## 6.0 CLARIFICATIONS AND MODIFICATIONS

The following clarifications and modifications are intended to update the Draft EIR in response to the comments received during the public review period. These changes constitute the Final EIR, to be presented to the City decision-makers for certification and project approval. None of the changes to the Draft EIR would require recirculation of the EIR. Revisions made to the EIR have not resulted in new significant impacts or mitigation measures, nor has the severity of an impact increased. None of the criteria for recirculation have been met, and recirculation of the EIR is not warranted.

The changes to the Draft EIR are listed by section, page number, and paragraph number if applicable. Text which has been removed is shown with a strikethrough line, while text that has been added is shown as underlined. All of the changes described in this section have also been made in the corresponding Final EIR sections. Please refer to Section 7.0, Response to Comments, for referenced comment letters and corresponding comments.

#### Page <u>Clarification/Revision</u>

#### *ES-8 The following paragraph has been added under the first paragraph of section ES.7:*

#### No Project/No Build Alternative

Under the No Project/No Build Alternative, the proposed project would not be constructed and the site would remain in its existing condition. The existing Las Encinas Hospital campus would continue to operate as under existing conditions. No new structures would be constructed and no structures would be demolished. The environmental characteristics would be the same as those described in the environmental setting sections of Chapter 3.0. Construction impacts related to air quality, biological resources, cultural resources, hydrology and water quality, utilities, and noise associated with the proposed project would be avoided because no development would occur on the project site under the No Project/No Build Alternative. The existing structures would not be demolished and the existing uses would continue to operate in their current capacity and function. Operational impacts associated with aesthetics, public services, and transportation and traffic would be avoided because no changes to the project site would occur. The number of vehicles trips to/from the project site would be similar to the existing conditions. Thus, no substantial increase in mobile emissions or vehicular noise would be expected to occur. This alternative would not achieve any of the objectives of the proposed project.

*ES-11 Mitigation measures BIO-B, CUL-A, NOISE-E, PS-A, PS-B, and TRANS-A have been revised in Table ES-2 as shown below.* 

#### *3.3-14 Mitigation measure BIO-B has been revised as follows:*

**BIO-B** During construction, no grading, trenching, <u>material storage</u>, or equipment parking shall be permitted within the tree protection zone. Tree protection zones shall be

fenced using a 6-foot tall chain link fence. <u>On each fenced tree protection zone a sign shall</u> <u>be hung noting which trees are located within the area</u>. The Arborist of Record shall be responsible for establishing the tree protection zones. Construction fencing shall be installed prior to demolition activities around the trees to be preserved.

3.4-14 Mitigation measure CUL-A has been revised as follows:

**CUL-A** The applicant shall prepare and submit to the California Office of Historic Preservation a nomination application for listing the Las Encinas Sanitarium/Hospital in the National Register of Historic Places. The mitigation Preparation and submittal shall be completed within 2 years of approval of the 2007 Master Development Plan.

3.6-16 *Mitigation measure NOISE-E has been revised as follows:* 

**NOISE-E** Prior to the start of construction, the construction contractor shall notify residences immediately adjacent to the project site (e.g., via flyers). The notices shall include a telephone number for noise complaints to the Pasadena Health Department for referral to determine if a violation of the City's Noise Ordinance is occurring.

3.7-3 The first full paragraph has been added based on new information that has become available:

In May of 2008, PWP was made aware that the Raymond Basin Management Board (Watermaster) is concerned that, in certain areas of the Raymond Basin, groundwater production is greater than net recharge, which has lead to decreases in groundwater levels and increased depth-to-pumping (Stetson Engineers 2007). It was estimated that the safe yield of the Pasadena subarea of the Raymond Basin, the subarea from which Pasadena takes a vast majority of its pumping rights, was approximately 35 percent less than current decreed rights in that subarea. To protect the storage capacity of the Pasadena subarea, PWP anticipates that the Watermaster may reduce the pumping allocation of every pumper in the Pasadena subarea by 35 percent (Stetson Engineers 2007). If that should occur, PWP's groundwater pumping rights would be reduced to 5,423 af/yr in the subarea, for a total of 9,877 af/yr in the Raymond Basin.

3.7-3 The following information has been added at the bottom of the page based on new information that has become available:

Current and projected water use within PWP's service area is shown in Table 3.7-1. Table 3.7-1 shows water usage projected for normal years and single dry years from 2010 through 2030.

<b>SCENARIO</b>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>
Normal Year <sup>1</sup>					
<u>Supply</u>	<u>39,957</u>	41,291	42,624	43,959	45,293
Demand	39,957	41,291	42,624	43,959	45,293
Difference	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Single Dry Year					
Supply	32,318	32,318	32,318	32,318	32,318
Demand	33,963	35,097	36,230	37,365	38,497
Difference	<u>(1,645)</u>	<u>(2,779)</u>	<u>(3,912)</u>	<u>(5,047)</u>	<u>(6,179)</u>

## TABLE 3.7-1 PWP SERVICE AREA NORMAL AND SINGLE DRY YEAR SUPPLY AND DEMAND (AF/YR)

<sup>1</sup> Projected supplies exceed demands; however, PWP will only take the amount of imported water necessary to serve projected demand. Additional water may be purchased by PWP at an increased rate; however PWP plans to get additional water from long term storage

Source: PWP 2005.

