



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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STEPHEN R. MAGUIN Chief Engineer and General Manager

May 19, 2009

File No: 16-00.04-00

Mr. John Steinmeyer, Senior Planner Planning and Development Department City of Pasadena 175 North Garfield Avenue Pasadena, CA 91101-1704

Dear Mr. Steinmeyer:

Conditional Use Permit No. 5209

The County Sanitation Districts of Los Angeles County (Districts) received a Notice of Preparation of a Draft Environmental Impact Report and Notice of Scoping Meeting for the subject project on May 15, 2009. The proposed development is located within the jurisdictional boundaries of District No. 16. We offer the following comments regarding sewerage service:

- 1. The wastewater flow originating from the proposed project will discharge to local sewer lines, which are not maintained by the Districts, for conveyance to either or both the Districts' Chapel Avenue Trunk Sewer, Section 2, located in Los Robles Avenue south of Old Mill Road, or the Allen Avenue Trunk Sewer, Sections 1, 2, and 4, located in San Marino Avenue at Stratford Road. The 15-inch diameter Chapel Avenue Trunk Sewer has a design capacity of 8.1 million gallons per day (mgd) and conveyed a peak flow of 0.5 mgd when last measured in 2006. The 15-inch diameter Allen Avenue Trunk Sewer has a design capacity of 6.0 mgd and conveyed a peak flow of 1.8 mgd when last measured in 2006.
- 2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a design capacity of 100 mgd and currently processes an average flow of 78.5 mgd, or the Whittier Narrows WRP located near the City of South El Monte, which has a design capacity of 15 mgd and currently processes an average flow of 6.1 mgd.
- 3. In order to estimate the volume of wastewater the project will generate, go to www.lacsd.org, Information Center, Will Serve Program, Obtain Will Serve Letter, and click on the appropriate link on page 2 for a copy of the Districts' average wastewater generation factors.
- 4. The Districts are authorized by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or increasing the strength or quantity of wastewater attributable to a particular parcel or operation already connected. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed

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project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Information Center, Will Serve Program, Obtain Will Serve Letter, and click on the appropriate link on page 2. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the design capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Stephen R. Maguin

Ruth I. Frazen

Customer Service Specialist Facilities Planning Department

RIF:rf





Linda S. Adams Secretary for Environmental Protection

Department of Toxic Substances Control



Maziar Movassaghi Acting Director 9211 Oakdale Avenue Chatsworth, California 91311

June 23, 2009

Mr. John Steinmeyer City of Pasadena 175 N. Garfield Avenue P.O. Box 7115 Pasadena, California 91101

NOTICE OF PREPARATION FOR THE 880-940 EAST COLORADO BOULEVARD PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT, SCH NO. 2009051066

Dear Mr. Steinmeyer:

The Department of Toxic Substances Control (DTSC) has received your Notice of Preparation of a draft Environmental Impact Report (EIR) for the project mentioned above.

Based on the review of the document, DTSC comments are as follows:

- 1. The draft EIR needs to identify and determine whether current or historic uses at the Project site (Site) have resulted in any release of hazardous wastes/substances.
- 2. The draft EIR needs to identify any known or potentially contaminated area within the Site. For all identified areas, the draft EIR needs to evaluate whether conditions at the Site pose a threat to human health or the environment.
- 3. The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any area that may require remediation, and which government agency will provide appropriate regulatory oversight.
- 4. If during construction of the project, soil contamination is suspected, construction in the area should stop, and appropriate health and safety procedures should be implemented. If it is determined that contaminated soils exist, the draft EIR should identify how any required investigation and/or remediation will be conducted, and which government agency will provide regulatory oversight.

Mr. John Steinmeyer June 23, 2009 Page 2

DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact me at (818) 717-6550.

Sincerely,

Alberto T. Valmidiano

Project Manager

Brownfields and Environmental Restoration Program - Chatsworth Office

cc: Governor's Office of Planning and Research

State Clearinghouse

P.O. Box 3044

Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief Office of Planning and Environmental Analysis CEQA Tracking Center Department of Toxic Substances Control 1001 "1" Street, P.O. Box 806 Sacramento, California 95812-0806



Metro

May 21, 2009

John Steinmeyer, Senior Planner City of Pasadena Planning and Development Department 175 North Garfield Avenue Pasadena, CA 911011704

Dear Mr. Steinmeyer:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for Conditional Use Permit #5209. This letter conveys recommendations from the Los Angeles County Metropolitan Transportation Authority (Metro) concerning issues that are germane to our agency's statutory responsibilities in relation to the proposed project.

A Traffic Impact Analysis (TIA), with highway, freeway, and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2004 Congestion" Management Program for Los Angeles County", Appendix D. The geographic area examined in the TIA must include the following, at a minimum:

- All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic); and
- Mainline freeway-monitoring locations where the project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour.

Among the required steps for the analysis of development-related impacts to transit are:

- Evidence that in addition to Metro, all affected Municipal transit operators received the NOP for the Draft EIR;
- A summary of the existing transit services in the area;
- Estimated project trip generation and mode assignment for both morning and evening peak periods;
- Documentation on the assumptions/analyses used to determine the number and percentage of trips assigned to transit;
- 7. Information on facilities and/or programs that will be incorporated into the development plan that will encourage public transit usage and transportation demand management (TDM) policies and programs; and
- An analysis of the expected project impacts on current and future transit services along with proposed project mitigation.

