacts to Coast Range Newt

<u>Issue, Specific Impacts, Why Impacts Would Occur</u>

CDFW-6A This comment summarizes potential project impacts on Coast Range newt, which are discussed in Section 4.4.1. It should be noted that in all the focused survey efforts conducted in the Project survey area from 2011 through 2019, including both diurnal and nocturnal aquatic surveys, Coast Range newt has not been incidentally observed. Nonetheless, the Revised and Recirculated IS/MND identifies Coast Range newt as a species that "may occur" and could be impacted by the Project.

CDFW-6B See Response CDFW-2B, above, for information on timing of Project activities. See Response CDFW-2C, above, for response to comments on turbidity.

The commenter provides additional detail explaining how water quality (turbidity) could affect Coast Range newt larvae. The new text is hereby incorporated on page 4-57, in Section 4.4.2, of the Revised and Recirculated IS/MND (per Response CDFW-2D, above), to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> If sediment-laden water is released into Big Tujunga Creek, it could impact water quality for the Santa Ana sucker downstream of BTR~~, possibly harming eggs of the sucker~~. *Increased turbidity could injure or irritate the respiratory structures of the sucker (or other special status fish or amphibians), which could cause mortality. It could also settle over eggs of the sucker (or other special status fish or amphibians), affecting reproduction, and/or could settle over food resources (e.g., algae) which provide food resources for the sucker (and other special status fish or amphibians).* ~~,and could t~~ *T*herefore*, effects on water quality could* result in a potentially significant impact.

CDFW-6C The commenter provides additional detail explaining how water quality (high temperature) could affect Coast Range newt. The following new text is hereby incorporated on page 4-57, in Section 4.4.2, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> *During sediment removal, a bypass line would carry flows from Big Tujunga Creek upstream of BTR to the creek downstream of the dam near the plunge pool. Surface water diversions can potentially increase water temperatures, particularly if diverted flows are allowed to stagnate in artificial unshaded pools or if they are conveyed through black-colored, solar-heated bypass pipelines. Adverse water temperatures could stress Santa Ana sucker (or other special status fish or amphibians) and result in mortality. Additionally, high water temperatures can reduce available dissolved oxygen, which could also stress Santa Ana suckers (or other special status fish or amphibians) and result in mortality. Therefore, as required by MM BIO-3, the water temperature at the outflow will be similar to the water temperature at the inflow.*

CDFW-6D **Evidence impacts would be significant:** This comment is titled "Evidence impacts would be significant"; however, it is a definition of California Species of Special Concern and CEQA Section 15380, it does not provide "evidence" that the Project would have take of special status species that would require a mandatory finding of significance. Section 4.4.2 of the Revised and Recirculated IS/MND cites Section 15380 of CEQA in the determination that impacts on some California Species of Special Concern would be potentially significant and require mitigation. While the Coast Range newt is a California Species of Special Concern, it is not considered rare, threatened, or endangered in this portion of its range; thus, it is not treated as listed per Section 15380 of CEQA. While the Project would impact suitable habitat for the species, the loss of habitat/individuals would not be expected to cause the population to decline within the Angeles National Forest. Therefore, mitigation was not required for impacts on this species. However, MM BIO-4 (Renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) and MM BIO-7 (Renumbered

to MM BIO-6 in the Final Revised and Recirculated IS/MND) both include measures to protect water quality that would also benefit the Coast Range newt. Because the Project would not be expected to cause the Coast Range newt to drop below self-sustaining levels or to substantially restrict the range of these species, especially considering implementation of the above-referenced mitigation measures, a mandatory finding of significance would not be necessary.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1

CDFW-6E Although not required, the following recommended text is hereby incorporated on page 4-64, in Section 4.4.2 and MM BIO-8 (Renumbered to MM BIO-7 in the Final Revised and Recirculated IS/MND) on page 4-84, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

Section 4.4.2:

Although not required by CEQA, two-striped garter snake *and Coast Range newt* ~~has~~ have been included in MM BIO-~~8~~*7* because ~~it~~ *these* similarly ~~is an~~ *are* aquatic species that may occur in the direct footprint of the sediment removal area. Mitigation for ~~this~~ *these* species was compatible with the western pond turtle-required measure and would avoid or minimize impacts on the two-striped garter snake *and Coast Range newt*.

MM BIO-7:

Prior to the initiation of dewatering/installation of the bypass line each year (March or April, depending on water levels in the reservoir), pre-construction surveys for the two-striped garter snake *and Coast Range newt* shall be conducted by a qualified Biologist (~~one with experience and the necessary permits to handle this species~~ approved by the resource agencies). Concurrently with the western pond turtle trapping effort described in MM BIO-~~7~~*6*, the Biologist shall also visually search for two-striped garter snakes *and Coast Range newts* in the Project impact area. If any two-striped garter snakes *or Coast Range newts* are captured, they shall be relocated to a suitable site along Big Tujunga Creek upstream of the construction area or along Big Tujunga Creek downstream of the downstream access road boundary. Prior to relocating any two-striped garter snakes or *Coast Range newts*, the LACFCD and CDFW shall approve the potential relocation site(s) and methods for transfer to the relocation sites. Additionally, a qualified Biologist shall be present during dewatering of the plunge pool to ensure no two-striped garter snakes *or Coast Range newts* are stranded. If any two-striped garter snakes *or Coast Range newts* are observed during the monitoring, they shall be captured by the Biologist and released at the relocation site. A Letter Report shall be prepared to document the results of the pre-construction surveys and monitoring and shall be provided to the LACFCD and CDFW within 30 days of completion of the survey.

Comment #7: Impacts to San Gabriel Oak

Issue, Specific Impacts, Why Impacts Would Occur

CDFW-7A No mitigation measures are proposed for the loss of San Gabriel oak because the loss of individuals would be considered less than significant, as discussed in Section 4.4.2. San Gabriel oak is a CRPR 4.2 species. CNPS considers these species as "Watch List" species, they are not considered "rare, threatened, or endangered in California" (i.e., CRPR 1B or 2B species). As discussed in Section 4.4.2, the loss of San Gabriel oak individuals would be considered adverse but would not be expected to cause the species to drop below self-sustaining numbers in the region. During the 2016 focused surveys, 84 individuals were observed; approximately 10 individuals would be removed because they are within the sediment placement area while approximately 74 individuals would remain outside of the sediment placement area in Maple Canyon. Additionally, this species is also known to occur at other locations in the Angeles National Forest.

CDFW-7B Focused surveys for special status plant species were conducted in spring 2011, following a year of extremely a high rainfall year. During years of high rainfall, special status species (if present) are expected to bloom in high numbers, increasing their chance of detectability. The focused special status plant surveys were updated in 2016, which was an approximately average rainfall year. While a few new populations were observed, no new species were discovered in 2016 that were not observed in 2011. Rainfall has been lower than average in most years since the 2016 focused special status plant surveys. Special status plant species either do not bloom or bloom in lower numbers during periods of low rainfall. Therefore, it was not considered prudent to update the surveys as they were not expected to be as reliable as previous surveys conducted in 2011 following a winter of high rainfall.

MM BIO-1 and MM BIO-2 require pre-construction surveys for Greata's aster, Plummer's mariposa lily, and fragrant pitcher sage conducted the blooming season prior to construction (Summer/Fall 2023) so that the populations can be flagged for protection prior to construction activities the following spring (Spring 2024). Additionally, Public Works is planning to conduct an updated survey for all special status plant species in 2023. If additional populations of these species are present, they would be detected during these surveys.

CDFW-7C See Response CDFW-7A, above.

CDFW-7D See Response CDFW-7B, above.

CDFW-7E **Evidence impact would be significant:** See Response CDFW-7A, above, for a discussion of San Gabriel oak. MM BIO-1 and MM BIO-2 mitigate for special status plant species observed in the Project survey area. As discussed in Section 4.4.2, Plummer's mariposa lily and fragrant pitcher sage would not be directly impacted by the Project (i.e., they are located outside of the access road); however, MM BIO-2 is included to provide flagging to protect these populations so that they are not inadvertently impacted.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1

CDFW-7F See Response CDFW-7B, above.

Mitigation Measure #2

CDFW-7G Avoidance of all San Gabriel oaks is not feasible because approximately 10 individuals are located within the sediment placement area. As discussed in Section 4.4.2 and Response CDFW-7A, above, mitigation would not be required. However, a Revegetation Plan has been drafted for Maple Canyon that includes the following: responsible parties; schedule; methods for site preparation, seeding/planting, and maintenance; performance standards; remedial measures; maintenance monitoring; oak and native tree requirements (including San Gabriel oak); and rare plant requirements. The Revegetation Plan has been drafted by the U.S. Forest Service (USFS) and would be implemented by LACFCD to the satisfaction of the USFS, as required by the Special Use Permit (MM LUP-1).If use of the Maple Canyon SPS is required for future projects, revegetation activities would be in accordance with the requirements of the Special Use Permit and/or future amendments; thus, it would need to be approved by the USFS.