PWP has contracted with MWD for deliveries under a purchase order arrangement (PWP 2005). Under the contract, MWD charges for water supply under a two-tiered rate structure. PWP has the right to purchase up to 90 percent of their initial base demand at Tier 1 rates. Initial base demand is calculated as the maximum firm demand for MWD water over a 10-year period since 1989. Tier 1 rates are set by MWD to recover its costs of maintaining a reliable supply. Any amount higher than 90 percent of base demand is charged at higher Tier 2 rates to encourage efficient utilization of local resources and include MWD's costs for developing additional supplies.

Multiple dry-year supply and demand scenarios for 2010 through 2030 are shown in Table 3.7-2.

2011 THROUGH 2015	<u>2011</u>	2012	<u>2013</u>	2014	<u>2015</u>
Supply	40,224	40,491	36,861	31,665	34,294
Demand	40,224	40,491	40,757	<u>34,870</u>	35,097
Difference	<u>0</u>	<u>0</u>	<u>(3,896)</u>	<u>(3,205)</u>	<u>(803)</u>
Pumped from Long Term Storage	<u>0</u>	<u>0</u>	<u>3,896</u>	3,205	803
Long Term Storage Balance	24,221	24,221	20,325	17,120	16,137
Annual Net Deficit	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
2016 THROUGH 2020	<u>2016</u>	2017	<u>2018</u>	2019	2020
Supply	41,559	41,826	36,861	31,665	34,294
Demand	41,559	41,826	42,092	36,005	36,232
Difference	<u>0</u>	<u>0</u>	(5,231)	(4,340)	<u>(1,938)</u>
Pumped from Long Term Storage	<u>0</u>	<u>0</u>	5,231	4,340	<u>1,938</u>
Long Term Storage Balance	24,221	24,221	18,990	14,650	12,712
Annual Net Deficit	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#### TABLE 3.7-2 PWP SERVICE AREA MULTIPLE DRY YEAR SUPPLY AND DEMAND (AF/YR)

2021 THROUGH 2025	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
<u>Supply</u>	42,891	<u>43,158</u>	<u>36,861</u>	<u>31,665</u>	<u>34,294</u>
Demand	42,891	43,158	43,424	43,691	43,957
Difference	<u>0</u>	<u>0</u>	<u>(6,563)</u>	<u>(5,472)</u>	<u>(3,070)</u>
Pumped from Long Term Storage	<u>0</u>	<u>0</u>	<u>6,563</u>	<u>5,472</u>	<u>3,070</u>
Long Term Storage Balance	24,221	24,221	17,658	12,186	<u>9,116</u>
Annual Net Deficit	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
2026 THROUGH 2030	2026	2027	2028	2029	2030
Supply	44,226	44,493	36,861	<u>31,665</u>	34,294
Demand	<u>44,226</u>	<u>44,493</u>	<u>44,759</u>	<u>38,272</u>	<u>38,499</u>
Difference	<u>0</u>	<u>0</u>	(7,898)	<u>(6,607)</u>	(4,205)
Pumped from Long Term Storage	<u>0</u>	<u>0</u>	<u>7,898</u>	<u>6,607)</u>	4,205
Long Term Storage Balance	24,221	24,221	16,323	<u>9,716</u>	5,511
Annual Net Deficit	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Source: PWP 2005.

The City has a long term storage program in the Raymond Basin and banks water within the basin for withdrawal during dry years when supplies are not sufficient to cover demands. Based on the supply and demand comparisons, PWP will have sufficient supply to meet the projected demand over the next 25 years (PWP 2005). Its ability to meet demands during a multiple dry year period is based on the storage reserve it maintains in the Raymond Basin. During a time of drought, it can draw on this reserve to supplement its supply. In the previous comparisons, the scenarios showed that the storage reserve would be drawn down over the course of a three year dry period. In the final multiple year analysis from 2026 through 2030, the long term storage balance reached 5,511 af. Thus, although there is enough projected supply and storage available under these scenarios, it is important that PWP take steps to boost its reserves. There are a number of critical actions that PWP is planning to take to provide additional assurance that it will be able to maintain deliveries:

- In the short term, PWP will restore most of the out-of-service wells into production by installing perchlorate treatment systems.
- In the long term, PWP will maintain deliveries through aggressive conservation programs and the implementation of recycled water for irrigation purposes.
- <u>PWP will cooperate with the watershed planning efforts in the Arroyo Seco to develop</u> the plan to increase the capacity of its spreading basins.

