

# CHAPTER 10

## Comment Letters

This Chapter 10 and the following chapters (Chapters 10, 11, and 12) have been added to the Program Environmental Impact Report (PEIR) (State Clearinghouse No. 2007101125) and together with the revised Draft PEIR constitute the Final PEIR prepared by LACWWD40 in consultation with the Responsible Agencies for the North Los Angeles/Kern County Regional Recycled Water Project (proposed project).

This chapter contains the comment letters received during the public review period for the Draft PEIR. The letters have been bracketed and numbered and are presented in the order listed in Table 10-1. The responses to comments are provided in Chapter 11 and are numbered to correspond to the comment numbers that appear in the margins of the comment letters.

**TABLE 10-1  
PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING IN WRITING**

No.	Name	Affiliation	Date
1	Victor Globa	Federal Aviation Administration	August 13, 2008
2	Michelle L. Jones	State Water Resources Control Board	August 27, 2008
3	David M. Samson	Department of Water Resources	October 3, 2008
4	Edmund J. Pert	California Department of Fish and Game	October 10, 2008
5	Alan J. De Salvio	Mojave Desert AQMD	August 15, 2008
6	Curt Shifrer	Regional Water Quality Control Board	October 3, 2008
7	Elmer Alvarez	Caltrans District 7	September 11, 2008
8	Gayle J. Rosander	Caltrans District 9	August 20, 2008
9	David McDonald	LA County Regional Planning, Airport Land Use Commission	August 21, 2008
10	Brian Dietrick	L.A. County Sanitation District	September 22, 2008
11	Thomas J. LeBrun	L.A. County Sanitation District	October 2, 2008
12	Claud Seal	Rosamond Community Services District	October 3, 2008
13	Larry Tyler	Leona Valley Town Council	October 3, 2008
14	Vickie Nelson	Antelope Acres Town Council	October 6, 2008
15	Pat Moriarty	Antelope Valley resident	October 2, 2008
16	Dean Webb	Lancaster resident	September 24, 2008
17	James Gilley	The Gilley Group LLC	September 15, 2008
18	James R. Williams	City of Lancaster	October 7, 2008

wh/rt

**Comment Letter FAA**



U.S Department  
of Transportation  
**Federal Aviation  
Administration**

Western-Pacific Region  
Los Angeles Airports District Office

Federal Aviation Administration  
P.O. Box 92007  
Los Angeles, CA 90009-2007

August 13, 2008

Mr. Jonathan King  
Los Angeles County Waterworks District No. 40  
900 South Fremont Avenue  
Alhambra, CA 91803

**North Los Angeles County / Kern County Regional Recycled Water Project  
Notice of Availability Draft Environmental Impact Report (EIR)**

Dear Mr. King:

I am in receipt of your North Los Angeles County/North Los Angeles County/Kern County Regional Recycled Water Project Notice of Availability Draft Environmental Impact Report (EIR) for the proposed construction of a regional recycled distribution system that includes pipelines, storage reservoirs, and pump stations. The project appears to be located in the vicinity of a number of airports.

It is necessary under Part 77 of the Federal Aviation Regulations to notify the Federal Aviation Administration (FAA) of any proposal which would exceed certain elevations with respect to the ground and neighboring airports.

CFR Title 14 Part 77.13 states that any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA:

- any construction or alteration exceeding 200 ft above ground level

any construction or alteration:

- within 20,000 ft of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft
- within 10,000 ft of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft
- within 5,000 ft of a public use heliport which exceeds a 25:1 surface
- any highway, railroad or other traverse way whose prescribed adjusted height would exceed that above noted standards when requested by the FAA

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Comment Letter FAA

- any construction or alteration located on a public use airport or heliport regardless of height or location.

To fulfill this requirement, it is necessary to complete and return a copy of the Form 7460-1, Notice of Proposed Construction or Alteration. This form is found on the web at: <http://forms.faa.gov/forms/faa7460-1.pdf>. Once completed please forward the 7460-1, and any related plans for obstruction evaluation to:

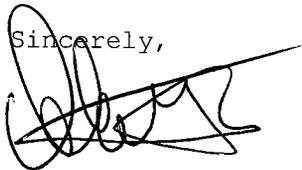
Federal Aviation Administration  
Southwest Regional Office  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-4298

Or coordinate with FAA's Western-Pacific Region System Obstruction Specialist Karen McDonald to address any potential air space obstruction issues. Ms. McDonald may be contacted at 310-725-6557 or [karen.mcdonald@faa.gov](mailto:karen.mcdonald@faa.gov).

In the event that that you consider including a reservoir in your project, please review FAA Advisory Circular 150/5200-33, Hazardous Wildlife Attractants on or Near Airports.. This advisory circular provides guidance on locating certain land uses having the potential to attract hazardous wildlife to or in the vicinity of public use airports.

If you have any questions regarding this matter, please feel free to give me a call at (310) 725-3637.

Sincerely,



Victor Globa  
Environmental Protection Specialist





**Linda S. Adams**  
Secretary for  
Environmental Protection

## State Water Resources Control Board

### Division of Financial Assistance

1001 I Street • Sacramento, California 95814 • (916) 341-5700 FAX (916) 341-5707  
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120  
Internet Address: <http://www.waterboards.ca.gov>



**Arnold Schwarzenegger**  
Governor

WWS  
8407

AUG 27 2008

Mr. Jonathan King  
Los Angeles County Waterworks District No.40  
900 South Fremont Avenue  
Los Angeles CA, 91803

Dear Mr. King:

DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) FOR LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40 (DISTRICT); NORTH LOS ANGELES/KERN COUNTY REGIONAL RECYCLED WATER PROJECT (PROJECT); LOS ANGELES AND KERN COUNTIES; STATE CLEARINGHOUSE (SCH NO. 2007101125).

We understand that the District may be pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project. As a funding agency and a State agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following information for the environmental document prepared for the Project.

When specific projects for funding have been determined from the PEIR, please provide us with the following documents applicable to the individual projects: (1) The Draft and Final project-specific EIR, (2) the resolution certifying the EIR and making CEQA findings, including a Statement of Overriding Considerations for identified significant and unavoidable environmental impacts, if applicable, (3) all comments received during the review period and your responses to those comments, (4) the adopted Mitigation Monitoring Plan, and (5) the Notice of Determination filed with the Governor's Office of Planning and Research applicable to each specific project. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

The CWSRF Program is partially funded by the U.S. Environmental Protection Agency and requires additional "CEQA-Plus" environmental documentation and review. The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to State Water Board approval of a CWSRF funding commitment for the proposed Project.

It is important to note that prior to a CWSRF funding commitment, projects are subject to provisions of the Federal Endangered Species Act and must obtain Section 7 clearance from the U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS) for any potential effects to special status species. Please be advised that the State Water Board will consult with USFWS and/or NMFS regarding all federal special status species the Project has the potential to impact if the Project is to be funded under the SRF Program. The District will need to identify whether the Project will involve any direct effects from construction activities or indirect effects, such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur on-site, in the surrounding areas, or in the service area. Identify applicable conservation measures to reduce such effects.



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In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act. Please contact the State Water Board's Cultural Resources Officer, Ms. Cookie Hirn, at (916) 341-5690 to find out more about the requirements and to initiate the Section 106 process pursuant to CWSRF financing. Note that the District will need to identify the Area of Potential Effects (including construction and staging areas and the depth of any excavation).

Other federal requirements pertinent to the Project under the CWSRF Program include the following:

- I. Compliance with the federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- II. Compliance with the Coastal Zone Management Act: Identify whether the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.
- III. Compliance with the Flood Plain Management Act: Identify whether the Project is within the 100-year flood zone and whether new structures created would impede flood flows. Include a flood map.
- IV. Compliance with the Migratory Bird Treaty Act: List any birds that are protected under this Act that may be impacted by the Project and identify conservation measures to minimize such impacts.
- V. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.



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Following are my specific comments on the PEIR:

- 1. Mitigation Measure 3.1-1 on page 3.1-6 states "Following construction activities, the implementing agency shall restore disturbed areas by reestablishing preexisting conditions including topography, repairing roadways, replanting trees, and/or reseeding with a native seed mix typical of the immediate surrounding area." Please include measures, if any which monitor the replanted areas, ensuring the plants establish.
- 2. Mitigation Measure 3.6-2b on page 3.6-9 states, "The implementing agencies shall require the construction contractor(s) to follow the provisions of California Code of Regulations Title 8, Section 5163 through 5167 for General Industry Safety Orders to protect the project area from being contaminated by accidental release." Compliance with the law, statutes, and regulations is not mitigation. Mitigation should include specific, feasible actions that will improve adverse environmental conditions, be measurable to allow monitoring, and must be enforceable.