Additional Comments and Recommendations

Comment #8: Impacts to Crotch's Bumble Bee

CDFW-8A This change has not been made because MM BIO-3 has been removed from the Revised and Recirculated IS/MND. On November 13, 2020, the Sacramento Superior Court ruled that insects are not eligible for listing under the California Endangered Species Act[5] (*Almond Alliance of California v. California Department of Fish and Wildlife*). In February 2021, the California Fish and Game Commission filed an appeal. The current CDFW Special Animals List (October 2021) includes the following note about Crotch bumblebee: "As a result of the trial court decision in February 2021 and subsequent appeal, the petitioned bumble bees (*Bombus*) are currently not state candidate species."

As a result of this change in status, the following revisions are hereby incorporated on page 4-43, in Section 4.4.1, of the Draft Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> The Crotch bumble bee (*Bombus crotchii*) ~~is currently~~ *was proposed as* a Candidate to be State listed as Endangered in June 2019. *However, as a result of a trial court decision in February 2021 and subsequent appeal, the petitioned bumble bees (Bombus spp.) are currently not state candidate species (CDFW 2021b).* ~~The CDFW is in the process of reviewing the petition~~

[5] Section 2061 of California Fish and Game Code defines an "endangered species" as a "native species or subspecies of a bird, mammal, fish, amphibian, reptile or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range….". This definition does not include insects.

~~for listing and evaluating available information. The CDFW status review report was expected on December 28, 2020; in June 2021, the status has not yet been updated (CDFW 2021c).~~ The Crotch bumble bee is a ground nester and often makes its nest in abandoned mammal burrows and can be found in most native habitat types, although it prefers grassland and scrub habitats. It is primarily associated with plants from the following families: *Fabaceae, Apocynaceae, Asteraceae, Lamiaceae,* and *Boraginaceae* (Richardson 2017, Thorp et. al. 1983). Grassland and scrub habitat, as well as several plant species from these families are present; therefore, suitable habitat is present for this species. This species has been recently observed at several locations in the Project region. The nearest observations of this species were in 2017 at Charlton Flats Picnic Area, approximately 10 miles northeast from the Project, and in 2019 at the Theodore Payne Gardens, approximately 10 miles southeast of the Project (CDFW 2021a). Therefore, this species may occur.

Additionally, the following deletions are hereby made to the discussion regarding Crotch bumble (Bombus crotchii), in Section 4.4.2, Impact Analysis, on page 4-56, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND to read as follows (~~red strikethrough~~ show the deletions):

~~***Crotch Bumble Bee***~~

~~Crotch bumble bee is a generalist species that could use any habitat in the study area. The Project would temporarily impact 23.22 acres of potential habitat in Maple Canyon (14.14 acres of laurel sumac scrub, 2.49 acres of chamise chaparral, 3.83 acres of scrub oak chaparral, 2.68 acres of annual grassland, and 0.08 acre California sycamore woodland). Following the Project, Maple Canyon SPS would be revegetated following the *Draft Maple Canyon Sediment Placement Site Revegetation Plan*. The Project would also temporarily impact 3.37 acres of habitat within the sediment removal footprint (0.13 acre of birch leaf mountain mahogany chaparral, 0.06 white alder grove–willow thicket, 0.17 acre of black willow thicket, 0.23 acre of arroyo willow thicket, 0.46 acre mulefat thicket, 2.29 acres smartweed-cocklebur patch, 0.01 acre freshwater seep, and 0.02 acre of disturbed freshwater seep). These areas would be expected to naturally revegetate following completion of the Project. Project haul routes would use existing roadways; woodland habitats represent trees overhanging the road that may be trimmed, but would not be removed; therefore, they would remain available for foraging by the bumble bee during the Project. Additionally, there is extensive suitable habitat surrounding the Project in the ANF that would be available for use by the bumble bee during the Project.~~

~~The Crotch bumble bee nests in burrows in the ground. Removal of vegetation and/or sediment placement in Maple Canyon may impact bumble bee nests or overwintering bumble bees. This could cause mortality of individuals. Individuals could also be struck by vehicles when flying across the haul routes. Pre-construction surveys would avoid and minimize impacts on active nests/burrows of Crotch bumble bee if they occurred in~~

~~the Maple Canyon SPS portion of the impact area during construction (MM BIO-3). Crotch bumble bees would not be expected to nest in the riparian habitat upstream of BTR because it would be inundated or part of the active stream until dewatering.~~

The discussion of impacts on Crotch bumblebee in Section 4.4.3 has been deleted as the species is considered addressed by the discussion of "Other Special Status Wildlife". This discussion states "The proposed Project would remove habitat for several other special status wildlife species observed or with potential to occur in the Project area (see Table 4-7)." As mentioned above, the corresponding measure, MM BIO-3, has been deleted from the Revised and Recirculated IS/MND.

A query of the California Natural Diversity Database (CNDDB) for Crotch bumblebee occurrences within Los Angeles County since the year 2000 returned 52 observations; 50 of these occurrence records were reported since 2017 (CDFW 2021a). In general, following the proposed listing of a species, biologists report all observations of that species to the CNDDB; thus, additional occurrences can be found and a species may currently occur more widely than previously known before they were proposed. Additionally, while Project activities would result in a loss of habitat for Crotch bumblebee, a large amount of suitable habitat would remain in the surrounding area within the Angeles National Forest. Therefore, the Project is not expected to reduce the population of this species below self-sustaining numbers; impacts would be considered less than significant, and no mitigation would be required.

Comment #9: Impacts to Nesting Birds

CDFW-9A This comment summarizes the regulations protecting nesting birds, which are described in Section 4.4.2 of the Revised and Recirculated IS/MND. MM BIO-10 (Renumbered to MM BIO-9 in the Final Revised and Recirculated IS/MND) describes the measures that would be taken to avoid impacts on the active nests of bird/raptors.

CDFW-9B The revisions requested by the commenter are hereby incorporated into the text of MM BIO-10 (Renumbered to MM BIO-9 in the Final Revised and Recirculated IS/MND) on page 4-85, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

> The following measures shall be ~~followed~~ *implemented* prior to *the initiation of any Project activities, including* work within *the* Reservoir, plunge pool, *or* stream, ~~and~~ *or* in the developed areas *on or around* ~~of~~ the dam.
>
> A. To the extent possible, vegetation clearing shall be conducted during the non-breeding season (September 1 to January 31) in order to minimize direct impacts on nesting birds. If vegetation clearing would be initiated during the breeding season for nesting birds/raptors (February 1–August 31), the maintenance activity shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act.

CDFW-9C The revisions requested by the commenter are hereby incorporated into the text of MM BIO-10 (Renumbered to MM BIO-9 in the Final Revised and Recirculated IS/MND) on page 4-85, in Section 4.4.3, of the Revised and Recirculated IS/MND, to read as follows (*red italics* shows the additional text and ~~red strikethrough~~ show the deletions):

B. In order to avoid direct impacts on active nests, a pre-construction survey shall be conducted by a qualified Biologist (~~one with experience conducting nesting bird surveys~~ approved by the resource agencies) for nesting birds and/or raptors within four days prior to clearing of any vegetation or any work near existing structures. The nesting bird survey area shall include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors. If the Biologist does not find any active nests in or immediately adjacent to the impact area, the vegetation clearing/construction work shall be allowed to proceed. *If Project activities stop for five or more days (during the breeding season), the pre-construction survey shall be repeated.*

CDFW-9D See Response CDFW-4B, above, for a discussion of riparian vegetation removal upstream of the Reservoir. The tentative construction plan is to remove vegetation within the sediment placement area in Maple Canyon SPS prior to the nesting bird season (i.e., remove vegetation between September 1 and January 31). However, if the construction schedule is delayed, MM BIO-10 (Renumbered to MM BIO-9 in the Final Revised and Recirculated IS/MND) has been provided to allow for flexibility in achieving the work activities. LACFCD is aware that if vegetation is removed during the breeding season, there may be substantial constraints on work activities. LACFCD plans to use a phased approach to vegetation removal at Maple Canyon SPS, removing only the amount of vegetation needed to conduct sediment placement activities the following non-storm season.

Filing Fees, Conclusion

CDFW-10A Comment noted. Filing fees will be paid upon filing the Notice of Determination.

Attachment A: Draft Mitigation Monitoring and Reporting Plan

CDFW-11A See Responses CDFW-1H and CDFW-1I, above.

CDFW-11B See Response CDFW-1K, above.

CDFW-11C See Response CDFW-1L, above.

CDFW-11D See Response CDFW-2I, above.

CDFW-11E See Response CDFW-2J, above.

CDFW-11F See Responses CDFW-2J, CDFW-2K, and CDFW-2M, above.

CDFW-11G See Response CDFW-2N, above.

CDFW-11H See Response CDFW-3K, above.

CDFW-11I See Response CDFW-3A, above.

CDFW-11J See Response CDFW-3M, above.

CDFW-11K See Responses CDFW-4D, CDFW-4E, and CDFW-4F, above.