The comparisons in Table 3.7-1 and Table 3.7-2 are based on the assumption that MWD is forced to curtail its deliveries during a drought. In reality, MWD has performed its own multiple dry year analysis and has determined that it would be able to maintain deliveries to its member agencies even in the event of a historical multiple dry year period. However, by taking the critical actions above PWP will ensure that it can reliably maintain its own supply

in the event that MWD experiences delays in implementing its Integrated Resources Plan (IRP), as well as providing a buffer against uncertainty.

**PWP Actions and Programs to Address Water Supply Issues.** PWP has many options at hand to address potential water supply issues, arising from either a reduction in its MWD allocations or its ability to pump groundwater from the Pasadena subarea of the Raymond Basin.

Throughout the end of 2008 and early 2009, PWP has taken the following steps to update its approach to water supply issues:

*Comprehensive Water Conservation Plan (CWCP).* On April 13, 2009, the City Council adopted the CWCP (City of Pasadena 2009). As a long-term goal, the CWCP presupposes an initial target of reducing per-capita potable water consumption 10 percent by 2015 and 20 percent by 2020. Whereas PWP's past water conservation programs relied heavily on indoor efficiency, the CWCP reflects an emphasis on:

- <u>Using price signals in rate design to encourage conservation;</u>
- Increased emphasis on outdoor water efficiency; and
- <u>Maximizing efficiencies related to new construction.</u>

The CWCP includes 6 water conservation approaches that will be pursued simultaneously to meet the City's water conservation targets (City of Pasadena 2009):

- 1. Implement Water Conservation Rate Design:
  - Modified block rate structure with higher cost tiers for high water use
  - Develop a budget-based water rate proposal
- 2. <u>Adopt Sustainable Water Supply Ordinances:</u>
  - o Establish a Permanent Water Waste Prohibition Ordinance
  - o <u>Modify existing Water Shortage Ordinance</u>
  - o Adopt a Water Efficient Landscape Ordinance
  - Evaluate potential effectiveness of a Fixture Replacement on Resale Ordinance, and adopt, if appropriate
  - <u>Review the Gray Water Systems and Storm Water Capture Ordinances and update or</u> <u>modify, as appropriate</u>
  - Adopt appropriate water use limitations and mitigation measures associated with new development
- 3. <u>Provide Incentives for Use of Water Efficient Technology and Practices:</u>
  - <u>Indoor fixture incentives</u>
  - Irrigation technology incentives
  - Water-efficient landscape and turf replacement incentives
- 4. <u>Provide Direct Installation and Distribution of Efficient Technologies.</u>

- 5. Provide Water Use Audits.
- 6. <u>Provide Water Use Information, Education, and Outreach:</u>
  - o <u>Usage data on bills</u>
  - Appropriate water use standards or guidelines
  - Efficient indoor and outdoor water use practices.

The City has begun the process to increase water rates as envisioned by the CWCP, and which are necessary for covering surcharges imposed by MWD on PWP whenever customers exceed MWD's new allocation targets (PWP 2009a). The City anticipates holding the first public hearing in this process on June 8, 2009 (PWP 2009b).

Water Waste Prohibition and Water Shortage Plan (WWP/WSP) Ordinance. Also on April 13, 2009, the City Council directed the drafting of an ordinance that will replace the City's previously adopted Water Shortage Plan I (City of Pasadena 2009). The proposed WWP/WSP Ordinance includes a number of permanent water waste prohibitions, as well as procedures that will be initiated in the event of a water shortage. The proposed ordinance is consistent with the MWD Model Water Waste ordinance and is intended to address the shortcomings identified with the City's current Water Shortage Procedure Ordinance that it will replace. The proposed permanent water waste prohibitions include:

- <u>Watering with potable water (i.e., drinking water) is prohibited between the hours of 9:00</u> a.m. and 6:00 p.m. on any day, except by use of a hand-held container, a handheld hose equipped with a water shut-off noule or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system;
- <u>No watering during periods of rain;</u>
- <u>No excessive water flow or runoff;</u>
- No washing down hard or paved surfaces except were necessary to alleviate safety or sanitary hazards and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a water shut-off noule or device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low volume high-pressure water broom;
- Obligation to fix leaks, breaks or malfunctions when discovered or within seven days of receiving notice from PWP;
- <u>Recirculating water systems are required for fountains and decorative water features:</u>
- Using potable water to wash a vehicle is prohibited, except by use of a hand-held bucket or a hand-held hose equipped with a water shut-off noule or device. (This subsection does not apply to any commercial car washing facility);
- Drinking water may be served in restaurants only upon request by a customer;
- <u>Restaurants are required to use water conserving dish wash spray valves;</u>
- Commercial lodging establishments must provide guests option to decline daily linen services;

- Installation of single pass cooling systems is prohibited in buildings requesting new water service;
- Installation of non-recirculating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems; and
- Effective on July 1, 2010, commercial conveyor car wash systems must have installed operational recirculating water systems or secured a waiver of this requirement from the City of Pasadena.