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Thank you once again for the opportunity to review the District's environmental document. If you have any questions or concerns, please feel free to contact Parker Thaler at (916) 341-7388 or by email at [PThaler@waterboards.ca.gov](mailto:PThaler@waterboards.ca.gov) or Michelle L. Jones at (916) 341-6983.

Sincerely,



Michelle L. Jones  
Environmental Scientist

cc: State Clearinghouse  
(Re: SCH# 2007101125)  
P. O. Box 3044  
Sacramento, CA 95812-3044



**DEPARTMENT OF WATER RESOURCES**

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



2008 OCT 14 PM 3: 37

OCT 07 2008

Los Angeles County Waterworks District No. 40  
Attn: Jonathan King  
900 South Fremont Avenue  
Alhambra, California 91803

Draft Environmental Impact Report for the Proposed North Los Angeles/Kern County  
Regional Recycled Water Project, City of Palmdale, Southern Field Division,  
SCH2007101125

Dear Mr. Jonathan King:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Proposed North Los Angeles/Kern County Regional Recycled Water Project. The notice describes the proposal by Los Angeles County Waterworks District No. 40, in conjunction with various local agencies, to construct a conveyance system for distribution of recycled water for use in the Antelope Valley in northern Los Angeles County, southern Kern County and western San Bernardino County. The proposed project would be located with the City of Palmdale, the City of Lancaster, the Town of Rosamond and various unincorporated communities.

The distribution schematic provided in the document indicates two lateral pipelines that appear to cross the California Aqueduct (Aqueduct), part of the Department of Water Resources' (DWR) State Water Project (SWP). The pipeline segments at issue are: 1) the proposed pipeline crossing the Aqueduct at 40<sup>th</sup> Street East (SWP Milepost 351.22); and 2) the proposed pipeline crossing the Aqueduct at Elizabeth Lake Road (SWP Milepost 342.2), both within the City of Palmdale.

Any construction or work within SWP right of way will require an Encroachment Permit from DWR. There are restrictions regarding diversion of hazardous material, including non-potable water, over the open California Aqueduct. Information regarding forms and guidelines for submitting an application for an Encroachment Permit can be found at DWR web address:

[http://www.doe.water.ca.gov/Services/Real Estate/Encroach\\_Rel/index.cfm](http://www.doe.water.ca.gov/Services/Real_Estate/Encroach_Rel/index.cfm)

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OCT 07 2008  
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Please provide DWR with a copy of any subsequent environmental documentation when it becomes available for public review. Any future correspondence relating to the above-mentioned concerns of DWR should be sent to:

Department of Water Resources  
Division of Operations and Maintenance  
Attn: State Water Project Encroachment Section  
1416 Ninth Street, Room 641-1  
Sacramento, California 95814

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If you have any questions, please contact Scott Williams at (916) 653-5746.

Sincerely,



David M. Samson, Chief  
State Water Project Operations Support Office  
Division of Operations and Maintenance



DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



October 10, 2008

Mr. Jonathan King
Los Angeles County Department of Public Works
Waterworks District No.40
900 South Fremont Avenue
Alhambra, CA 91803

Subject: Draft Program Environmental Impact Report for North Los Angeles/Kern
County Regional Recycled Water Project SCH # 2007101125, Los Angeles and
Kern County

Dear Mr. King:

The Department of Fish and Game (Department) has reviewed the draft program Environmental
Impact Report (DPEIR) for the North Los Angeles/Kern County Regional Recycled Water
Project (Project). The Project consists of the construction of a regional water distribution system
that would provide recycled water to end users in the Antelope Valley including southern Kern
County and Los Angeles County. Construction activities would include installation of new
pipelines, pump stations, and storage reservoirs and would require open trenching in city
streets, jack- and- bore or minor micro-tunneling under key intersections and creeks, and
demolition and grading at the reservoir sites.

Several partner agencies within the Antelope Valley including Cities and municipalities will
undertake various construction portions of the project. These construction phases may be
subject to further CEQA review on a project level.

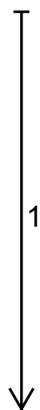
We prepared the following statements and comments pursuant to our authority as Trustee
Agency with jurisdiction over natural resources affected by the project under the California
Environmental Quality Act (CEQA Section 15386) and Responsible Agency (Section 15381)
over those aspects of the proposed project that come under the purview of the California
Endangered Species Act (Fish and Game Code Section 2050 et seq) and Fish and Game Code
Section 1600 et seq. regarding impacts to streams and lakes.

Impacts to Biological Resources

1. Program/Project Level CEQA Review - Chapter 1, Page 1-6, Section 1.4.3, Draft PEIR,
Program and Project Analysis States "It is the intention of this PEIR to provide project-level
assessment of the following components of the proposed project. The analysis of these
components is conducted at a sufficient level of detail such that additional environmental
documentation is not necessary. In other words the following project components are evaluated
at a level of detail that is typically provided in a project EIR: Construction and operation of
proposed recycled water pipelines".

Chapter 3.3, Biological Resources, Page 3.3-16, Impact 3.3-3 states: "Construction of the
pipeline could have a substantial effect on special-status plant species and habitat types."
Impact 3.3-3 further states "The precise location of vegetation types within construction zones

Conserving California's Wildlife Since 1870



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has not been delineated and the precise location of project impacts has not been determined." Proposed mitigation includes avoidance and replanting of sensitive species.

a. The Department recommends that construction of the pipeline be subject to further project level CEQA review as special status botanical and wildlife species may become apparent based on specific focused surveys conducted at the specific trenching sites once these areas are fully identified.

2. Impacts to Mojave Desert Tortoise – The Project site is located within the range of Mojave Desert tortoise (tortoise), a State and Federal endangered species.

a. The PEIR does not discuss habitat suitability for tortoise. The Department recommends US Fish and Wildlife Service (USFWS) protocol surveys be conducted to determine presence or absence of tortoise within appropriate habitat. Adverse impacts to Desert tortoise will require further consultation with the Department and USFWS under the state and federal Endangered Species Act. Restrictive fencing for desert tortoise should be erected as tortoise may wander into areas where they may be harmed by project construction and ongoing operation.

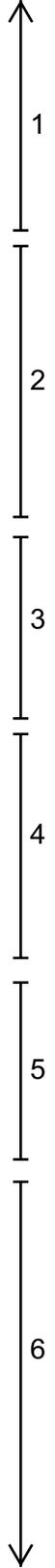
b. Raven predation is a serious threat to tortoise survival. Artificial perches, food sources, water sources and ground disturbances attract ravens to work areas and subsidize raven populations. Efforts should be employed to discourage attracting ravens to the project sites. The Department can provide specific measures that will assist in deterring ravens from the project sites during construction and ongoing operations.

3. Impacts to Mohave Ground Squirrel - Mitigation measure 3.3-1 explain that the implementing agencies will either assume presence for mohave ground squirrel (MGS) or perform trapping to determine presence or absence. If MGS is found or assumed to be present an incidental take permit shall be obtained.

a. The Department concurs that an Incidental take permit will be required for detected or assumed presence of MGS. The Department recommends that the trapping methods follow the Department's trapping protocol which can be provided by the Department upon request.

4. Impacts to Loggerhead Shrike - The proposed project site may provide nesting habitat for the loggerhead shrike, a California species of special concern. Adverse impacts to occupied shrike nesting habitat were not discussed in the DPEIR and would meet the significance criteria under Section 1530 of the CEQA Guidelines. Focused nesting surveys should be performed for shrike within appropriate habitat. Confirmed nesting habitat should be avoided. If avoidance is not feasible, replacement habitat should be acquired and protected in perpetuity.