CDFW-11L See Response CDFW-4G, above.

CDFW-11M See Response CDFW-5J, above.

CDFW-11N See Response CDFW-5K, above.

CDFW-11O See Response CDFW-5L, above.

CDFW-11P See Responses CDFW-5M, CDFW-5N, CDFW-5O, CDFW-5P, and CDFW-5Q, above.

CDFW-11Q See Response CDFW-6E, above.

CDFW-11R Focused surveys for rare plants were conducted by qualified Biologists over two survey seasons (i.e., 2011 and 2016) at the appropriate time of year following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities.* The survey reports included a description and map of the survey areas; names of qualified botanists, survey duration, and a list of focal species; maps of the locations of plants occurring and a description of how many individuals were observed at each location; and a description of the physical conditions where each special status plant was observed. The reports are included in Appendix B-7.

Pre-construction surveys for special status plants will be conducted per MM BIO-1 and MM BIO-2. See Response CDFW-7B, above.

CDFW-11S See Response CDFW-7G, above.

CDFW-11T See Response CDFW-8A, above.

CDFW-11U See Responses CDFW-9B and CDFW-9C, above.

CDFW-11V See Response CDFW-9D, above.

CDFW-11W See Response CDFW-3N, above.

CDFW-11X See Response CDFW-3A, above.

3.2.3 REGIONAL AND LOCAL AGENCIES

Three comment letters were received from Regional and Local Agencies. The comment letters are listed below:

- South Coast Air Quality Management District (SCAQMD)—October 12, 2021
- County of Los Angeles Fire Department (LAFD)—October 14, 2021
- Office of the Sheriff, County of Los Angeles (OSCLA)—October 20, 2021

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:
reservoircleanouts@pw.lacounty.gov
Eric Lim, Project Manager
Los Angeles County Flood Control District
Stormwater Engineering Division, Reservoir Cleanouts
P.O. Box 1460
Alhambra, California 91802-1460

October 12, 2021

SCAQMD

Revised and Recirculated Mitigated Negative Declaration (MND) for the Proposed Big Tujunga Reservoir Restoration Project (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The Los Angeles County Flood Control District is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. South Coast AQMD staff previously submitted comments on the Proposed Project's original MND put forward by the Lead Agency in May 2013 and recommended the use of lower emitting construction equipment and/or 2010 trucks[1]. In September 2021, the Lead Agency released a Revised and Recirculated MND for public review and comments. The following comments on the Revised and Recirculated MND include additional recommended air quality mitigation measures that the Lead Agency should include in the Final MND.

Intro

South Coast AQMD Staff's Summary of Project Information

Based on the Revised and Recirculated MND, the Proposed Project involves the use of trucks and equipment to remove 4.4 million cubic yards of sediment and restore capacity of the Big Tujunga Reservoir (Reservoir). Sediment excavation and removal are expected to take place during the non-storm season each year for five years and would be limited to 400 round-truck trips per workday (Mitigation Measure AQ-1)[2]. The Proposed Project will be required to use off-road construction equipment that meet Tier 4 Final or better emission standards (Mitigation Measure AQ-2)[3]. To reduce the Proposed Project's air quality impacts from fugitive dust, heavy-duty trucks or equipment will be required to travel over paved haul roads/access roads, with an exception of a 0.4-mile portion of the routes within the Reservoir (Mitigation Measure AQ-3)[4], and the Proposed Project will comply with requirements of South Coast AQMD Rule 403 (Mitigation Measure AQ-4)[5]. After implementation of all mitigation measures, the Proposed Project's maximum daily construction emissions were found to be below South Coast AQMD CEQA air quality significance thresholds for construction[6].

1

[1] South Coast AQMD staff's comments on the MND. June 26, 2013. Accessed at: http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2013/june/big-tujunga-reservoir.pdf.
[2] Revised and Recirculated MND. Page 3-6.
[3] *Ibid*. Page 1-2.
[4] *Ibid*. Page 4-23.
[5] *Ibid*.
[6] *Ibid*. Table 4-4. Page 4-20.

Eric Lim October 12, 2021

South Coast AQMD Staff's Comments – Additional Recommended Air Quality Mitigation Measures

The Proposed Project would involve the use of 400 round-truck trips per workday for five years. In the 2013 MND, the Lead Agency stated that the Proposed Project would use all on-road trucks that meet the 2010 or newer model year emission standards, or all off-road equipment would be required to meet Tier 3 to reduce air pollutants[7]. Based on Table 2-1 in the Revised and Recirculated MND, the Lead Agency strengthened the requirement for off-road equipment to be Tier 4 Final or better. However, it is unclear if the Lead Agency has made any revisions to the requirements for on-road trucks and should clarify this in the Final MND. 2

Technology is transforming the transportation sector and construction equipment at a rapid pace. If using zero-emissions (ZE) or near-zero emissions (NZE) construction equipment and heavy-duty haul trucks to reduce the Proposed Project's construction air quality impacts was not feasible in 2013, the clean technologies for construction equipment and trucks are feasible today and will become increasingly more commercially available during the Proposed Project's five-year construction period. Therefore, it is recommended that the Lead Agency require the utilization of ZE or NZE construction off-road equipment and heavy-duty, on-road haul trucks, such as trucks with natural gas engines that meet the California Air Resources Board's (CARB) adopted optional NOx emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). 3

At a minimum, require that truck operator(s)/construction contractor(s) commit to using 2010 model year or newer engines that meet CARB 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include this requirement in the Proposed Project's construction bid documents or in the Request for Proposal for selecting construction contractor(s)/truck operator(s). 4

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the Final MND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the recommended air quality mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final MND (CEQA Guidelines Sections 15070 and 15074.1). 5

[7] *Ibid.* Table 2-1. Page 2-9.

Eric Lim October 12, 2021

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have questions or wish to discuss the comments. 6

Sincerely,

Lijin Sun

Lijin Sun
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

LS
LAC210928-03
Control Number

Letter 18: South Coast Air Quality Management District

Comment Letter Dated October 12, 2021

SCAQMD-1 The comment provides a summary of information on the proposed Project, particularly regarding air quality impacts. The comment is noted, and no further response is required.

SCAQMD-2 The comment states that it is unclear if the Lead Agency has made any revisions to the requirements for on-road trucks, and that this distinction should be clarified in the Final MND. It should be noted that per MM AQ-1 of the 2021 Draft IS/MND, there are two options for hauling trucks: on-road (double-bottom belly dump trucks) or off-road trucks, with corresponding cubic yard capacities and maximum round truck trips allowable per day. Specifically, for on-road trucks, MM AQ-1 requires that, if using double-bottom belly dump trucks with the equivalent capacity of 18 cubic yards, there would be a maximum of 400 round-trip truck trips within a given day (page 4-18 and 4-20 of the 2021 Draft IS/MND). The 2013 Draft IS/MND required that on-road trucks meet the 2010 or newer model year emission standards or that off-road equipment meet Tier 3 standards or better (PDF AQ-2). The 2021 Draft IS/MND has since been revised to strengthen the standards for off-road equipment to meet Tier 4 Final equipment, via MM AQ-2 (Page 2-9 of 2021 Draft IS/MND). The option to require on-road diesel haul trucks to have 2010 or newer engines was not included for the 2021 Draft IS/MND. Seven years have elapsed since preparation of the 2013 Draft IS/MND. By April 2022 (the anticipated start date for construction activities), the available fleet mix for on-road trucks in the County of Los Angeles will be primarily 2010 model year or newer engines trucks due to older trucks passing their useful life.[6] Therefore, requiring mitigation for 2010 model year or newer trucks would not be as effective in 2022 as it was anticipated to be during preparation of the 2013 Draft IS/MND since it is expected that on-road trucks used for the Project would use 2010 or newer engines regardless of mitigation due to the lack of availability of trucks with pre-2010 model year engines. Additionally, PDF AQ-1 (from the 2013 Draft IS/MND) was converted to MM AQ-1 (for the 2021 Draft IS/MND) and specifies an 18-cubic-yard-capacity for on-road trucks and maintains the roundtrip and work hour restrictions from PDF AQ-1 of the 2013 Draft IS/MND.