The proposed ordinance establishes a penalty schedule for violations, and the penalties are meant to be deterrents rather than sources of funds. The proposed ordinance is anticipated to come before the City Council in late June or early July of 2009.

**Other PWP Water Supply Management Projects.** Just as MWD has done, PWP has maintained its supply reliability in the face of supply uncertainties in the past, and is actively managing its supplies to ensure the reliability for the future. As a primary example, the City maintains a contract with the City of Glendale for the provision of recycled water, and has the right to 6,000 af/yr of recycled water from the Los Angeles/Glendale Water Reclamation Plant. The City has the right to take this allocation at a point of connection in Scholl Canyon, on the northwestern end of Pasadena. Although implementation of the pipe construction project to bring recycled water into Pasadena has been on hold since 1995, the City has already begun the work necessary to re-start implementation of that project. Funding for the initial planning of this project is currently available. As additional funding can be secured, the City anticipates increasingly offsetting the use of potable water for landscaping with recycled water, thus leaving more potable water for other uses. Through these efforts, PWP anticipates serving demand in the City as forecast in the City's General Plan and Urban Water Management Plan into the foreseeable future.

#### 3.7-8 The following new information has been added to the last paragraph as follows:

Future projected annual supplies from MWD during single dry, multiple dry and normal years are shown in Table 3.7-3. MWD supplies range from a high of about 3.3 million af to a low of 1.9 million af, depending on the year and the scenario. In drought conditions, water supplies may be reduced as a result of reduced precipitation. Since the City receives the majority (approximately 60 percent) of its water from MWD, an analysis of the reliability of the MWD supply under drought conditions is required. An analysis of single dry year, multiple dry year and average year MWD supply reliability follows. Table 3.7-<u>3</u>+ shows the MWD demand and supply capabilities through the year 2030 under average year, single dry year, and multiple dry year scenarios. The data shows that demand from MWD customers will be met under the 3 different scenarios through the year 2030 with surplus. Surplus ranges from a low of 240,000 af/yr to 1.16 million af/yr (MWD 2005).

*3.7-9 Table 3.7-1 of the Draft EIR has been renumbered as Table 3.7-3.* 

#### 3.7-9 The first paragraph has been revised as follows:

MWD possesses the right to divert water from the Colorado River pursuant to a contract with the <u>U.S.</u> Secretary of Interior under Section 5 of the federal Boulder Canyon Project Act (45 Stat. 1057, December 21, 1928). The Blueprint Report includes a description of MWD's 550,000 af/yr base apportionment water right, along with the Colorado River supply projects that MWD is implementing to maximize the reliability of Colorado River supplies (MWD 2003). Following distribution of the Blueprint Report, the Quantification Settlement Agreement (QSA) and other related agreements were approved on October 10, 2003, related to the supplies of all the California users of the Colorado River, including MWD. Signing of the QSA and related agreements will allow implementation of the Colorado River supply projects identified in the Blueprint Report, as well as other projects. MWD described in the QSA and related agreements and their impact on <u>the</u> reliability of MWD's supplies in its 2006 Integrated Water Resources <u>Plan</u> Implementation Report (MWD 2006).

3.7-9 The fourth paragraph has been revised as follows:

The Colorado River Basin has experienced below-normal runoff for the past 8 years. During 2006, Lake Mead was at its lowest level in 401 years (MWD 2006). A *Draft Environmental Impact Statement on Lower Basin Shortage Guidelines and Coordinated Management Strategies for Lake Powell and Lake Mead, Particularly <u>U</u>under Lower Reservoir Conditions was released by the U.S. Bureau of Reclamation, which operates the Colorado River reservoirs in February 2007 (U.S. Bureau of Reclamation 2007). That study analyzed various alternatives to manage the Colorado River in light of the current extended dry period for enhanced reliability in water allocations for all <u>the</u> users of the Colorado River, including MWD. For example, one of the alternatives would introduce new operating and accounting procedures to address the ability of MWD and others to store water in Lake Mead (MWD 2006).* 

3.7-10 The last sentence of the third full paragraph has been revised as follows:

The full cases are expected to reach the court for decision during <u>late 2009</u> and possibly into <u>2010</u>.

3.7-11 The first full paragraph on the page has been revised as follows:

**State Water Project (SWP)**. MWD possesses a contract with the California Department of Water Resources (DWR) that entitles it to water from the SWP (DWR 1960). MWD's share of the total SWP supply is approximately 46 percent based on its contracted <u>Table A</u> amount of 1,911,500 af/yr (MWD 2006). This supply is diverted from <u>the</u> Feather River at Lake Oroville, released and conveyed through the Sacramento-San Joaquin River Delta (Delta), and rediverted at the Harvey O. Banks Delta Pumping Plant for conveyance through the

California Aqueduct to Southern California and MWD. MWD described and analyzed the reliability of its SWP supplies in the Blueprint Report (MWD 2003). MWD estimated the availability of SWP supplies "according to the historical record of hydrologic conditions, existing system capabilities, requests of the state water contractors and SWP contract provisions for allocating <u>Table A</u>, <u>Article 21</u>, and other SWP deliveries to each contractor" (MWD 2003). MWD estimated that in 2025, it will have 794,700 af available in multiple dry years, 418,000 af in a single dry year, 1,523,300 af in an average year and 1,741,000 af in a wet year (MWD 2003; MWD 2005).