5. Impacts to Burrowing Owl - The Department recommends conducting burrowing owl presence or absence surveys in accordance with the Department's *1995 Staff Report on Burrowing Owl Mitigation* and the Burrowing Owl Consortium's *1992 Burrowing Owl Protocol and Mitigation Guidelines* (guidelines) including the passive relocation guidelines. The survey methods described in the DPEIR may miss wintering burrowing owls which may be killed in their burrows during grading and trenching operations if done in the winter. The guidelines specify that if a Phase II survey results in the discovery of burrowing owl, sign, or potential burrow sites for burrowing owl, a Phase III survey must be performed during the breeding season to determine use of the site by burrowing owl and total number of owls on the site. Phase III breeding season surveys should consist of four site visits to be conducted on four separate days and should be performed between April 15 and July 15 to maximize detection. The 30 day preconstruction survey recommendations as described in the guidelines should also be



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followed. The preconstruction surveys should include four site visits to be conducted on four separate days to maximize detection. The above referenced survey, avoidance and mitigation guidelines can be provided by the Department upon request.

6. Impacts to Native Bird Species - The DPEIR recommends mitigation measures 3.3-2a through 2.3-2f which discusses survey and avoidance measures.

a. The Department generally concurs with the DPEIR stated project avoidance measures for native bird species and further recommends the project implement the Department's native bird avoidance measures:

b. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 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).

c. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).

d. If avoidance of the breeding bird season is not feasible, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect protected native birds occurring in the habitat that is to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

e. Availability of suitable nesting trees and other nesting habitat may be limited and/or spotty in the Antelope Valley. In addition to bird surveys during the breeding season, surveys for nests should be conducted in suitable habitat at all times of the year. If a nest is identified for a species known to have high site fidelity such as but not limited to Swainson's hawk, and there will be direct take of the nest, the Department should be contacted and mitigation measures agreed upon before any action is taken. If disturbance occurs outside of the breeding season and there is not direct take of the nest site no further action is required.

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7. Special Status Plant Species – The PDEIR recommends performing focused spring botanical surveys as project phases come on line. Mitigation for impacts to special status botanical species includes avoidance and restoration of disturbed areas.

a. The Department concurs that special status botanical species should be avoided and that focused botanical surveys should be conducted prior to ground disturbance activities. When performing botanical surveys, the entire site should be walked, and every species noted. Many sensitive species, including Parry's spineflower and Alkali mariposa lily, are very small (1 inch to 6 inches) and will be missed if a transect methodology is employed. Please ensure all biological consultants follow the DFG protocol (attached) when assessing the site for botanical resources. The Department does not consider biological assessments over one year old and botanical assessment over two years old as valid for the purposes of impact analysis and for the development of avoidance and mitigation measures under CEQA. The surveys must also be conducted during the appropriate flowering time for each species, therefore, the Department recommends early coordination to ensure adequate time is allotted in the spring prior to any ground disturbance to fulfill the survey requirements and avoid costly project delays.

b. The Department does not support the transplantation of special status plant species because of the experimental nature of this type of mitigation measure which has a high probability to fail. If special status plant species cannot be avoided, the Department recommends acquisition of habitat of equal or superior value at a ratio of at least 2:1, where the special status plant is known to occur, and protection in perpetuity under a conservation easement held by a local land conservancy with an endowment for management in perpetuity.

8. Joshua Tree Woodland and Other Native Vegetation Impacts – The DPEIR explains that project phases will attempt to avoid Joshua trees and native vegetation or attempt to perform construction within areas of low density of Joshua trees and native vegetation. Mitigation for loss of native vegetation will be implemented under the City of Palmdale's Native Desert Vegetation Ordinance.

a. The Department considers Joshua tree woodlands as a threatened vegetative community. The loss of Joshua tree woodland as the result of the proposed project should be recognized by the lead agency as a local/regional significant impact under CEQA unless mitigated below a significant level.

Native vegetation preservation plans written under the City of Palmdale's Native Desert Vegetation Protection Ordinance (Ordinance) do little to avoid and/or mitigate for the continual cumulative loss of Joshua tree woodland or other native desert plant communities and have not been scientifically evaluated to justify continual reliance as a mitigation measure. Saving two trees per acre on site and/or digging up Joshua trees and transplanting into isolated and urbanized landscaping areas as often endorsed as a mitigation measure under the Ordinance, should not be considered appropriate mitigation for loss of Joshua tree woodland vegetative communities as these methods are experimental and there are no assurances of their success.

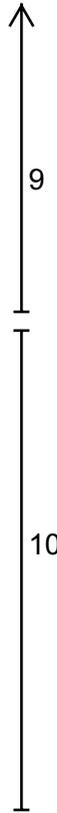
Joshua tree woodland and any other special status vegetative community on the project site should be avoided and preserved in perpetuity from further development. If avoidance is not feasible, off site habitat of equal or superior quality should be acquired at a no less than a 2:1 mitigation ratio within remaining habitat in the Antelope Valley to avoid local extirpation. The 2:1 ratio is justified as it takes into

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account the spatial, temporal, and biological impacts of destroying habitat in one location and preserving it in another, off-site location. Acquired habitat should be adjacent to similar large tracts of existing habitat which have been identified by resource agencies as having a high priority for acquisition for conservation. All mitigation lands preserved on-site or acquired off-site should be deeded to a local land conservancy and protected in perpetuity under a conservation easement to prohibit incompatible uses on the site. Additionally, an endowment with sufficient funds to manage this land in perpetuity should be required and the amount of the endowment clearly documented in a Property Analysis Record type assessment.



9. Riparian Resources - The project may result in impacts to Department Jurisdictional drainages from trenching, grading and other project disturbances.

a. The Department requires a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department requires consultation for activities which may result in incidental take of state listed species under the California Endangered Species Act. The Department's issuance of a SAA or ITP is considered a project that is subject to CEQA. To facilitate our issuance of the SAA or ITP, the Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and any listed species and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the SAA. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.

The Department recommends that the CEQA document address the Department's concerns for the benefit of wildlife and maintaining natural vegetative communities and watersheds.

Thank you for this opportunity to provide comment. Please contact Mr. Scott Harris, Environmental Scientist, at (626) 797-3170 if you should have any questions and for further coordination on the proposed project.

Sincerely,

*for Sheron A. Stewart*  
Edmund J. Pert  
Regional Manager  
South Coast Region

- cc: Ms. Helen Birss, Los Alamitos
- Ms. Terri Dickerson, Laguna Niguel
- Ms. Kelly Schmoker, Glendora
- Ms. Jamie Jackson, Altadena
- Mr. Scott Harris, Pasadena
- HabCon-Chron, Department of Fish and Game
- State Clearinghouse, Sacramento

## Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities

State of California  
THE RESOURCES AGENCY  
Department of Fish and Game  
December 9, 1983  
Revised May 8, 2000

The following recommendations are intended to help those who prepare and review environmental documents determine **when** a botanical survey is needed, **who** should be considered qualified to conduct such surveys, **how** field surveys should be conducted, and **what** information should be contained in the survey report. The Department may recommend that lead agencies not accept the results of surveys that are not conducted according to these guidelines.

1. Botanical surveys are conducted in order to determine the environmental effects of proposed projects on all rare, threatened, and endangered plants and plant communities. Rare, threatened, and endangered plants are not necessarily limited to those species which have been "listed" by state and federal agencies but should include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens.

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities may be used as a guide to the names and status of communities.

2. It is appropriate to conduct a botanical field survey to determine if, or to the extent that, rare, threatened, or endangered plants will be affected by a proposed project when:

- a. Natural vegetation occurs on the site, it is unknown if rare, threatened, or endangered plants or habitats occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- b. Rare plants have historically been identified on the project site, but adequate information for impact assessment is lacking.

3. Botanical consultants should possess the following qualifications:

- a. Experience conducting floristic field surveys;
- b. Knowledge of plant taxonomy and plant community ecology;
- c. Familiarity with the plants of the area, including rare, threatened, and endangered species;
- d. Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- e. Experience with analyzing impacts of development on native plant species and communities.

4. Field surveys should be conducted in a manner that will locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:

- a. Conducted in the field at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering.

When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project

area, nearby accessible occurrences of the plants (reference sites) should be observed to determine that the species are identifiable at the time of the survey.

b. Floristic in nature. A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. In addition, a sufficient number of visits spaced throughout the growing season are necessary to accurately determine what plants exist on the site. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report.

c. Conducted in a manner that is consistent with conservation ethics. Collections (voucher specimens) of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. A collecting permit from the Habitat Conservation Planning Branch of DFG is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.

d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.

e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the Natural Diversity Database. Locations may be best documented using global positioning systems (GPS) and presented in map and digital forms as these tools become more accessible.