Metro looks forward to reviewing the Draft EIR. If you have any questions regarding this response, please call me at 213-922-6908 or by email at chapmans@metro.net. Please send the Draft EIR to the following address:

Metro CEQA Review Coordination One Gateway Plaza MS 99-23-2 Los Angeles, CA 90012-2952 Attn: Susan Chapman

Sincerely,

Susan Chapman

Program Manager, Long Range Planning

NATIVE AMERICAN HERITAGE COMMISSION

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



May 21, 2009

Mr. John Steinmeyer

CITY OF PASADENA

175 N. Garfield Avenue; P.O. Box 7115

Pasadena, CA 91101

Re: SCH#2009051066; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR); for the 880-940 East Colorado Boulevard Project; City of Pasadena; Los Angeles County, California

Dear Mr. Steinmeyer:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ http://www.ohp.parks.ca.gov. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.
- $\sqrt{\ }$ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- √ The Native American Heritage Commission (NAHC) performed:
 - * A Sacred Lands File (SLF) search of the project 'area of potential effect (APE)': The results: No known Native American Cultural Resources were identified within one-half mile of the 'area of potential effect' (APE)... However, there are Native American cultural resources in close proximity to the APE. The NAHC urges caution with any ground-breaking activity. Also, the NAHC SLF is not exhaustive and local tribal contacts should be consulted from the attached list and the there are Native American cultural resources in close proximity...
- The NAHC advises the use of Native American Monitors, also, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC, FURTHER, recommends that contact be made with Native American Contacts on the attached list to get their input on potential IMPACT of the project (APE) on cultural resources. In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s) or Native American individuals or elders.
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of
 accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f).
 In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native
 American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

- Again, a culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- √ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - * CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony. √ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

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

Sincerely,

Dave Singleton Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts

Los Angeles County May 21, 2009

LA City/County Native American Indian Comm

Ron Andrade, Director

3175 West 6th Street, Rm. 403 Los Angeles , CA 90020

(213) 351-5324

(213) 386-3995 FAX

Gabrielino Tongva Nation

Sam Dunlap, Tribal Secretary

P.O. Box 86908

Gabrielino Tongva , CA 90086

Los Angeles samdunlap@earthlink.net

(909) 262-9351 - cell

Ti'At Society Cindi Alvitre

6515 E. Seaside Walk. #C Long Beach

, CA 90803

Gabrielino

calvitre@yahoo.com (714) 504-2468 Cell

Robert Dorame, Tribal Chair/Cultural Resources

Gabrielino Tongva Indians of California Tribal Council

, CA 90707

P.O. Box 490

Gabrielino Tongva

Bellflower

gtongva@verizon.net

562-761-6417 - voice

562-925-7989 - fax

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

Gabrielino Tongva

tattnlaw@gmail.com

310-570-6567

Gabrielino-Tongva Tribe

Felicia Sheerman, Chairperson

501 Santa Monica Blvd, # 500 Gabrielino

Santa Monica , CA 90401

(310) 587-2203

(310) 428-7720 - cell

(310) 587-2281

fsheerman1@GabrielinoTribe.

Gabrieleno/Tongva San Gabriel Band of Mission

Anthony Morales, Chairperson

PO Box 693

San Gabriel , CA 91778

(828) 286-1262 -FAX

(626) 286-1632

(626) 286-1758 - Home

(626) 286-1262 Fax

Gabrielino-Tongva Tribe

Bernie Acuna

501 Santa Monica Blvd, # 500 Gabrielino

Santa Monica , CA 90401

(310) 587-2203

(310) 428-7720 - cell

(310) 587-2281

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

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2009051066; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the 880-940 East Colorade Boulevard Project; City of Pasadena; Los Angeles County, California.

Gabrielino Tongva

May 19, 2009

Mr. John Steinmeyer, Senior Planner City of Pasadena Planning and Development Department 175 North Garfield Avenue Pasadena, CA 91101-1704

Dear Mr. Steinmeyer:

Notice of Preparation of a Draft Environmental Impact Report (Draft EIR) for the Conditional Use Permit #5209

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft environmental impact report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. In addition, please send with the draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files. Electronic files include spreadsheets, database files, input files, output files, etc., and does <u>not</u> mean Adobe PDF files. Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation <u>will require</u> additional time for review beyond the end of the comment period.

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, the lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2007 Model. This model is available on the SCAQMD Website at: www.urbemis.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM2.5 emissions from construction and operational activities and processes. In connection with developing PM2.5 calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM2.5 emissions and compare the results to the recommended PM2.5 significance thresholds. Guidance for calculating PM2.5 emissions and PM2.5 significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at http://www.aqmd.gov/ceqa/handbook/LST/LST.html.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty dieselfueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: http://www.aqmd.gov/prdas/aqguide/aqguide.html. In addition, guidance on sitting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (http://www.aqmd.gov).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Daniel Garcia, Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,

Steve Smith, Ph.D.

Program Supervisor, CEQA Section

Steve Smith

Planning, Rule Development and Area Sources

SS:DG:AK LAC090515-01AK Control Number