#### 3.7-11 The third paragraph has been revised as follows:

Specific threats to the SWP include litigation concerning the Delta. In 2007, two courts ruled that California's major water delivery systems – the SWP and the Central Valley Project (CVP) – were violating state and federal environmental laws regarding a threatened fish species, the Delta smelt. First, Alameda County Superior Court Judge Roesch concluded that the SWP had failed to obtain a permit required under the California Endangered Species Act that would provide protections for Delta smelt, salmon and steelhead from the effects of water pumping for activities at the Harvey O. Banks Delta Pumping Plant in Tracy, California. Accordingly, Judge Roesch ordered the SWP pumps to be turned off unless appropriate permits were obtained within 60 days. DWR appealed that decision, automatically staying the decision pending the outcome of the appeal. The earliest that a decision from the appellate court is expected would be during in the latter part of 2008 (Watershed Enforcers v. California Department of Water Resources 2007). The stay has been extended through July 2009.

#### *3.7-13 The following new text has been added after the first paragraph:*

In December of 2008, USFWS issued a revised BO (2008). The BO is effective immediately and sets guidelines for pumping operations for the SWP and CVP to ensure the continued existence of delta smelt and its habitat. At the time, the effect of the BO was seen as likely to result in the reduction of water deliveries from the CVP and SWP.

In the face of these new environmental restrictions and California entering the third year of drought, in October 2008, DWR issued an initial 15 percent allocation to MWD of SWP supplies in 2009 (DWR 2009a). In addition, MWD expects continued reduced deliveries from the Colorado River as that watershed continues to recover from record drought (MWD 2009). In February 2009, the Governor proclaimed a state of emergency and ordered a range of actions to manage the drought crisis (Office of Governor 2009).

However, after recent precipitation events in late winter 2009 that increased snowpack to nearly 90 percent of normal, in March 2009, DWR revised its allocations upward to 20 percent (DWR 2009b). At the same time, DWR's most recent snow survey of the winter season indicates snowpack water content statewide is 81 percent of normal, and as a result in

April 2009 DWR increased the 2009 SWP delivery allocation to 30 percent. "DWR's new approval considered several factors, including existing storage in SWP conservation reservoirs, SWP operational constraints, including the conditions of the recent BO for Delta smelt, and 2009 contractor demands (DWR 2009c)." While this is an improvement from DWR's March allocation of 20 percent, drought conditions continue and DWR strongly urges continued conservation (DWR 2009d).

#### 3.7-13 The fifth paragraph has been revised as follows:

**Delta Levees.** The state is actively studying the risk of levee failure and potential impacts to SWP supplies and developing a plan to protect the Delta. There are several concurrent processes for resolving these challenges. In the spring of 2006, at the recommendation of CALFED, an interagency effort that includes 23 state and federal agencies that have management or regulatory responsibility for the Delta, DWR began a 2-year Delta Risk Management Study to analyze risks to the levee system. The Stage I analysis <del>will include</del> <u>includes</u> a discussion of the region's assets, existing problems with the system, the degree of risk that exists and the potential consequences of multiple levee failures. Stage II <del>will</del> address addresses levee risk reductions. The Delta Risk Management Study report is part of the Delta Vision Report, which was finalized for submission to be submitted to the State Legislature and Governor in January 2008 (DWR 2008a).

#### 3.7-14 The second paragraph has been added as follows:

The Delta Vision Committee completed its Implementation Report in December of 2008, and recommended to the Governor, based upon its review of the Strategic Plan document, action on a list of near-term actions necessary to achieve Delta sustainability, including priority "fundamental actions" (Delta Vision Committee 2008). The next steps in the process include drafting of the Bay Delta Conservation Plan EIS/EIR and implementation, all of which are expected to be complete by the end of 2010 (Delta Vision Committee 2008).

#### *3.7-14 The following two paragraphs have been deleted.*

In response to concerns over the integrity of the levee system, the state significantly increased the budget for levee repairs in 2006, and a \$5.4 billion natural resources bond was approved by voters in November 2006 (Proposition 84), which assigns additional funds for flood control in the Delta and to plan for future water supplies.

At the state, regional and local levels, numerous water decision-makers are actively addressing the threats facing the Delta. A review of MWD's resource development programs demonstrates that although SWP supplies are facing challenges and may become more expensive based on the cost of ultimately adopted solutions, MWD's adaptive planning framework, which includes conservation, in region surface water storage, groundwater storage programs and local water production within the MWD service area, will allow MWD to adapt to changing conditions and ensure a reliable, diverse water supply to its members agencies that supply water to municipal customers. MWD has spent the past decade increasing the capacity of its reservoirs, and its overall water reserve is several times larger than it was during the 1991-1992 drought. Further, actions that are being taken by the CALFED process and the state should enhance reliability of the SWP supplies in the future. Both MWD and state agencies are aware of changing conditions that may impact the SWP and are planning accordingly to ensure a safe, reliable supply of SWP water.