5. Reports of botanical field surveys should be included in or with environmental assessments, negative declarations and mitigated negative declarations, Timber Harvesting Plans (THPs), EIR's, and EIS's, and should contain the following information:

- a. Project description, including a detailed map of the project location and study area.
- b. A written description of biological setting referencing the community nomenclature used and a vegetation map.
- c. Detailed description of survey methodology.
- d. Dates of field surveys and total person-hours spent on field surveys.
- e. Results of field survey including detailed maps and specific location data for each plant population found. Investigators are encouraged to provide GPS data and maps documenting population boundaries.
- f. An assessment of potential impacts. This should include a map showing the distribution of plants in relation to proposed activities.
- g. Discussion of the significance of rare, threatened, or endangered plant populations in the project area considering nearby populations and total species distribution.
- h. Recommended measures to avoid impacts.
- i. A list of all plants observed on the project area. Plants should be identified to the taxonomic level necessary to determine whether or not they are rare, threatened or endangered.
- j. Description of reference site(s) visited and phenological development of rare, threatened, or endangered plant(s).
- k. Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms.
- l. Name of field investigator(s).
- m. References cited, persons contacted, herbaria visited, and the location of voucher specimens.



**Mojave Desert Air Quality Management District**

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Eldon Heaston, Executive Director

August 15, 2008

Los Angeles County Waterworks District No. 40

Attn: Jonathon King

900 South Fremont Avenue

Alhambra, CA 91803

**Project Title: North LA/Kern County Regional Recycled Water Project**

Dear Mr. King:

The Antelope Valley Air Quality Management District (AVAQMD) has reviewed the Draft Environmental Impact Report for the North LA/Kern County Regional Recycled Water Project. The project proposes to provide the primary backbone systems for distribution of recycled water to end users in the Antelope Valley. The project involves the construction of a regional recycled water distribution system that includes conveyance pipelines, storage reservoirs, and pump stations. The project would be located in the City of Palmdale, the City of Lancaster, the Town of Rosamond, and unincorporated communities within Los Angeles and Kern Counties.

Table 3.2-3 Designation/Classification for Ambient Air Quality Standards for the AVAQMD portion of Los Angeles County should be updated as follows:

Eight-hour Ozone (Federal) – Non-attainment; classified Severe-17

PM10 (Federal) – Unclassified

PM2.5 – Unclassified/attainment

AVAQMD Designations and Classifications are available at

<http://www.avaqmd.ca.gov/RulesPlans/documents/avCEQA-Guide.pdf>

The District has reviewed the environmental documentation for the project and concurs that the Applicant-Proposed Mitigation Measures for Air Quality represent feasible mitigation.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

**Alan J. De Salvio**

Supervising Air Quality Engineer

TW/AJD

Recycled Water Project



California Regional Water Quality Control Board  
Lahontan Region



WW  
56

Linda S. Adams  
Secretary for  
Environmental Protection

Victorville Office  
14440 Civic Drive, Suite 200, Victorville, California 92392  
(760) 241-6583 • Fax (760) 241-7308  
<http://www.waterboards.ca.gov/lahontan>

Arnold Schwarzenegger  
Governor

October 3, 2008

Jonathan King  
Los Angeles County Waterworks District No. 40  
900 South Fremont Avenue  
Alhambra, CA 91803

**DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE NORTH LOS ANGELES/KERN COUNTY REGIONAL RECYCLED WATER PROJECT, LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, CALIFORNIA ENVIRONMENTAL QUALITY ACT, STATE CLEARINGHOUSE NO. 2007101125, LOS ANGELES COUNTY**

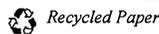
We have completed our review of the above-referenced Draft Program Environmental Impact Report (PEIR) dated August 5, 2008. Comments are due October 3, 2008.

**Project Description**

The proposed project will provide the primary backbone pipeline system (backbone system) for distribution of disinfected tertiary recycled water (recycled water) to users in the Antelope Valley. It will include approximately 70 miles of pipeline for conveying recycled water, four aboveground steel storage reservoirs, two distribution pump stations, and two booster pump stations. The project will be constructed in phases, subject to funding and the identification of recycled water users. Each component will be constructed by Los Angeles County Waterworks District 40 (lead agency) or one of the following responsible agencies: City of Lancaster, City of Palmdale, Rosamond Community Services District (CSD), County Sanitation Districts No. 14 and 20 of Los Angeles County (Districts 14 and 20), Palmdale Water District, Antelope Valley-East Kern Water Agency, and Quartz Hill Water District. The responsible agencies are proposed/potential users of disinfected tertiary recycled water conveyed by the backbone system. Rosamond CSD, Districts 14 and District 20 are also existing (or planned producers) of recycled water that will be used as a source of supply for the backbone system. They either own existing treatment plants and/or are currently constructing new treatment plants for producing recycled water to supply the backbone system.

The Draft PEIR includes Project-Level Analysis for certain project components and Program-Level Analysis for other components (See Table 1, below). The lead agency and responsible agencies would use the Project-Level Analysis contained within the PEIR to support the acquisition of required permits from the Lahontan Water Board for construction and operation of the backbone system, and use of recycled water for municipal and industrial applications. All project components that are evaluated at the program level (Table 1, Column 2) will require additional environmental analysis and documentation prior to acquisition of required permits from the Water Board. The system capacity will be

*California Environmental Protection Agency*



Mr. King

- 2 -

October 3, 2008

designed to meet the estimated recycled-water demand for existing and future users (identified to-date), which is 20,091 acre-feet/year.

**Table 1**  
**Draft PEIR CEQA Coverage by Project Component**

<u>Project-Level Analysis</u>	<u>Program-Level Analysis</u>
<ul style="list-style-type: none"> <li>• Construction/Operation of Recycled Water Pipeline</li> <li>• Use: Municipal and Industrial Applications</li> </ul>	<ul style="list-style-type: none"> <li>• Use: Agricultural Irrigation</li> <li>• Use: Groundwater Recharge</li> <li>• Use: Power Plant Cooling Water</li> <li>• Construction/Operation of Pump Stations</li> <li>• Construction/Operation of Steel Storage Reservoirs</li> </ul>

**Water Board Comments**

Water Board staff has the following comments.

**1. Salt Management Plan**

The Draft PEIR concludes that recycled-water use for landscape and agricultural irrigation will have a less than significant effect on water quality with implementation of nitrogen management as a mitigation measure. Nitrogen management, while necessary, does not address the need to also manage other constituents such as minerals (salts). Landscape and agricultural irrigation can cause increases in mineral (salt) concentrations in groundwater resulting in substantial degradation and/or violation of water quality objectives. When recycled water, surface water, or groundwater is applied for irrigation, the salts in the water are concentrated in the percolate that flows from the surface of the irrigated site to groundwater because much of the water applied evapotranspires, thereby leaving most of the salt in the soil, where it eventually leaches to groundwater in the percolate. This effect has caused or threatened to cause violations of groundwater quality objectives for salts in areas that are or were irrigated.

Salt discharges generated by either the Proposed Project or a combination of the Proposed Project and other projects/activities in Antelope Valley (cumulative effects) could cause a significant effect on water quality.

**Action Needed:** The PEIR should include a mitigation measure indicating there will be development and implementation of salt management plans (if needed in the future) to prevent a significant effect on water quality.

1

Mr. King

- 3 -

October 3, 2008

**2. Recycled Water Uses**

The PEIR should indicate all intended recycled water uses that will occur under the proposed project. The following sentence in the *Introduction and Project Background (Chapter 1)* of the Draft PEIR suggests that the intended recycled water uses may consist of all Title 22 approved uses.

"The recycled water will be used ... for landscape irrigation, agricultural irrigation, groundwater recharge and other Title 22 approved uses."

The *Project Description (Chapter 2)* and *Executive Summary* of the Draft PEIR describe some proposed uses, but do not indicate whether District 40 is proposing all "Title 22 approved uses."