SCAQMD-3 The commenter asserts that zero-emissions (ZE) or near-zero emissions (NZE) trucks are feasible today and will become increasingly more commercially available during the Project's five-year construction period. The commenter recommends that the Lead Agency require the utilization of ZE or NZE construction off-road equipment and heavy duty, on-road haul trucks. It should

[6] When selected for the first year of project construction in 2022, CARB's EMissions FACtor (EMFAC) 2021 model estimates that 86 percent of the Heavy Heavy Duty Trucks (HHDT) vehicle population would be from the 2010 model year and newer.

be noted that the Project would use Tier 4 Final or better off-road emissions standards for all off-road diesel-powered construction equipment greater than 50 horsepower (MM AQ-3), which would reduce air pollutant emissions. Additionally, per MM AQ-1, there would be limitations on truck usage per type and day. With implementation of MM AQ-1 through MM AQ-4, air quality emissions would be less than the SCAQMD's mass-daily regional thresholds. As such, further mitigation is not required to reduce impacts to less than significant. Additionally, as stated on page 3-1 of Section 3.1, Project Activities and Schedule, of the 2021 Draft IS/MND, trucks used for the Project would be mobilized to the Project site at the beginning of the non-storm season and would stay on-site until the sediment removal activities are concluded for that season (as detailed on page 3-6 of the 2021 Draft IS/MND). The Project site is located within a rural mountainous area, in the Big Tujunga Canyon within the Angeles national Forest, approximately 4.5 miles north of the La Crescenta-Montrose community and approximately 7.0 miles northeast of the community of Sunland. Use of ZE or NZE trucks would require frequent use of off-site charging facilities during construction activities. Since there are no such facilities nearby the Project, the entire truck fleet of the Project site would require additional daily off-site trips to charge these vehicles for numerous hours. Additional vehicle trips would be required to pick-up and drop-off the drivers from the charging facilities, so they don't wait for hours for their vehicles to charge. This would reduce the available construction hours and efficiency to complete the Project. As such, use of ZE or NZE trucks would not be practical for this Project due to the lack of availability of charging infrastructure at the Project site. Additionally, with implementation of MM AQ-1 through MM AQ-4, air quality emissions would be less than the SCAQMD's mass-daily regional thresholds and use of ZE or NZE trucks is not necessary to reduce air quality impacts to less than significant.

SCAQMD-4 The comment states that the Lead Agency should require that truck operators/construction contractors commit to using 2010 model year or newer engines that meet California Air Resources Board (CARB) 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. As stated in Response SCAQMD-2, above, the option to require on-road diesel haul trucks to have 2010 or newer engines was not included for the 2021 Draft IS/MND. Seven years have elapsed since preparation of the 2013 Draft IS/MND. By April 2022 (the anticipated start date for construction activities), the available fleet mix for on-road trucks in the County of Los Angeles will include a majority of 2010 model year or newer engines trucks due to increased commercial availability as time has passed. Therefore, requiring mitigation for 2010 model year or newer trucks would not be as effective at reducing air quality emissions as it was anticipated to be during preparation of the 2013 Draft IS/MND, since it is very likely that on-road trucks used for the Project would use 2010 or newer engines regardless of mitigation. Additionally, PDF AQ-1 (from the 2013 Draft IS/MND) was converted to MM AQ-1 (for the 2021 Draft IS/MND) and specifies an 18-cubic-yard-capacity for on-road trucks and maintains the roundtrip and work hour restrictions from PDF AQ-1 of the 2013 Draft IS/MND. Therefore, specifically requiring 2010 model year or newer trucks is now not necessary to reduce air

quality impacts to less than significant for the Project, as it is expected that the trucks used for the Project (and mobilized at the site during the non-storm season) would be 2010 or newer engines. As air quality emissions from the Project are lower than the SCAQMD's mass daily regional thresholds with implementation of MM AQ-1 through MM AQ-4, no additional mitigation is necessary to reduce impacts to less than significant. No further response is required.

SCAQMD-5 The commenter cites CEQA Guidelines 15074, and requests written responses to all comments contained in the letter prior to the adoption of the Final MND. Comments have been addressed above, in Responses SCAQMD-1 through SCAQMD-4, , above, and will be provided to the SCAQMD prior to adoption of the Final MND. No further response is required.

SCAQMD-6 The comment provides the contact information of the commenter. This comment is noted, and no further response is required.

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401
www.fire.lacounty.gov

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JANICE HAHN
FOURTH DISTRICT
KATHRYN BARGER
FIFTH DISTRICT

October 14, 2021

LAFD

Alex Ho, Planner
Los Angeles County Public Works
Stormwater Engineering Division
P.O. Box 1460
Alhambra, CA 91802

Dear Mr. Ho:

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION, "BIG TUJUNGA RESERVOIR RESTORATION PROJECT," INVOLVES RESTORING FLOOD MANAGEMENT AND WATER CONSERVATION CAPACITY BY EXCAVATING UP TO 4.4 MILLION CUBIC YARDS OF SEDIMENT FROM THE BIG TUJUNGA RESERVOIR AND PLACING THE SEDIMENT IN THE ADJACENT MAPLE CANYON SEDIMENT PLACEMENT SITE, LA CRESCENTA-MONTROSE, FFER 2021010065

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

Intro

The following are their comments:

PLANNING DIVISION:

We have no comments.

For any questions regarding this response, please contact Kien Chin, Planning Analyst, at (323) 881-2404 or Kien.Chin@fire.lacounty.gov.

1

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDORA
HAWAIIAN GARDENS
HAWTHORNE
HERMOSA BEACH
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRWINDALE
LA CANADA-FLINTRIDGE
LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWNDALE
LOMITA
LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA
SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
VERNON
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

LAND DEVELOPMENT UNIT:

The Land Development Unit has no comment at this time regarding this project. For any questions regarding the Land Development Unit report, please contact FPEA Wally Collins at (323) 890-4243 or Wally.Collins@fire.lacounty.gov. 2

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

Under the Los Angeles County Oak tree Ordinance, a permit is required to cut, destroy, remove, relocate, inflict damage or encroach into the protected zone of any tree of the Oak genus which is 25 inches or more in circumference (eight inches in diameter), as measured 4 1/2 feet above mean natural grade. 3

If Oak trees are known to exist in the proposed project area further field studies should be conducted to determine the presence of this species on the project site.

The County of Los Angeles Fire Department's Forestry Division has no further comments regarding this project.

For any questions regarding this response, please contact Forestry Assistant, Nicholas Alegria at (818) 890-5719.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division of the Los Angeles County Fire Department has no comments or requirements for the project at this time. 4

Please contact HHMD senior typist-clerk, Perla Garcia at (323) 890-4035 or Perla.garcia@fire.lacounty.gov if you have any questions.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

RONALD M. DURBIN, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

RMD:ac

Letter 19: County of Los Angeles Fire Department

Comment Letter Dated October 14, 2021

LAFD-1 The comment reiterates the description of the Project and indicates that the Notice of Intent (NOI) was circulated among the County departments. The comment is noted, and no further response is required.

LAFD-2 **Planning Division.** The Planning Division have no comments, and a contact information is provided in case of any questions.

LAFD-3 **Land Development Unit.** The Land Development Unit has no comments, and a contact information is provided in case of any questions.

LAFD-4 **Forestry Division – Other Environmental Concerns.** The comment identifies the statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division and indicates that potential impacts of the Project pertaining to these areas should be addressed. The comment further states that if oak trees exist in the Project area, per the Los Angeles County Oak Tree Ordinance, a permit should be obtained for cutting, destroying, removing, relocating, inflicting damage, or encroaching into the protected zone of any tree of the oak genus with specific measurements as indicated in the comment. Beyond this comment, the Forestry Division has no further comments, and a contact information is provided in case of any questions.

The comment is noted and will be forwarded to the decision makers. Section 3.0, Project Description of the IS/MND indicates that, Coast live oak (*Quercus agrifolia*) trees are present along portions of the access road between the reservoir and Maple Canyon SPS. Though not anticipated, if any coast live oak tree branches or roots need to be trimmed or maintained during Project implementation, it would be done under the direction of a certified Arborist to ensure that it would avoid or minimize adversely affecting the health and viability of the oak trees. Additionally, Section 4.4, Biological Resources of the IS/MND identifies presence of oak trees and Scrub Oak Chaparral on the north-facing slopes of the Maple Canyon SPS. A Coast Live Oak Woodland and a Bigcone Douglas Fir-Canyon Live Oak Forest are also identified along the margins of Big Tujunga Creek and on the steep slopes and side canyons of upper Big Tujunga Creek, respectively.

The analysis indicates that the coast live oak located within the impact boundary represent the tree canopy of coast live oak trees over existing roadways and the plunge pool. These oak trees are not located on the access roads or in the plunge pool and would not be removed. In the unanticipated event that an oak tree needs to be trimmed or maintained to accommodate trucks along the access road or work in the plunge pool, work would be done or monitored by a certified Arborist to ensure proper techniques are applied for the long-term health of the tree. Impacts to coast live oaks from trimming and maintenance would be less than significant and no mitigation would be required.

Further, the analysis under Threshold (e) identifies that Maple Canyon SPS is located within the jurisdiction of the USFS; there is no tree preservation policy for the ANF. Therefore, there is no requirement to protect the scrub oak or San Gabriel oak trees that would be impacted by sediment placement in Maple Canyon SPS. The remainder of the Project area falls within LACFCD facilities; these facilities are exempt from oak tree ordinance measures required by the County of Los Angeles. However, the LACFCD typically follows the County ordinance in good faith. As discussed above, no coast live oak trees would be removed by the Project, and if trimming is needed, an Arborist would do the work. Therefore, there would be no conflict with local tree policies or ordinances.