#### 3.7-16 The first paragraph has been revised as follows:

MWD has announced implemented a strategic approach for 2008 regarding its WSDM Plan. Besides exercising interruptions to the Interruptible Agricultural Water Program, MWD's major strategies are as follows (MWD 2007b):

#### 3.7-19 The following two paragraphs have been deleted.

#### **Raymond Basin**

In May of 2008, PWP was made aware that the Raymond Basin Management Board (Watermaster) is concerned that, in certain areas of the Raymond Basin, groundwater production is greater than net recharge, which has lead to decreases in groundwater levels and increased depth to pumping (Stetson Engineers 2007). It was estimated that the safe yield of the Pasadena subarea of the Raymond Basin, the subarea from which Pasadena takes a vast majority of its pumping rights, was approximately 35 percent less than current decreed rights in that subarea. To protect the storage capacity of the Pasadena subarea, PWP anticipates that the Watermaster may reduce the pumping allocation of every pumper in the Pasadena subarea by 35 percent. If that should occur, PWP's groundwater pumping rights would be reduced to 5,423 af/yr in the subarea, for a total of 9,877 af/yr in the Raymond Basin.

#### **PWP Options**

PWP has many options at hand to address potential water supply issues, arising from either a reduction in its MWD allocations or its ability to pump groundwater from the Pasadena subarea of the Raymond Basin. The most immediate tool available is the declaration of a "water shortage" pursuant to Pasadena Municipal Code Chapter 13.10.

#### 3.7-21 The first through third paragraphs have been deleted.

**City of Pasadena Water Shortage Plan I.** In December of 2007, PWP projected a local "water shortage" as defined in the Pasadena Municipal Code Section 13.10.020G. On that basis, the City Council implemented a Water Shortage Plan I. The goal of the Water Shortage Plan I was to reduce total water usage in the City by 10 percent (City of Pasadena

2007). The Water Shortage Plan I contains nine voluntary water reduction measures to assist all Pasadena customers with conservation techniques (Pasadena Municipal Code Section 13.10.040).

- Refrain from hosing or washing sidewalks, walkways, driveways, parking area or other paved surfaces;
- Refrain from cleaning, filling, or maintaining levels in decorative fountains, ponds, lakes, and similar structures unless such structure is equipped with a water recycling system;
- Refrain from serving drinking water, unless at the express request of a customer, in all restaurants, hotels, cafes, cafeterias, or other public places where food is sold, served or offered for sales;
- Promptly repair all leaks from indoor and outdoor plumbing fixtures, including but not limited to sprinkler systems;
- Refrain from allowing water to run off landscape areas into adjoining streets, sidewalks, parking lots or alleys;
- Refrain from allowing water to run off into adjoining streets, sidewalks, parking lots or alleys while washing vehicles;
- Refrain from landscape watering more often than once every three days.

Since declaration of the local water shortage, PWP engaged in an aggressive public education campaign to raise awareness of the Water Shortage Plan I and its conservation techniques. Among other things, PWP engaged in a City-wide marketing campaign to raise awareness of the Plan I techniques; hosted efficient irrigation workshops; joined MWD in offering a new regional incentive program for water efficient devices (SoCal Water \$mart); and provided a host of links and information options on its website to educate Pasadena residents about other ways to save water. Despite this aggressive public education campaign, as of the summer of 2008 total water usage in the City had not changed appreciably, and the goal of the Water Shortage Plan I was not being met.

**City of Pasadena Water Shortage Plan II**. The purpose of Water Shortage Plan II is to ensure that water is put to the maximum beneficial use and that water conservation is properly implemented. In the event of a continued water shortage, PWP could recommend to the City Council moving to a Water Shortage Plan II, pursuant to PMC Section 13.10.040. At this time, PWP anticipates requesting that the City Council move to a Water Shortage Plan II by early 2009. In that event, the water reduction measures outlined above would become mandatory, and the City could impose penalties on violators. PWP anticipates that implementation of Water Shortage Plan II would result in the 10 percent reduction the City has been seeking.

#### 3.7-22 The first and second paragraphs have been deleted.

Plan II includes the same measures as Plan I with the addition of the following measures:<sup>4</sup>

- No customer of the department shall use or allow the use of water for landscape watering between the hours of 10:00 a.m. and 5:00 p.m.;
- No customer of the department shall uses or all the use of water from the department to refill a swimming pool emptied after the commencement of a water shortage period.