If surface impoundments containing recycled water are part of the proposed project, they should be addressed in the Draft PEIR. Examples of such impoundments includes: a) storage reservoirs with earthen-containment components, and b) Non-Restricted Recreational Impoundments or Restricted Recreational Impoundments (Landscape Impoundments) as defined in Title 22 of the California Code of Regulations. Seepage of recycled water from impoundments can cause degradation of underlying groundwater. If such impoundments are part of the proposed project, the Draft PEIR should evaluate the effects of impoundment seepage on water quality and describe measures that will be implemented to mitigate any adverse effects on water quality.

**Action Needed:** If District 40 intends that all "Title 22 approved uses" be included as part of the proposed project, District 40 should state this under the Project Description (Chapter 2) and include appropriate evaluation for all uses. Please provide a list of all intended uses and how the PEIR addresses each use. If surface impoundments containing recycled water are part of the proposed project, they should be addressed in the Draft PEIR as described above.

**3. Quality of Water**

District 40 should describe the waters (in addition to recycled water) being proposed as a source of supply for the backbone recycled water system. For example, there are plans to supply both recycled water and groundwater to an existing portion of the backbone system constructed by the City of Lancaster as part of the City's Division Street Recycled Water Project located in Lancaster. The source of the groundwater is an existing water supply well No. 4-15, which is owned by District 40. Groundwater as a source of supply for the backbone system is not mentioned in the Draft PEIR project description. In addition, the Draft PEIR does not provide information on the quality of water that will be supplied by the system and the quality of groundwater underlying the project area.

Board staff has concerns about water quality affects associated with delivery of low quality groundwater to reuse sites where underlying groundwater is of higher quality. As mentioned above, the Division Street project includes delivery of groundwater to

2

3

Mr. King

- 4 -

October 3, 2008

users. The source is groundwater underlying the Division Street project area, which includes groundwater of low quality. The low quality groundwater may be acceptable for landscape irrigation but not for potable use.

**Action needed:** Describe the waters being proposed as a source of supply for the backbone system. Provide information on the quality of water that will be supplied by the system and the quality of groundwater underlying the project area. Describe mitigation measures to prevent adverse affects to water quality affects associated with conveyance of low quality groundwater by the backbone system.

3

4. **Groundwater Recharge**

The following measures proposed in the Draft PEIR for mitigating water-quality effects associated with using recycled water to recharge groundwater are not adequate:

Mitigation Measures

#3.7-9a: "The implementing agencies shall operate recharge projects in compliance with CDPH Title 22 regulations as well as in coordination with the RWQCB. The recharge water shall be a blend of recycled water and diluent water at a ratio consistent with Title 22 regulations and CDPH criteria."

#3.7-9b: "The implementing agencies shall develop and implement a monitoring program of the proposed recharge area in compliance with Title 22 regulations and CDPH criteria. As part of this program, some monitoring wells shall be placed between the proposed recharge area and down gradient drinking water supply wells."

4

#3.7-9c: "The implementing agencies shall require recharged recycled water via surface spreading to remain in groundwater storage for the minimum time period stipulated by CDPH Title 22 Water Recycling Criteria prior to extraction."

District 40 concludes in the Draft PEIR that recycled-water use for groundwater recharge with implementation of the above mitigation measures will have a less than significant effect on water quality. The above mitigation measures do not adequately support this conclusion. The measures refers to compliance with agency regulations/permits in general as a means of mitigating adverse affects rather than describing all actions (in detail) that will be implemented to mitigate significant adverse effects to water quality.

**Action Needed:** Describe specific project components or other actions (in detail) that will be incorporated into project design or otherwise to mitigate significant adverse effects to water quality. Include detailed supporting information to justify any conclusion that the proposed project will have a less than significant effect on water quality.

Mr. King

- 5 -

October 3, 2008

**5. Editorial Change**

District 40 states under Cumulative Impact 4-4 (Page 4-10) that "The proposed project and related projects could result in cumulative long-term impacts to groundwater resources." The *Executive Summary* of the Draft PEIR (Page ES-28) describes a completely different unrelated impact for Cumulative Impact 4-4. Page ES-28 of the *Executive Summary* appears to be incorrect.

**Action Needed:** Please make appropriate corrections to eliminate the above discrepancy.

5

**6. Application**

The appropriate agency will need to file an application with the Lahontan Water Board for the proposed project. The application must include a degradation analysis describing the amount of any degradation anticipated in waters of the State as a result of the proposal. The analysis will need to evaluate alternatives to reduce or eliminate the degradation. Please review the permitting information accessible on the Water Board's homepage (<http://www.waterboards.ca.gov/lahontan/>). Before any discharge of waste/recycled water, the agency will need to obtain a permit adopted by the Lahontan Water Board and other agency approvals as necessary.

6

**7. Stormwater Pollution Prevention Plan**

Before implementation of the project, the appropriate agency should prepare a Stormwater Pollution Prevention Plan. The Plan should also identify any stream crossings. The agency may be required to obtain a stormwater construction or stream crossing permit.

7

If you have any questions, please call me at (760) 241-7305 or Cindi Mitton at (760) 241-7413.

Sincerely,

Curt Shifrer  
Water Resources Control Engineer

cc: State Clearinghouse  
Steve Williams, City Manager, City of Palmdale  
Peter D. Zorba, City of Lancaster  
Stefan Cajina, State Department of Public Health  
Stephen R. Maguin, County Sanitation Districts of Los Angeles County

CS\rc\2 2008 PEIR\_itrLWWD40

W/W  
5/19

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7, REGIONAL PLANNING

IGR/CEQA BRANCH

100 MAIN STREET, MS # 16

LOS ANGELES, CA 90012-3606

PHONE: (213) 897-6696

FAX: (213) 897-1337



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IGR/CEQA No. 080814AL, DEIR  
North Los Angeles/Kern County Regional Recycled  
Water Project  
Vic. LA-14 / LA-38  
SCH # 2007101125

September 11, 2008

Mr. Jonathan King  
Los Angeles County Waterworks District No. 40  
Jonathan King  
900 South Fremont Ave.  
Alhambra, CA 91803

Dear Mr. King:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project is to construct a regional recycled water distribution system that would include conveyance pipeline, storage reservoirs, and pump stations.

We would like to remind you that any work to be performed within the State Right-of-way will need an Encroachment Permit from the California Department of Transportation.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects need to be designed to discharge clean run-off water.

Any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods. In addition, a truck/traffic construction management plan is needed for this project. Thank you for the opportunity to have reviewed this project.

If you have any questions, please feel free to contact me at (213) 897-6696 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 080814AL.

Sincerely,

ELMER ALVAREZ  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

1  
2  
3

DEPARTMENT OF TRANSPORTATION

District 9  
500 South Main Street  
Bishop, CA 93514  
PHONE (760) 872-0785  
FAX (760) 872-0754  
TTY 711 (760) 872-0785



Flex your power!  
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AUG 25 PM 1:14

900 S. FREMONT AVE.

August 20, 2008

Jonathan King  
Los Angeles County Waterworks District 40  
900 South Fremont Avenue  
Alhambra, California 91803

File: 09-KER  
DEIR  
SCH #: 2007101125

Dear Mr. King:

**North Los Angeles/Kern County Regional Water Project  
Draft Environmental Impact Report (DEIR)**

The California Department of Transportation (Caltrans) District 9 appreciates the opportunity to comment on the Regional Water Project. We have the following comments:

- According to Figures ES-1 and 2-1, there are three locations proposed where recycled water pipelines would cross State Route 14 (SR-14):

Gaskell Road - District 9  
Avenue K - District 7  
Avenue P - District 7

Bore and jack is the approved method for crossing under the highway with the bore pits outside of State right-of-way. For work at the Gaskell location (SR-14 postmile 1.0) an encroachment permit will be required from the District 9 office. Please contact Stephen Winzenread at (760) 872-0674 or email: [stephen.winzenread@dot.ca.gov](mailto:stephen.winzenread@dot.ca.gov).

- For completeness, The Roadway Network section (page 3.11-1) should include a description of SR-14 and the proposed pipeline crossings.

We value a cooperative working relationship with the joint agencies regarding transportation impacts of this project. If you have any questions, I may be contacted at (760) 872-0785.