LAFD-5 **Heath Hazardous Materials Division.** The Heath Hazardous Materials Division has no comments, and a contact information is provided in case of any questions.

OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

October 20, 2021

Los Angeles County Public Works
Stormwater Engineering Division
Reservoir Cleanouts
P.O. Box 1460
Alhambra, California 91802-1460

OSCLA

To Whom It May Concern:

REVIEW COMMENTS
NOTICE OF INTENT TO ADOPT A
MIITIGATED NEGATIVE DECLARATION
BIG TUJUNGA RESERVOIR RESTORATION PROJECT

Thank you for inviting the Los Angeles County Sheriff's Department (Department) to review and comment on the September 2021 Draft Revised and Recirculated Initial Study/Mitigated Negative Declaration (Draft Revised IS-MND) for the Big Tujunga Reservoir Restoration Project (Project). The proposed Project is located in Big Tujunga Canyon in the San Gabriel Mountain foothills with the Angeles National Forest, in unincorporated Los Angeles County on lands owned by the U.S. Forest Service. The proposed Project involves restoring flood management and water conservation capacity by excavating up to 4.4 million cubic yards of sediment from the Big Tujunga Reservoir and placing the sediment in the adjacent Maple Canyon Placement Site. Minor site activities would also include hydroblasting to flush a stilling well on the dam crest; repairing the hydraulic sluicegate; paving the unpaved sections of the north access road and repairing the culvert crossing; incorporating slope protection measures adjacent to the spillway; rehabilitating the northern reservoir access ramp to safely access the Reservoir bottom; installing a boat dock at the dam face; and performing minor coring on existing dam riser and installing a slide gate to facilitate dewatering.

Intro

The proposed Project is located within the service area of the Department's Crescenta Valley Sheriff's Station (Station). The proposed Project, as it is described in Section 4.15 Public Services on page 4-135 of the Draft Revised

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IS/MND, is not expected to significantly impact the current level of service provided by the Station.

1 (cont.)

Per Section 4.17. Transportation on page 4-142, a Traffic Control Plan would be prepared by the Los Angeles County Flood Control District (LACFCD) as part of the proposed Project to address construction-related traffic congestion and emergency access issues. If temporary lane closures are necessary for the installation of utilities, emergency access should be maintained at all times. Flag persons and/or detours shall be provided as needed to ensure safe traffic operations, and construction signs should be posted to advise motorists of reduced construction zone speed limits. LACFCD shall coordinate with the Station for proposed emergency access routes for use during the construction activities. The Station also recommends LACFCD to coordinate with other local agencies for compliance with applicable local and regulatory laws regarding trips for construction trucks and sediment transportation.

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For future reference, the Department provides the following updated address and contact information for all requests for review comments, law enforcement service information, California Environmental Quality Act documents, and other related correspondence:

Tracey Jue, Director
Facilities Planning Bureau
Los Angeles County Sheriff's Department
211 West Temple Street
Los Angeles, California 90012

Attention: Planning Section

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Should you have any questions regarding this matter, please contact me at (323) 526-5657, or your staff may contact Ms. Rochelle Campomanes of my staff, at (323) 526-5614.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Tracey Jue, Director
Facilities Planning Bureau

Letter 20: Office of the Sheriff, County of Los Angeles

Comment Letter Dated October 20, 2021

JR-1 The comment appreciates having been invited to review the document and reiterates the Project description. No further response is required.

JR-2 The comment indicates that the Project is within the Crescenta Valley Sheriff's Station and concurs with Section 4.15, Public Services of the Revised and Recirculated IS/MND that the Project would not significantly impact the Crescenta Valley Station's existing level of service. The comment is noted and will be forwarded to the decision makers.

JR-3 The comment acknowledges that a Traffic Control Plan would be prepared for Project construction and recommends that emergency access be maintained at all times; that construction signs be posted to notify the reduced construction zone speed limits; and that LACFCD coordinate with other agencies for compliance with local regulations regarding construction trips. LACFCD concurs with the comment, and it is noted and will be forwarded to the decision makers.

JR-4 The comment provides the Department's updated address and contract information. The comment is noted.

4.0 REVISIONS AS PART OF THE FINAL REVISED AND RECIRCULATED IS/MND

Revisions have been made to the Draft Revised and Recirculated IS/MND based on input received during the public review period and while preparing the responses to comments on the Draft Revised and Recirculated IS/MND. The revisions requested by the commenters do not reflect a substantial change to the Project description, nor would any of the changes result in a new impact or intensification of an impact already identified in the Draft Revised and Recirculated IS/MND. The changes are not in response to comments that raise significant environmental issues. Additions to the Draft Revised and Recirculated IS/MND are shown in *red italicized* text and deletions are shown in ~~red strikethrough~~ text.

4.1 REVISIONS TO THE TEXT OF THE REVISED AND RECIRCULATED IS/MND

4.1.1 SECTION 3.0, PROJECT DESCRIPTION

CDFW provided a comment letter dated October 25, 2021, commenting on the potential for vegetation removal at Maple Canyon SPS to affect runoff of sediment and debris into the stream. A statement was added to the Project Description that BMPs will be used to protect exposed soils in Maple Canyon SPS so that there would be no runoff of sediment and debris into downstream areas. Consistent with Section 15073.5 (c)(2), recirculation of the Revised and Recirculated IS/MND is not required when new project revisions are added in response to written comments on the project's effects that are not new avoidable significant effects.

Therefore, the following new text has been incorporated in Section 3.1.5, Sediment Placement at Maple Canyon SPS, on page 3-7, in Section 3.0, Project Description of the Draft IS/MND:

> Prior to any sediment placement, areas within the fill footprint of Maple Canyon SPS would be cleared of vegetation and grubbed. *BMPs will be used to protect exposed soils in Maple Canyon SPS following vegetation removal so that there is no runoff of sediment/debris to downstream areas. BMPs will remain in place until the revegetation plan for the SPS is implemented.*

4.1.2 SECTION 4.4, BIOLOGICAL RESOURCES

Following the circulation of the Draft Revised and Recirculated IS/MND, CDFW withdrew the Candidate status of Crotch bumblebee (*Bombus crotchii*); this species is not currently proposed for listing. Consistent with CEQA Section 15073.5(c)(4) of CEQA Guidelines, recirculation is not required when new information is added to the document to clarify the current regulatory context as long as it does not create a new significant impact. Consistent with the Draft Revised and Recirculated IS/MND, the Final Revised and Recirculated IS/MND continues to identify a possible impact on this species but, as the species is no longer a Candidate for State listing, the

impact would no longer be considered significant. Therefore, mitigation would no longer be required, and thus MM BIO-3 has been deleted.

CDFW provided a comment letter dated October 25, 2021, with detailed comments on the types of water quality impacts that could affect special status fish species. The Draft Revised and Recirculated IS/MND identified water quality as an impact that could affect special status fish species. Text from CDFW's comment was incorporated into the impact analysis in the Revised and Recirculated IS/MND to clarify the specific water quality impacts that could occur (e.g., turbidity, water temperature at the outflow of the bypass line, pH, dissolved oxygen) and how it could impact aquatic life. Similarly, MM BIO-4 (renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND) previously contained text that required BMPs to be used to protect water quality and monitoring of BMPs during construction, including a requirement to ensure the water temperature at the bypass outflow was consistent with the temperature at the bypass inflow. Text was incorporated from CDFW's comment into the mitigation measure to add specific details on water quality parameters to be measured; thresholds for those parameters to be exceeded; and specifics on how the water quality parameters will be monitored. Consistent with Section 15073.5 (c)(1) of CEQA Guidelines, recirculation of the Revised and Recirculated IS/MND is not required when mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.

CDFW provided a comment letter dated October 25, 2021, requesting that specific text be added to MM BIO-6 (revised to MM BIO-5 in the Final Revised and Recirculated IS/MND). These changes clarified that the pre-construction surveys for least Bell's vireo and southwestern willow flycatcher would follow the current USFWS protocol and the types of Project activities that would not be allowed within the 500-foot protective buffer (e.g., sediment removal, sediment hauling, vehicle traffic, and foot traffic). Consistent with Section 15073.5 (c)(1) of CEQA Guidelines, recirculation of the Revised and Recirculated IS/MND is not required when mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.

CDFW provided a comment letter dated October 25, 2021, requesting that specific text be added to MM BIO-4 (renumbered to MM BIO-3 in the Final Revised and Recirculated IS/MND). These changes requested that (1) the pre-construction survey may be more than one day; (2) the Biologist conducting the surveys be approved by the CDFW; (3) clarifying the initiation of project activities; (4) providing specific details on the fish screen parameters; (5) that dead or dying aquatic life will be reported; and (6) that LACFCD will be responsible for relocating fish in drying conditions. Consistent with Section 15073.5 (c)(1) of CEQA Guidelines, recirculation of the Revised and Recirculated IS/MND is not required when mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.