Just as MWD has done, PWP has maintained its supply reliability in the face of supply uncertainties in the past, and is actively managing its supplies to ensure the reliability for the future. As a primary example, the City maintains a contract with the City of Glendale for the provision of recycled water, and has the right to 6,000 af/yr of recycled water from the Los Angeles/Glendale Water Reclamation Plant. The City has the right to take this allocation at a point of connection in Scholl Canyon, on the northwestern end of Pasadena. Although implementation of the pipe construction project to bring recycled water into Pasadena has been on hold since 1995, the City has already begun the work necessary to re-start implementation of that project. Funding for the initial planning of this project is currently available. As additional funding can be secured, the City anticipates increasingly offsetting the use of potable water for landscaping with recycled water, thus leaving more potable water for other uses. PWP is also considering other water supply enhancement and storage projects. In addition, the City is looking at ways to strengthen the local regulation of water use through other Pasadena Municipal Code amendments. As one example, the City is awaiting the DWR Office of Water Use and Efficiency's update to the state model water efficient landscape ordinance. DWR anticipates that the model ordinance will be updated in early 2009 (DWR 2008b). By late 2009, and pursuant to the requirements of Government Code Section 65595, the City anticipates updating its ordinances regulating landscaping water use to be at least as stringent as the state model ordinance. Through these efforts, PWP anticipates serving demand in the City as forecast in the City's General Plan and Urban Water Management Plan into the foreseeable future.

#### 3.7-22 The paragraph under PS-3 has been revised as follows:

At buildout of the 2007 Master Development Plan, there would be a permanent increase in water demand in the City of Pasadena as a result of the proposed project. The proposed

<sup>&</sup>lt;sup>2</sup> Based on 80 percent of water used becoming wastewater.

Las Encinas Hospital 2007 Master Development Plan Final EIR City of Pasadena

project would be expected to increase water consumption at the project site to approximately 60,697 gpd, or 68.0 af/yr, a net increase in water consumption of approximately 25,972 gpd, or 29.1 af/yr (City of Pasadena 2007).<sup>2</sup> PWP is planning to supply approximately 41,291 af/yr in 2015 through a combination of 24,741 af/yr of imported water and 16,935 af/yr groundwater and water extracted through spreading credits (PWP 2005). The water supply is intended to meet future projected water demand of 41,291 af/yr needed throughout the City, an increase of 6,199 af/yr compared to existing water demand/supply. Future water demand is based on population projections at buildout of the City's General Plan. Because the proposed project is within the development capacity of the General Plan, PWP has accounted for this increased development. As such, the increase in demand for potable water associated with the proposed project is within the anticipated future water supply. However, due to the uncertain nature of future water supplies and the current drought being experienced in California, the proposed project would be required to reduce water consumption in order to reduce the increased demand on PWP supplies. New buildings constructed on site must comply with the City's green building ordinance. This ordinance requires new structures to comply with LEED's 20% reduction in water usage. In addition, limplementation of mitigation measures PS-A and PS-B would be required to reduce the amount of water required for operation of the proposed project. With implementation of mitigation, the impact of the proposed project to future water supply would be less than significant.

#### 3.7-23 Mitigation measure PS-A has been revised as follows:

**PS-A** Water usage of buildings to be retained shall be reduced by 20 percent. In order to demonstrate this reduction, the applicant shall use Worksheet WS-1 and WS-2, in Chapter 11 of the California Green Building Code entitled "Baseline Water Use" and "20% Reduction Water Use Calculation Table." Reductions to the site's water usage shall be demonstrated to the Planning Division prior to building permit approvals for Building 34 (Independent Living Building). Plumbing permits required in order to complete this reduction for the Oaks (Buildings 9 and 10) shall be finalized prior to a certificate of occupancy being released on Building 36. Plumbing permits required in order to complete this reduction for all other buildings (such as Buildings 1, 8, 19, 6 and 37) shall be finalized prior to permits being finalized for the proposed rehabilitation of Building 1 (Phase 5).

#### *3.7-24 Mitigation measure PS-B has been revised as follows:*

**PS-B** The applicant shall submit a detailed landscape plan that proposes the planting of "California Friendly" plants and the use of high efficiency irrigation technology. Landscape and irrigation plans shall be submitted for review with each phase of the proposed project and shall be reviewed by the Design Commission in combination with building plans. Areas of the acute psychiatric hospital (Building 35) that are not tied into the phasing plan (such as the

<sup>&</sup>lt;sup>2</sup> Based on 80 percent of water used becoming wastewater.

areas to the north and south of Building 10) shall be completed with the improvements in Phase 3. The project's landscape architect shall work with a historical consultant to develop a landscape plan that is sensitive to the historic character of the location for the historically eligible landscape features.

#### 3.8-25 Mitigation measure TRANS-A has been revised as follows:

**TRANS-A** Prior to the issuance of a building permit, the applicant shall be required to comply with the provisions of the City of Pasadena Transportation <u>Demand</u> Management Ordinance. The Transportation <u>Demand</u> Management Ordinance requires developers of non-residential projects to submit and implement a Transportation Demand Program. This plan is used to implement measures that would reduce the number of vehicular trips by persons traveling to the site by offering specific facilities, services, and actions designed to increase the use of alternative transportation modes (e.g., walking, bicycling, transit, etc.) and ridesharing.