Sincerely,

GAYLE J. ROSANDER  
IGR/CEQA Coordinator

c: State Clearinghouse  
Elmer Alvarez, Caltrans D-7  
Steve Wisniewski, Caltrans D-9

1  
2



County of Los Angeles

**Regional Planning Commission  
Airport Land Use Commission**

**Commissioners**  
Wayne Rew, *Chair*  
Pat Modugno, *Vice Chair*  
Esther L. Valadez  
Leslie G. Bellamy  
Harold V. Helsley

August 21, 2008

Mr. Jonathan King  
Los Angeles County Waterworks District No. 40  
900 South Fremont Avenue

Alhambra, CA 91803

**SUBJECT: Comments on the Draft Environmental Impact Report (DEIR) for the  
Northern Los Angeles/Kern County Regional Recycled Water Project**

Dear Mr. King,

Thank you for submitting the Draft Environmental Impact Report for the Northern Los Angeles/Kern County Regional Recycled Water Project and the opportunity for staff to provide comments on the proposed project. Since the project does not involve any changes in land uses, it does not fall under the purview of the Airport Land Use Commission. All of the safety issues mentioned in the document are properly addressed by the airport operators and the Federal Aviation Administration (FAA).

1

If you have any further questions, please contact me at (213) 974-4881.

Thank you.

Sincerely,

David McDonald  
Senior Regional Planning Assistant

Bruce W. McClendon, FAICP  
Director of Planning  
Dept. of Regional Planning

Rosie O. Ruiz  
Secretary to the Commission

**From:** Dietrick, Brian [mailto:BDietrick@lacs.org]  
**Sent:** Monday, September 22, 2008 1:26 PM  
**To:** King, Jonathan  
**Cc:** Rydman, David; LeBrun, Tom; Tremblay, Ray  
**Subject:** Minor Comments - North LA/Kern County Reg. Recycled Water PEIR

**North Los Angeles/Kern County Regional Recycled Water Project - Draft Program Environmental Impact Report**

**Minor Comments from LACSD** (suggested additions shown in bold and underlined; deletions shown with strikethrough):

- 1-12: second paragraph, "... the LWRP and the adjoining approximately 64-mile network of trunk sewers." 1
- 1-12: fifth paragraph, "... case RCSD would attempt to acquire an additional ..." 2
- 1-12: last paragraph, "... permitted capacity of 18-16 mgd, of which ..." 3
- 1-13: first paragraph, "... Apollo Lakes Regional County Park and to agricultural irrigation at LACSD-owned facilities." 4
- 1-13: first paragraph, "... ~~minimum of 200 Piute Ponds at its current area of 400-wetted acres of habitat suitable for recreational duck hunting at Piute Ponds.~~" 5
- 1-13: end of first paragraph, ADD: "Tertiary treated effluent is also being temporarily produced by a 1.0-mgd Membrane Bioreactor located at the LWRP." 6
- 1-13: second paragraph, "... LACSD No. 14 has purchased-will purchase land for additional ..." 7
- 1-13: second paragraph, after last sentence ADD, "LACSD No. 14 has committed to diverting recycled water from its agricultural operations to serve other emerging recycled water end uses in the region as they become available." 8
- 1-13: third paragraph, "... the PWRP is ~~either land applied (for percolation into the ground) or~~ used to irrigate trees and fodder crops on land ..." 9
- 1-13: fourth paragraph, "... plans to increase upgrade the ~~capacity of the~~ PWRP to 12 mgd of disinfected tertiary treatment by 2011, ~~providing disinfected tertiary treatment for all incoming wastewater.~~" 10
- 1-13: fourth paragraph, "... LACSD No. 20 has acquired-will acquire land for storage ..." 11
- 1-15: Suggestion: last paragraph, The latest available draft regulations are now the Draft Recycled Water Policy published by the Department of Water Resources (DWR) in August 2008. 12
- 3.7-15: last paragraph, "UV light can be used to reduce-eliminate NDMA ~~from recycled water.~~" 13
- 3.7-17: Suggestion: first paragraph, It may not be correct to say that there are no waters of the U.S. in the project area. Both Lake Palmdale and the California Aqueduct are waters of the U.S. There are no waters of the U.S. in the project area that are subject to RWQCB storm water pollution prevention requirements. 14

3.7-20: Suggestion: Mitigation Measure 3.7-1d - Los Angeles County Department of Public Health (LACDPH) will also have to review plans and inspect pipe installations prior to backfill to insure no cross connections. Waterworks is advised to confirm language with LACDPH.

15

3.7-24: first paragraph, "...oxidized, ~~coagulated~~, clarified ..."

16

3.7-24: ADD paragraph after fourth paragraph. The Districts recommend discussing salinity management plans to control salts in the basin. The Districts recommend using the August 6, 2008, Draft of the Recycled Water Policy to draft this language, particularly lines 168, 204, 205, 230, 262, 265, 267, and 384-389.

17

3.7-29: second paragraph, "... local creeks or other **water\_bodies** ..."

18

3.7-30: Suggestion: first paragraph, The figures for the GWR pilot project have been changed. The pilot project now includes 125 AFY recycled water, 125 AFY storm water, and 375 AFY AVEK water. Check with Lancaster for further details.

19

4-3: Suggestion: Table 4-1, both the LWRP 2020 Facilities Plan and the PWRP 2025 Facilities Plan projects are "In Progress" in terms of construction. The Districts recommend making this revision under both the "Recycled Water Projects" and "Wastewater Projects" headings.

20

4-4: fourth paragraph, "The ~~capacity of the~~ PWRP will be ~~increased~~ upgraded to 12 mgd of disinfected tertiary treatment by 2011, ~~providing tertiary treatment for all incoming wastewater.~~"

21

4-4: Suggestion: last paragraph, The figures for the GWR pilot project have been changed. The pilot project now includes 125 AFY recycled water, 125 AFY storm water, and 375 AFY AVEK water. Check with Lancaster for further details.

22

4-10: Suggestion: second paragraph, Please clarify the build-out design capacity of 17,491 AFY for the project. The 2006 Facilities Plan indicates a total *potential* demand of 17,491 AFY, but only identifies 13,331 AFY of demand within reasonable proximity to the proposed recycled water pipeline alignments. On the other hand, this estimate of 13,331 AFY does not appear to include recycled water demand from end users in the Rosamond Community Services District that were added to the scope of this project at a later time.

23

4-10: Suggestion: ADD paragraph after fourth paragraph. Need to discuss salinity management plans to control salts in the basin. The Districts recommend using the August 6, 2008, Draft of the Recycled Water Policy to draft this language, particularly lines 168, 204, 205, 230, 262, 265, 267, and 384-389.

24

5-3: Suggestion: The water demand figures in Table 5-3 appear to be less than overall demand in the *2007 Antelope Valley Integrated Regional Water Management Plan*.

25

Major comments to be submitted in writing. Thank you for the opportunity to review and comment on this document.

Brian Dietrick

County Sanitation Districts of Los Angeles County  
1955 Workman Mill Road  
Whittier, CA 90601  
(562) 699-7411 X2703

WW  
456



# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998  
Telephone: (562) 699-7411, FAX: (562) 699-5422  
www.lacsd.org

STEPHEN R. MAGUIN  
Chief Engineer and General Manager

October 2, 2008

Los Angeles County Waterworks District No. 40  
Attn: Jonathan King  
900 South Fremont Avenue  
Alhambra, California 91803

Dear Mr. King:

### **Comments on the Draft Program Environmental Impact Report for the North Los Angeles/Kern County Regional Recycled Water Project**

The County Sanitation Districts of Los Angeles County (Districts) have prepared this letter in response to the August 2008, *Draft Program Environmental Impact Report for the North Los Angeles/Kern County Regional Recycled Water Project* (Draft PEIR) that was circulated for review. Comments on the Draft PEIR are provided as follows:

1. The Districts support the proposed project that would construct a regional system to provide a reliable, high quality source of recycled water to the Antelope Valley. 1
2. The Districts recommend that the "Distribution PS 1A" alternative be selected as the final location for the distribution pump station; "Distribution PS1" is not an acceptable alternative. 2
3. The Districts recommend that the labels used for pipeline construction phasing be linked to the labels for construction phasing used in the 2006 *Final Facilities Planning Report, Antelope Valley Recycled Water Project*. 3
4. On page 2-21 in the first paragraph, the "Operation and Maintenance Details" discuss the responsible agencies that will enter into a JPA to oversee funding, construction, and operation of the project. The Districts do not intend to be a member of the JPA and would provide recycled water under contract to the entity that operates the proposed distribution system. 4
5. Waterworks should continue to work closely with the Districts during design of the recycled water pump stations and storage facilities to match the diurnal and seasonal irrigation needs with operation of the water reclamation plants. 5

Thank you for the opportunity to participate in the planning process for this project. If you have any questions or require additional information, please contact Mr. Brian Dietrick at (562) 908-4288, extension 2703.