CDFW provided a comment letter dated October 25, 2021, requesting that Coast Range newt be added to MM BIO-8 (Renumbered to MM BIO-7 in the Final Revised and Recirculated IS/MND). As explained in the responses to comments, the Draft Revised and Recirculated IS/MND identified potential impacts to Coast Range newt but determined the effects to be less than significant. Although the effect would not be significant, Coast Range newt has been added to the measure as requested since it would not increase the level of effort required for the survey to add the species. Consistent with Section 15073.5 (c)(1) of CEQA Guidelines, recirculation of the Revised and Recirculated IS/MND is not required when mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.

CDFW provided a comment letter dated October 25, 2021, requesting that text be added to MM BIO-10 (Renumbered to MM BIO-9 in the Final Revised and Recirculated IS/MND) that pre-construction nesting bird surveys be updated if Project activities stop for five or more days. Consistent with Section 15073.5 (c)(1) of CEQA Guidelines, recirculation of the Revised and Recirculated IS/MND is not required when mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.

In summary, none of the comments provided identify new, significant avoidable impacts, nor do they identify that a new mitigation measure would be needed. Therefore, the revisions to biological resources are not considered substantial and recirculation of the Revised and Recirculated IS/MND is not required. Therefore, in light of the above discussions, revisions have been incorporated to various sections, below.

The following revisions have been made to the discussion regarding Crotch bumble bee (*Bombus crotchii*), in Section 4.4.1, Existing Conditions, on page 4-43, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

> The Crotch bumble bee (*Bombus crotchii*) ~~is currently~~ *was* *proposed as* a Candidate to be State listed as Endangered in June 2019. *However, as a result of a trial court decision in February 2021 and subsequent appeal, the petitioned bumble bees (Bombus spp.) are currently not state candidate species (CDFW 2021b).* ~~The CDFW is in the process of reviewing the petition for listing and evaluating available information. The CDFW status review report was expected on December 28, 2020; in June 2021, the status has not yet been updated (CDFW 2021c).~~ The Crotch bumble bee is a ground nester and often makes its nest in abandoned mammal burrows and can be found in most native habitat types, although it prefers grassland and scrub habitats. It is primarily associated with plants from the following families: *Fabaceae, Apocynaceae, Asteraceae, Lamiaceae,* and *Boraginaceae* (Richardson 2017, Thorp et. al. 1983). Grassland and scrub habitat, as well as several plant species from these families are present; therefore, suitable habitat is present for this species. This species has been recently observed at several locations in the Project region. The nearest observations of this species were in 2017 at Charlton Flats Picnic Area, approximately 10 miles northeast from the Project, and in 2019 at the Theodore Payne Gardens, approximately 10 miles southeast of the Project (CDFW 2021a). Therefore, this species may occur.

The following deletion has been made to the discussion regarding Crotch bumble bee (*Bombus crotchii*), in Section 4.4.2, Impact Analysis, on page 4-56, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

> ~~***Crotch Bumble Bee***~~
>
> ~~Crotch bumble bee is a generalist species that could use any habitat in the study area. The Project would temporarily impact 23.22 acres of potential habitat in Maple Canyon (14.14 acres of laurel sumac scrub, 2.49 acres of chamise chaparral, 3.83 acres of scrub oak chaparral, 2.68 acres of annual grassland, and 0.08 acre California sycamore woodland). Following the Project, Maple Canyon SPS would be revegetated following the *Draft Maple Canyon Sediment Placement Site Revegetation Plan*. The Project would also temporarily impact 3.37 acres of~~

~~habitat within the sediment removal footprint (0.13 acre of birch leaf mountain mahogany chaparral, 0.06 white alder grove-willow thicket, 0.17 acre of black willow thicket, 0.23 acre of arroyo willow thicket, 0.46 acre mulefat thicket, 2.29 acres smartweed-cocklebur patch, 0.01 acre freshwater seep, and 0.02 acre of disturbed freshwater seep). These areas would be expected to naturally revegetate following completion of the Project. Project haul routes would use existing roadways; woodland habitats represent trees overhanging the road that may be trimmed, but would not be removed; therefore, they would remain available for foraging by the bumble bee during the Project. Additionally, there is extensive suitable habitat surrounding the Project in the ANF that would be available for use by the bumble bee during the Project.~~

~~The Crotch bumble bee nests in burrows in the ground. Removal of vegetation and/or sediment placement in Maple Canyon may impact bumble bee nests or overwintering bumble bees. This could cause mortality of individuals. Individuals could also be struck by vehicles when flying across the haul routes. Pre-construction surveys would avoid and minimize impacts on active nests/burrows of Crotch bumble bee if they occurred in the Maple Canyon SPS portion of the impact area during construction (MM BIO-3). Crotch bumble bees would not be expected to nest in the riparian habitat upstream of BTR because it would be inundated or part of the active stream until dewatering.~~

The following revisions have been made to the discussion regarding water quality (turbidity) and how it could affect special status fish, in Section 4.4.2, Impact Analysis, on page 4-57, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

> If sediment-laden water is released into Big Tujunga Creek, it could impact water quality for the Santa Ana sucker downstream of BTR~~, possibly harming eggs of the sucker~~. *Increased turbidity could injure or irritate the respiratory structures of the sucker, which could cause mortality. It could also settle over eggs of the sucker, affecting reproduction, and/or could settle over food resources (e.g., algae), which provide food resources for the sucker.* ~~and could t~~*T*herefore, *effects on water quality could* result in a potentially significant impact.

The following revisions have been made to the discussion regarding water quality (turbidity) and how it could affect Coast Range newt larvae, in Section 4.4.2, Impact Analysis, on page 4-57, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

> If sediment-laden water is released into Big Tujunga Creek, it could impact water quality for the Santa Ana sucker downstream of BTR, ~~possibly harming eggs of the sucker~~. *Increased turbidity could injure or irritate the respiratory structures of the sucker (or other special status fish or amphibians), which could cause mortality. It could also settle over eggs of the sucker (or other special status fish or amphibians), affecting reproduction, and/or could settle over food resources (e.g., algae) which provide food resources for the sucker (and other special status fish or amphibians).* ~~,and could t~~*T*herefore*, effects on water quality could* result in a potentially significant impact.

The following addition has been made to the discussion regarding water quality (high temperature) and how it could affect special status fish, in Section 4.4.2, Impact Analysis, on page 4-57, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

> *During sediment removal, a bypass line would carry flows from Big Tujunga Creek upstream of BTR to the creek downstream of the dam near the plunge pool. Surface water diversions can potentially increase water temperatures, particularly if diverted flows are allowed to stagnate in artificial unshaded pools or if they are conveyed through black-colored, solar-heated bypass pipelines. Adverse water temperatures could stress Santa Ana sucker and result in mortality. Additionally, high water temperatures can reduce available dissolved oxygen, which could also stress Santa Ana suckers and result in mortality. Therefore, as required by MM BIO-3, the water temperature at the outflow will be similar to the water temperature at the inflow.*

The following addition has been made to the discussion regarding water quality (high temperature) and how it could affect Coast Range newt, in Section 4.4.2, Impact Analysis, on page 4-57, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

> *During sediment removal, a bypass line would carry flows from Big Tujunga Creek upstream of BTR to the creek downstream of the dam near the plunge pool. Surface water diversions can potentially increase water temperatures, particularly if diverted flows are allowed to stagnate in artificial unshaded pools or if they are conveyed through black-colored, solar-heated bypass pipelines. Adverse water temperatures could stress Santa Ana sucker (or other special status fish or amphibians) and result in mortality. Additionally, high water temperatures can reduce available dissolved oxygen, which could also stress Santa Ana suckers (or other special status fish or amphibians) and result in mortality. Therefore, as required by MM BIO-3, the water temperature at the outflow will be similar to the water temperature at the inflow.*

The following addition has been made in Section 4.4.2, Impact Analysis, under *Santa Ana Sucker*, on page 4-61, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

> *Reservoirs provide locations for the establishment and spread of non-native wildlife species that can then spread to areas downstream if their eggs, juveniles, or adults are released to downstream areas (Stephenson and Calcarone 1999). Non-native aquatic wildlife species are present in BTR and may be released to downstream areas. These non-native species act as predators of all life stages of the Santa Ana sucker and could decrease their populations. Complete dewatering of BTR and plunge pool would have the beneficial effect of eradicating non-native fish from BTR and the plunge pool.*

The following revisions have been made in Section 4.4.2, Impact Analysis, under *Arroyo Chub and Santa Ana Speckled Dace*, on page 4-62, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

~~and~~ (4) bypass line would limit summer releases to natural stream conditions*; (5) complete dewatering of BTR and plunge pool would beneficially remove non-native fish that act as predators on native fish from these areas*.