Very truly yours,

Stephen R. Maguin

Thomas J. LeBrun  
Department Head  
Facilities Planning Department

TJL:BD:ld

cc: Tom Barnes, ESA Consultants

**Rosamond  
Community Services  
District**

# Memo

**To:** Jonathan King Jonathan King  
LA County Waterworks District No. 40

**From:** Claud Seal, RCSD District Engineer

**CC:** Jack Stewart, RCSD General Manager

**Date:** 10/14/2008

**Re:** North Los Angeles/Kern County Regional Recycled Water Project; RCSD Comments

The following items in the proposed report have potential impact on RCSD and need to be revised.

Page 2-7, Table 2-2, Reservoir 4, Location – change "Near 60<sup>th</sup> Street..." To North of 60<sup>th</sup> Street....

1

Page 3.2-12, Policy ER 5.3.3 and 5.4.2: Add "And in Kern County, shall comply with the Kern County Air Pollution Control District."

2

Page 3.5-3, Geological Subunits: In the paragraph body, most folks in the AV refer to these as "sub basins." It would be more clear to local readers to change at least one of the "sub units" to "sub basins."

3

Page 3.7-3, Groundwater Subunits: Same comment as above 3.5-3.

4

Page 3.7-13, paragraph 7, starting with "Recycled water produced....," add RCSD to LWRP and PWRP. (That's why we are involved in the first place.)

5

Page 3.7-20, Mitigation Measure 3.7-1d, after "LA County Department of Public Health (DPH)" add if in Los Angeles County, or the "Kern County Department of Public Health if in Kern County,"

6

Page 4-2, paragraph 2, second line change "southwestern Kern County" to "southeastern Kern County." Third line add, "within the service AREAS of LACWWD40, RCSD WWTP, and all....."

7

Page 4-5, **Rosamond Recycled Water Project**, add to Phase 1 narration, RCSD is currently constructing a 0.5 million gallons per day tertiary treatment plant adjacent to its existing evaporation ponds. The District is planning to expand....."

8

Executive Summary, page ES-3, third paragraph, fourth line, 2,600 afy should be changed to 6,600 afy. Add to the last sentence, "Hybrid Power Plant, **and 4,000 afy for cooling water at 3 planned solar collector power plants in the Rosamond area.**"

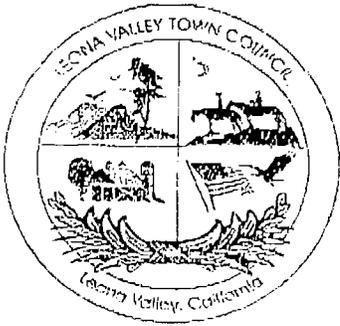
9

Executive Summary, page ES-11, paragraph 3.3-4b, 5<sup>th</sup> line, add after Vegetation Ordinance, "and in Kern County, the Kern County Habitat Conservation Plan."

10

## Comment Letter RCSD

- In the same paragraph, line 11, after "protected vegetation," add "(for Los Angeles County), and in Kern County contact Kern County Environmental Health Services." [ 11
- In the last line, after Palmdale, add "or Kern County Environmental Health Services in Kern County." ]
- Executive Summary, page ES-13, continuation of paragraph 3.4-1, after "Old Palmdale and Old Lancaster," add "Old Rosamond and Tropico Mine area." [ 12
- Executive Summary, page ES-14, continuation of paragraph 3.4-4e, after "Old Palmdale and Old Lancaster," add "Old Rosamond and Tropico Mine area." ] 13
- Executive Summary, page ES-16, paragraph 3.5-2, line 5, add to sentence, " ...Construction Permit, **except as exempted by the U. S. Army Corps of Engineers.**" [ 14
- Executive Summary, page ES-17, paragraph 3.6-2a, line 4, add to sentence, " ...during the project, **except as exempted by the U. S. Army Corps of Engineers.**" ] 15
- Executive Summary, page ES-19, paragraph 3.7-1d, line 3, add to sentence, " ...for Los Angeles County entities. In Kern County, contact the Kern County Department of Public Health in Bakersfield." [ 16
- Executive Summary, page ES-19, paragraph 3.7-2, line 2, add to sentence, " ...during the project, **except as exempted by the U. S. Army Corps of Engineers.**" ] 17
- Executive Summary, page ES-21, paragraph 3.8-2, line 4, add to Title sentence, " ...and Rosamond Sky Park, in Rosamond." Paragraph 3.8-1b, next to the last line, after staff, add "and FAA." [ 18
- Executive Summary, page ES-25, continuation of paragraph 3.11-1a, paragraph 4, line 5, after Antelope Valley Union High School District, add "and the Southern Kern Unified School District." ] 19
- Executive Summary, page ES-25, continuation of paragraph 3.11-1a, paragraph 5, line 3 after Antelope Valley Union High School District, add "and the Southern Kern Unified School District." ]
- Executive Summary, page ES-26, paragraph 3.11-1f, paragraph 4, line 2, after Antelope Valley Transit Authority, add "and the East Kern Regional Transit Express that connects to Lancaster." [ 20
- Executive Summary, page ES-27, paragraph 3.12-3, line 1, after LACWWD40, add "RCSD, Kern County," and the .... [ 21
- Executive Summary, page ES-27, paragraph 4-3, line 3, after Lancaster, add, "and Rosamond CSD)" [ 22



Leona Valley Town Council

P.O. Box 795 • Leona Valley • California 93551

October 3, 2008

Los Angeles County Waterworks District No. 40  
Attn: Jonathan King  
900 South Fremont Ave.  
Alhambra, CA. 91803  
FAX: 626/300-3385

Reference: North LA/Kern County Regional Recycled Water Project DEIR

Gentlemen,

Please accept our written response to the Draft Environmental Impact Report (DEIR) submitted to the public on August 5, 2008. Also, please be aware that we were not notified of the project until shortly before the September 18, 2008 Public Hearing, and thus our response is merely to cover obvious concerns and is not intended to include all challenges that may arise following the issuance of the completed Environmental Impact Report. Please add me to your service list so we are fully apprised of further communications and submissions.

We, as a body, understand and agree that our future water supply is in jeopardy, and that recycled water must be utilized as part of the solution. We agree that a backbone distribution system such as the one planned is critical to the eventual utilization of recycled water from the three recycling plants. In general, we are supportive of the project, but we have some concerns as follows:

First, we are generally concerned about prescription medications that are currently flushed into our wastewater systems and may thus be present in recycled water. Those include antibiotics, contraceptive medications, steroids, pain relief medications, and other medications that may, or may not, be able to be removed. If they are not fully removed, what affect will they have on the population over time as the concentrations increase? We understand that groundwater recharge will have a higher level of scrutiny than the "construction" phases of the project, and will comply with both the California Department of Public Health regulations and the Regional Water Quality Control Board. We ask that your EIR address this issue in its final form, in addition to mitigation measures 3.79a, b and c.

1

A second concern is contamination of the groundwater in the Leona Valley. Could recharged water migrate upstream and contaminate our water supply? Impacts 3.7-10 and 11 state that as a concern. Mitigation measures 3.7-5 and 3.79a, b and c do not adequately address this possibility.

2

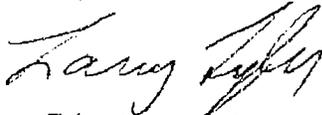
Page 2  
Los Angeles County Waterworks District #40

We are also concerned that you are placing Reservoir #2 very near the San Andreas Fault. We believe the tank is to be placed on the hilltop west of 25th Street west and north of Elizabeth Lake Road. In the event of an earthquake a rupture of that tank could lead to the release of several thousands of gallons of treated, but not potable, water into the Amargosa Creek, and the Upper Amargosa Project planned by the City of Palmdale. In addition, such a rupture would cause extensive soil erosion from the steep slopes to the south of the tank. Mitigation measures 3.1-1 through 3.5-3 do not address long term results of earthquakes, and that should be a part of the DEIR.

3

We thank you for the opportunity to give input into the process. If you have any questions feel free to email me at [tccprez@roadrunner.com](mailto:tccprez@roadrunner.com).