The following revisions have been made to MM BIO-3, in Section 4.4.3, Mitigation Measures, on page 4-73, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

B. A ~~one visit~~ pre-construction survey for Santa Ana sucker, arroyo chub, and Santa Ana speckled dace shall be conducted by a qualified Biologist (~~one holding a 10[a] permit for the Santa Ana sucker~~ approved by the resource agencies) immediately prior to *the initiation of Project activities, including* installation of water quality BMPs at the downstream end of the plunge pool. If any Santa Ana suckers or other special status fish species are observed, the Biologist shall relocate all individuals to areas of suitable habitat per the SSFRP. All non-native animal species encountered during the pre-construction survey shall be permanently removed from the plunge pool and creek.

The following revisions have been made to MM BIO-3, in Section 4.4.3, Mitigation Measures, on page 4-74, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

D. Regardless of whether special status fish species are observed during pre-construction surveys, the combination of water quality BMPs, *fish exclusion screening*, and~~/or~~ blocking nets shall be used to exclude special status fish species from entering the work area from downstream. The design of the exclusion and method of installation shall be included in the SSFRP and approved by the LACFCD, USFWS, and CDFW. Blocking nets and water quality BMPs shall be installed under the supervision of a Biological Monitor in order to ensure that no special status fish species are impacted during installation of the exclusion measures.

The following additions have been made to MM BIO-3, in Section 4.4.3, Mitigation Measures, on page 4-74, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

H. *The inflow of all pumps used for dewatering shall be covered with fish exclusion screening. The screen used on the pump for dewatering the plunge pool shall meet the following specifications: (1) a porosity with a minimum open area of 27 percent; (2) round openings shall not exceed 0.094 inch (2.38 millimeters [mm]); (3) square openings shall not exceed 0.094 inch (2.38 mm), measured diagonally; (4) slotted openings shall not exceed 0.0689 inch (1.75 mm). The screen used on the pump for dewatering the reservoir shall have a screen with* ~~A screen with~~ 0.125-inch (3.2-mm~~millimeter~~) mesh ~~shall be used at the inflow of the pump for dewatering the reservoir~~ to prevent non-native animals from spreading from the reservoir to areas below the dam occupied by Santa Ana sucker. All non-native animal species encountered during dewatering of the reservoir shall be permanently removed from the reservoir. Post-project, placement of non-native species shall not be allowed in the reservoir, plunge pool, or Big Tujunga Creek/Wash.

I. When the bypass line is in place, water temperature shall be maintained from the inflow to the outflow. The bypass line shall be insulated and/or methods shall be used to decrease the water temperature prior to it re-entering the stream (e.g., submerge, cover, or shade the bypass line; avoiding black or corrugated pipe if not shaded). *Waters with measured temperatures exceeding 78 degrees Fahrenheit shall not be discharged downstream. Additionally, a temporary trash rack shall be installed upstream of the bypass inlet and shall be monitored daily by the ECM (or a qualified Biologist) and maintained as needed to ensure effective operation of the bypass pipeline.*

The following revisions have been made to MM BIO-3, in Section 4.4.3, Mitigation Measures, on page 4-76, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

J. A qualified Biological Monitor (~~one with experience with special status fish species~~ *approved by the resource agencies*) shall conduct daily monitoring along the creek during dewatering outside the storm season (April 16 to October 14) and stream bypass installation. The Biological Monitor shall also conduct weekly monitoring throughout sediment removal activities to ensure that BMPs are in place and no release of sediment is observed downstream of the plunge pool; and to ensure that Santa Ana sucker, arroyo chub, or Santa Ana speckled dace are not stranded as dewatering flows recede. The Biological Monitor shall visually monitor habitat *and instream conditions* from the dam to approximately 1.5 mile downstream of the dam. *The Biological Monitor shall also quantitatively monitor water quality (i.e., water temperature, pH, dissolved oxygen, and turbidity levels) at no fewer than three locations (approved by the resource agencies) on a weekly basis during dewatering and sediment removal activities.* If the Biological Monitor notes *dead or distressed aquatic life, or* a change in the condition of downstream habitat*/instream conditions* that was likely caused by dewatering flows and/or BMPs not functioning effectively to protect water quality[7], the Biological Monitor shall immediately notify the LACFCD's Construction Inspector that immediate corrective action is required. *If dead or distressed aquatic life was observed by the Biological Monitor and reported to the LACFCD Construction Inspector, LACFCD shall immediately notify the resource agencies.* If corrective action has not been taken within 48 hours, the Biological Monitor shall recommend that LACFCD's Construction Inspector suspend construction activities and the Biological Monitor shall report the conditions and necessary corrective actions to the LACFCD, USFWS, and CDFW; work shall remain suspended until the condition is corrected to the satisfaction of the LACFCD, USFWS, and CDFW. If the Biological Monitor observes Santa Ana sucker or other special status species adults, juvenile, or larva stranded in drying pools outside the active channel during dewatering or at any time during construction, he/she shall be authorized to relocate the fish to suitable habitat in the adjacent active channel. The Biological Monitor shall prepare Weekly Monitoring Reports

[7] Flood control releases may occur in association with a storm that occurs during the non-storm season. Changes in the condition of stream habitat related to flood control releases would not be included in the notification/corrective action requirements unless they were associated with repairing BMP functioning for the maintenance project following the storm.

describing construction activities as they pertain to the Santa Ana sucker and Santa Ana sucker Critical Habitat areas; the reports shall be submitted to the LACFCD, USFWS, and CDFW.

The following additions have been made to MM BIO-3, in Section 4.4.3, Mitigation Measures, on page 4-74, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

F. Prior to dewatering of the reservoir (beyond normal dam operations) and/or any work in the plunge pool, LACFCD's Contractor shall install water quality filtration BMPs to satisfy permitting requirements from the LACFCD, USACE, RWQCB, and/or CDFW. Filtration BMPs—including but not limited to sand/gravel bags, silt fencing and/or other filtering devices—shall be placed between the plunge pool and Big Tujunga Creek to prevent sediment from exiting the plunge pool into downstream waters. Once installed, the BMPs would allow the plunge pool to serve as a large sedimentation basin in which waters released from the dam would be temporarily retained to allow for sediments to drop to the bottom of the pool. These BMPs would be designed with the goal of preventing or limiting the flow of disturbed sediment and particulate matter downstream during Project activities. *Waters released from the Reservoir and/or plunge pool shall not contain oils, greases, waxes, or other materials in concentration that results in a visible film or coating on the surface of the water or on objects in the water. Downstream total suspended solids (TSS) shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20 percent of the baseline (i.e., sample taken from the bottom of BTR right next to the tower a few days prior to the initiation of dewatering). Where natural turbidity is greater than 50 NTUs, increases shall not exceed 10 percent of the baseline. Additionally, waters shall not contain oils, greases, waxes, or other materials in concentration that results in a visible film or coating on the surface of the water or on objects in the water. Discharge pH shall not be changed more than 0.5 units from ambient levels and shall be between 6.5 and 8.5. Dissolved oxygen concentrations shall not be depressed below 6 milligrams per liter (mg/L), except when natural conditions cause lesser concentrations. Ambient levels shall be measured at a sampling location in Big Tujunga Creek at least 200 feet upstream of the point of diversion.*

The LACFCD shall hire an ECM to inspect the BMPs daily throughout Project activities. *During dewatering of the Reservoir and plunge pool, water quality measurements shall be taken by the ECM (or a qualified Biological Monitor) daily when discharges will be made. Only discharges that meet or exceed the standards above shall be released from the Reservoir and plunge pool. Once the bypass pipeline is in place, water quality measurements shall be taken by the ECM (or qualified Biological Monitor) at a location 200 feet upstream of the inflow to the bypass pipeline and at the outflow of the bypass pipeline. Water quality measurements shall be recorded once per working day for the first four days after reservoir dewatering starts, and once per week thereafter and shall include flow, water temperature, dissolved oxygen, pH, and turbidity. The ECM or qualified Biological Monitor collecting water quality data shall be qualified*

to collect and interpret water quality data. Water quality data shall be recorded and shall be provided to the resource agencies weekly and/or upon request. If BMPs are not functioning properly, the ECM shall notify LACFCD immediately and corrective action shall be taken immediately. *If dead fish or adverse water quality conditions are observed, LACFCD or their designee shall notify the resource agencies immediately.* If effective corrective action is not taken within 48 hours, the ECM shall recommend that LACFCD's Construction Inspector suspend construction activities; the ECM shall report the conditions and necessary corrective actions to the LACFCD, USFWS, CDFW, and/or RWQCB; work shall remain suspended until the condition is corrected to the satisfaction of the LACFCD and the appropriate resource agencies.

I. When the bypass line is in place, water temperature shall be maintained from the inflow to the outflow. The bypass line shall be insulated and/or methods shall be used to decrease the water temperature prior to it re-entering the stream (e.g., submerge, cover, or shade the bypass line; avoiding black or corrugated pipe if not shaded). *Waters with measured temperatures exceeding 78 degrees Fahrenheit shall not be discharged downstream. Additionally, a temporary trash rack shall be installed upstream of the bypass inlet and shall be monitored daily by the ECM (or a qualified Biologist) and maintained as needed to ensure effective operation of the bypass pipeline.*

The following revisions have been made to MM BIO-3, in Section 4.4.3, Mitigation Measures, on page 4-77, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

K. The SSFRP shall also include discussion of potential relocation necessary based on natural flow conditions from the dam to 1.5 mile downstream of the dam. If the Biological Monitor notices that water levels in active channel of the creek in this area decrease to shallow conditions or that isolated pools develop ~~as a result of natural rainfall conditions~~, the Biological Monitor shall notify the LACFCD, USFWS, and CDFW of the conditions ~~so the resource agencies (i.e., USFWS and CDFW) may consider relocating~~ *to discuss relocation of* special status fish to suitable habitat or temporarily into captivity to avoid potential mortality. *The Biological Monitor shall relocate special status fish to suitable habitat per methods described in the SSFRP to a location approved by the resource agencies. If there is no suitable habitat available, the resource agencies shall temporarily hold the special status fish in captivity.* ~~Because this would be a result of weather conditions and not a result of the Project, the LACFCD shall not be responsible for relocating the fish (if needed) but shall cooperate with agency efforts to rescue fish.~~ No relocation shall occur until the USFWS and CDFW have confirmed that relocation shall occur.

The following revisions have been made to MM BIO-5, in Section 4.4.3, Mitigation Measures, on page 4-79, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

B. Prior to the start of sediment removal activities each year, a qualified Biologist (~~one with experience and necessary permits to survey for least Bell's vireo and southwestern willow flycatcher~~ approved by the resource agencies) shall survey all riparian habitat within 500 feet of the construction limits for the

presence of least Bell's vireo and southwestern willow flycatcher nests/territories. Three surveys shall be conducted within two weeks prior to the initiation of Project activities each year. *During each survey, methods shall follow the current USFWS protocols (except for the number and timing of surveys, which will follow this measure).* Any active nests/territories shall be mapped on an aerial photograph and marked on applicable construction plans. A Letter Report will be prepared and submitted to the LACFCD, USFWS, and CDFW to document the results of the pre-construction survey within 30 days of completion of the survey.

The following revisions have been made to MM BIO-5, in Section 4.4.3, Mitigation Measures, on page 4-79, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

C. A 500-foot protective buffer shall be established around a least Bell's vireo or southwestern willow flycatcher territory identified in the field. *Project activities including sediment removal, sediment hauling, vehicle traffic, and foot traffic shall not occur within this 500-foot protective buffer.* The protective buffer shall be marked with lath and rope, orange snow fencing, or other suitable fencing to provide an adequate buffer from construction work. Signs shall be posted to indicate that the area is an "Environmentally Sensitive Area" and that no work activities shall occur within the fencing. WEAP training shall educate workers on the importance of Environmentally Sensitive Areas. The Biological Monitor shall check the fencing/signage weekly to ensure that it stays in place throughout sediment removal activities and shall notify the LACFCD's Construction Inspector immediately if the fencing/signage needs to be repaired.

The following revisions have been made to the text in Section 4.4.2, Impact Analysis, on page 4-64 and MM BIO-7, in Section 4.4.3, Mitigation Measures, on page 4-84, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

Section 4.4.2:

Although not required by CEQA, two-striped garter snake *and Coast Range newt* ~~has~~ have been included in MM BIO-~~8~~*7* because ~~it~~ *these* similarly ~~is an~~ *are* aquatic species that may occur in the direct footprint of the sediment removal area. Mitigation for ~~this~~ *these* species was compatible with the western pond turtle-required measure and would avoid or minimize impacts on the two-striped garter snake *and Coast Range newt*.

MM BIO-7:

Prior to the initiation of dewatering/installation of the bypass line each year (March or April, depending on water levels in the reservoir), pre-construction surveys for the two-striped garter snake *and Coast Range newt* shall be conducted by a qualified Biologist (~~one with experience and the necessary permits to handle this species~~ approved by the resource agencies). Concurrently with the western pond turtle trapping effort described in MM BIO-~~7~~*6*, the Biologist shall also visually search for two-striped garter snakes *and Coast Range newts* in the Project

impact area. If any two-striped garter snakes *or Coast Range newts* are captured, they shall be relocated to a suitable site along Big Tujunga Creek upstream of the construction area or along Big Tujunga Creek downstream of the downstream access road boundary. Prior to relocating any two-striped garter snakes or *Coast Range newts*, the LACFCD and CDFW shall approve the potential relocation site(s) and methods for transfer to the relocation sites. Additionally, a qualified Biologist shall be present during dewatering of the plunge pool to ensure no two-striped garter snakes *or Coast Range newts* are stranded. If any two-striped garter snakes *or Coast Range newts* are observed during the monitoring, they shall be captured by the Biologist and released at the relocation site. A Letter Report shall be prepared to document the results of the pre-construction surveys and monitoring and shall be provided to the LACFCD and CDFW within 30 days of completion of the survey.

The following revisions have been made to MM BIO-9, in Section 4.4.3, Mitigation Measures, on page 4-85, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

The following measures shall be ~~followed~~ *implemented* prior to *the initiation of any Project activities, including* work within *the* Reservoir, plunge pool, stream, ~~and~~ *or* in the developed areas *on or around* ~~of~~ the dam.

A. To the extent possible, vegetation clearing shall be conducted during the non-breeding season (September 1 to January 31) in order to minimize direct impacts on nesting birds. If vegetation clearing would be initiated during the breeding season for nesting birds/raptors (February 1–August 31), the maintenance activity shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act.

The following revisions have been made to MM BIO-9, in Section 4.4.3, Mitigation Measures, on page 4-85, in Section 4.4, Biological Resources of the Draft Revised and Recirculated IS/MND:

B. In order to avoid direct impacts on active nests, a pre-construction survey shall be conducted by a qualified Biologist (~~one with experience conducting nesting bird surveys~~ approved by the resource agencies) for nesting birds and/or raptors within four days prior to clearing of any vegetation or any work near existing structures. The nesting bird survey area shall include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors. If the Biologist does not find any active nests in or immediately adjacent to the impact area, the vegetation clearing/construction work shall be allowed to proceed. *If Project activities stop for five or more days (during the breeding season), the pre-construction survey shall be repeated.*

4.1.3 SECTION 4.17, TRANSPORTATION

Caltrans' comment letter on the Draft Revised and Recirculated IS/MND, dated October 20, 2021, concurred with the Project's mitigation measure (MM TRA-1) pertaining to the Traffic Control Plan that would be prepared in compliance with Caltrans' Manual on Uniform Traffic Control Devices (MUTCD). The comment suggested, however, that Construction Transportation Control

Plan (CTCP) identify the construction period and include detailed plans for bicycle and pedestrian detours during construction (if applicable) and consider adequate barriers for safety of pedestrians and bicyclists. Caltrans' comments were noted and incorporated into MM TRA-1.

It is noted that per Section 15073.5(b)(1)(2) of CEQA Guidelines, the revisions are not considered "substantial revision", as 1) they do not constitute a new, avoidable significant effect for which mitigation measures or project revisions must be included to reduce the impact to insignificance or 2) they are not incorporated because the MM TRA-1 does not reduce the potential impacts to less than significance and thus new measures or revisions are required. The added text primarily provides clarification and additional discussion accommodating bicycle and pedestrian safety during construction.

In light of the above, per Section 15073.5(c)(1) of CEQA Guidelines, recirculation of the Revised and Recirculated IS/MND is not required because the requested revisions to MM TRA-1 merely provides detail to the measure and renders is more effective, pursuant to Section 15074.1.

The following revisions have been made to MM TRA-1, in Section 4.17.3, Mitigation Measures, on page 4-142, in Section 4.17, Transportation of the Draft Revised and Recirculated IS/MND:

MM TRA-1 Prior to commencement of any sediment removal activities in the first year of Project implementation, the LACFCD shall prepare a *Construction* Traffic Control Plan *(CTCP)*, in compliance with the *California Manual for Uniform Traffic Control Devices* (MUTCD), and its California supplements, that specifies the duration of the construction period and addresses potential traffic hazards and impacts to traffic congestion related to Project implementation. The Plan shall include, but not be limited to, the following requirements: (1) *detailed plans for bicycle and pedestrian detours during construction; these plans shall meet or exceed the MUTCD standards; (2)* a flag person(s) shall be stationed at the intersection of the Project access road and Big Tujunga Canyon Road during all trucking operations; (~~2~~*3*) *viable detour routes that include adequate barriers against motorized traffic for safety and comfort of pedestrians and bicyclists shall be maintained during construction; (4)* truck traffic shall be managed such that no queuing shall occur on Big Tujunga Canyon Road; (~~3~~*5*) the construction crew shall be required to attend traffic safety meetings to ensure that the Plan is fully implemented; (~~4~~*6*) requirements shall be set for the design and use of traffic signs, driveway access, barricades, and other measures to maintain public convenience and safety for motorists, cyclists, pedestrians, and construction workers; and (~~5~~*7*) the coordination protocol shall be confirmed with law enforcement and other emergency agencies, as necessary.

5.0 REFERENCES

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