Sincerely,



Larry Tyler, Leona Valley Town Council  
Chairman, Water Committee

**Antelope Acres Town Council**  
49618 90<sup>th</sup> St. W., Lancaster, CA 93536  
Phone: (661) 942-2198

North Los Angeles/Kern County  
Regional Recycled Water Project  
Draft Program EIR

To Whom It May Concern:

If AVEK puts chloramines into the water will these chemicals stay in the recycled water?

If so how are the affects on short term and long term on the following areas:

- Agricultural
- Water banking
- Wildlife
- Domestic animals
- Road asphalt from street sweeping
- Commercial plants (i.e. industry)

1

Please send a copy the EIR to the above mailing address in care of Vickie Nelson.

Thank you,



Vickie Nelson

.cc : AV Press, Alisha Senechuck 949-3593  
To: Jonathan King Fax 626-300-3385  
From: Pat Moriarty 661-724-1945  
Re: Recycled H<sub>2</sub>O Proposal  
Date: Sept. 26, 2008

Please DO NOT recycle as H<sub>2</sub>O...  
I already suffer from chemical sensitivity  
and <sup>to</sup> every new batch of chlorine that's  
injected into my water system. For  
you to consider introducing recycled  
H<sub>2</sub>O that includes hazards from other  
chemicals as well as all the pharmaceutical  
drugs (which the Associated Press just  
reported in urine samples all over our  
country) is ludicrous and possibly  
criminal... Thanks for your attention  
Pat

P.S. This includes chloramine treatment

*WJ*  
*JW*

Sept. 24, 2008

TO: Los Angeles County Waterworks District 40  
Attention: Jonathan King.

SUBJECT: Use of Recycled Water in the Antelope Valley (AV).

FROM: Dean Webb, Lancaster, CA.

Mr. King, I am in support of the use of recycled water in the AV as discussed at the meeting held at Lancaster City Hall on Sept 18. In seeing the projected expanding growth of the population, I am a little concerned about the future of Piute Ponds. The ponds are located mostly in Kern County (on Edwards Air Force Base (EAFB)) but receive most of their water from the partially treated water from Lancaster and Palmdale. Some recharge comes from the now infrequent flooding from Amagosa and Little Rock Creeks.

I would like the EIR to study and develop a plan to maintain the ponds in the current or improved conditions. Over the years Piute Ponds has become a regular birding stop for many groups of Audubon and other environmental organizations. The local schools have started developing tours for the children in the schools. EAFB personal also has been connected with environmental studies at Piute Ponds. It is important to keep these ponds as a bird migratory stop over as well as serving education and environmental needs.

Sincerely,

*Dean Webb*

Dean Webb,  
1000 E. Caperton,  
Lancaster, CA., 93535-3335

Tel# (661) 948-4123  
Email < [ldwebbo@aol.com](mailto:ldwebbo@aol.com) >

**Table 3-4  
Current and Projected Biosolids Production at Lancaster Water Reclamation Plant**

	DRY TONS PER YEAR (tpy)	TRUCK TRIPS PER YEAR
2002	744	31
Alternatives 1 and 3 (2020)	2,500	114
Alternatives 2 and 4 (2020)	3,622	164

Source: LWRP 2020 Plan

**Effluent Management**

The LWRP 2020 Plan will maintain existing effluent management facilities and increase reuse operations. Discharge to Piute Ponds will decrease from the current annual daily average of 6.2 mgd, which resulted in ~~unauthorized~~ effluent-induced overflows to Rosamond Dry Lake, to an annual average of approximately 2.6 mgd, which is sufficient to maintain Piute Ponds at its current size of 400 acres. Effluent delivery to the Impoundment Areas and Apollo Park will not change throughout the planning period. The increased effluent management capacity needed will be met primarily with increased agricultural reuse operations and storage reservoirs under Alternatives 1 and 2, and primarily with increased agricultural reuse operations and effluent land application under Alternatives 3 and 4. Figure 3-6 provides a flow chart of the existing and proposed effluent management systems.

*Agricultural Reuse*

Each alternative provides for agricultural reuse as the principal means of effluent management during the summer months. Two large agricultural areas have been identified near the LWRP from which District No. 14 would acquire the necessary acreage to implement the proposed large-scale agricultural reuse operations. The two areas are referred to in this report as the ~~wWestern aAgricultural aArea~~ and the ~~eEastern aAgricultural aArea~~. Under Alternatives 1 (~~Recommended Project~~) and 2 (~~Recommended Project~~), the agricultural reuse operations would be sited within the eastern agricultural area, while under Alternatives 3 and 4 District No. 14 would acquire land within both of these areas. District No. 14 would acquire up to 4,170 acres under Alternative 1 and 4,650 acres under Alternative 2 for agricultural reuse operations, while under Alternatives 3 and 4, District No. 14 would acquire up to 13,880 acres and 13,940 acres, respectively for agricultural reuse and effluent land application operations.

The actual location of agricultural ~~reuse~~ operations may differ from the identified eastern and western areas, depending on the emergence of farming entities willing to use recycled water. A pump station and

JimGilleyCommentLetter.txt

-----Original Message-----

From: questions@ladpw.org [mailto:questions@ladpw.org]  
Sent: Monday, September 15, 2008 3:59 PM  
To: jimgilley@thegilleygroupllc.com  
Subject: Answer to your feedback submitted on 09/15/2008 (Reference #26465)

Feedback:

It seems that the requirement for a General Plan Amendment or Conditional Use Permit for construction of water recharge facilities is an unnecessarily expensive and time-consuming mitigation measure since all the responsible agencies already have Director Review, Site Plan Review or similar entitlement processes that could be followed.

1

Answer:

Thank you for your comment regarding the mitigation measures proposed in the EIR for the North Los Angeles/Kern County Regional Recycled Water Project to address the long-term land-use impacts of basins that could be used to recharge the groundwater basin with recycled water. We will include your comment and our response to it in the final EIR as required by the California Environmental Quality Act.

As stated in Mitigation Measure 3.8-3 in the draft EIR, the implementing agency would only obtain a CUP or General Plan amendment if it is deemed necessary by the appropriate jurisdiction.

-----  
Additional Information:

This e-mail originated at: Los Angeles County Waterworks District

Name: James Gilley  
Email: jimgilley@thegilleygroupllc.com

Note: Information is accurate at the time of response and is subject to change without notice.  
geven



R. Rex Parris Mayor  
Ronald D. Smith Vice Mayor  
Ken Mann Council Member  
Sherry Marquez Council Member  
Ed Sileo Council Member  
Mark V. Bozigian City Manager

October 7, 2008

Los Angeles County Waterworks District No.40  
Jonathan King  
900 South Fremont Avenue  
Alhambra, California 91803

REF: NORTH LOS ANGELES/KERN COUNTY REGIONAL RECYCLED WATER  
DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT

Dear Mr. King:

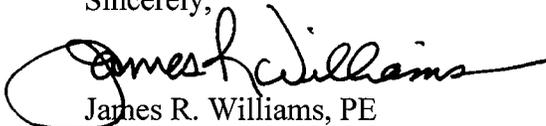
As a member of the Regional Water Management Group for the Antelope Valley Integrated Regional Water Management Plan (IRWMP), the City of Lancaster (City) takes pleasure in expressing support for the Draft Program Environmental Impact Report (PEIR) for the North Los Angeles/Kern County Regional Recycled Water Project.

The City supports the North Los Angeles/Kern County Regional Recycled Water Project PEIR because it is a fundamental and critical component of the overarching, regional effort to maximize recycled water reuse in the Antelope Valley. This document will enable regional recycled water reuse and recharge and will facilitate the Valley's planning objectives detailed in the IRWMP along with projects that will help meet these objectives.

The PEIR will make possible the best use of recycled water within the Antelope Valley. From dust control and sanitary sewer flushing to the potential for groundwater recharge using recycled water, each CCR Title 22 authorized use of recycled water ultimately off-sets potable water use for non-potable applications and conserves the regions limited water supplies.

If you have any questions, please contact Peter Zorba, Associate Engineer-Environmental, at (661) 723-6234.

Sincerely,

  
James R. Williams, PE  
Director of Public Works

JRW/PZ/vp

cc: Mark Bozigian, City Manager  
Brian Ludicke, Planning Director