# 5-3 5.2.3 Hybrid Alternative has been added to the Final EIR on pages 5-3 through 5-5 as follows:

During the Draft EIR comment period, the City of Pasadena Design Commission and Planning Commission requested an alternative that would reduce the size of the project to reduce the impact on trees, the viewshed, and historic resources. The project site contains approximately 1,032 trees, of which approximately 276 trees qualify for protection under the City of Pasadena Tree Protection Ordinance. By rearranging the proposed new buildings on the project site, the Hybrid Alternative would reduce the number of trees to be removed by 106, 22 of which qualify as protected. This alternative would result in the removal of approximately 143 trees, 38 of which are protected. In order to retain more trees compared to the proposed project, the footprint of the following three buildings would be modified: independent living facility (Building 34) and the assisted living facility (Building 32). The acute psychiatric hospital (Building 35) would be reduced by 12 percent in size from 77,500 square feet (proposed project) to 68,500 square feet and 40 percent in capacity, from 120 beds to 72 beds. The behavioral healthcare (Building 33) would be reduced 29 percent in size, from 10,560 square feet (proposed project) to 7,500 square feet and 32 percent in capacity, from 28 beds to 19 beds. Figure 5-1 shows the site plan under the Hybrid Alternative.

As shown, the assisted living facility (Building 32) would be reconfigured with a smaller footprint compared to the proposed project, protecting most of the trees surrounding the building. Reduction of the footprint of the assisted living facility would allow for the preservation of or reuse of the Las Palmas (Building 15) and the Lodge (Building 16), located on El Nido Avenue. The acute psychiatric hospital (Building 35) would be constructed toward the center of the project site, with the southeast wing of the building modified to accommodate the preservation the men's dormitory (Building 25). The barn (Building 27)

would also be adaptively reused and moved to an area south of the Millicent Way cul-de-sac. The independent living facility's (Building 34) northwest wing would be reduced in size to allow for preservation of the men's dormitory (Building 25). The eastern wing of the independent living facility (Building 34) would be foreshortened to accommodate the new design of the assisted living building (Building 32). Functional problems would be created from the reduced size of the independent living facility (Building 34), acute psychiatric hospital (Building 35), and the men's dormitory (Building 25). Table 5-1 shows the proposed square footage of the buildings in the Hybrid Alternative compared to the proposed project. All other components of this alternative would be the same as the proposed project.

Building		Proposed Plan		Hybrid Alternative			Difference			
Use/Name	No.	Square Footage	Units	Beds	Square Footage	Units	Beds	Square Footage	Units	Beds
Assisted Living	32	32,000	-	52	28,660		40	-3340		-12
Behavioral Healthcare	33	10,560	-	28	7,500		19	-3060		-9
Independent Living (Attached)	34	147,750	100	-	93,960	72		-53790	-22	
Acute Psychiatric Hospital	35	77,500	-	120	68,500		72	-9000		-60
Detached Independent Living Units	36	51,200	30	-	48,000	28		-3200		-2
Las Palmas	15	Remove		1,809		-	1809		-	
The Lodge	16	Remove		1,246	1		1246	1		
Men's Dormitory	25	Remove		3,092	3		3092	3		
Barn	27	Remove		2,300		-	2300		-	
	Total	319,010	130	200	255,067		225	-63943	-18	-83

#### TABLE 5-1 COMPARISON OF THE HYBRID ALTERNATIVE AND THE PROPOSED PROJECT

The Hybrid Alternative would conflict with the following objectives of the Las Encinas Hospital 2007 Master Development Plan:

- Retain behavioral healthcare as the core business while improving the current living environment for behavioral health patients.
- Maintain the aesthetic character of the existing campus by designing the new buildings so that they harmonize with and complement the older existing structures. Respect and maintain as many specimen trees as possible without destroying the viability of the site development.

Because the Hybrid Alternative would result in reductions in the acute psychiatric hospital (Building 35) and behavioral healthcare (Building 33) fewer services would be provided at

the hospital and behavroial healthcare. The reduction in size of the independent living facility (Building 34) from 100 units to 72 units would create a significant decrease in the amount of expected revenue which is necessary to fund the development of the Las Encinas Hospital 2007 Master Development Plan. Under this alternative vehicular circulation would be compromised due to the locatoin of the men's dormitory (Building 25). In addition, the men's dormitory (Building 25) presents massing issues, as it would be located between two three-story buildings, thereby conflicting with the objective to maintain the aesthetic character of the existing campus. Also, the new four-story assisted living facility (Building 32) would not complement the surrounding sturctures and would result in similar massing issues as with the men's dormitory (Building 25). Thus, development of the Hybrid Alternative was eliminated from further consideration.

5-7 5.3.2 No Project Alternative of the Final EIR has been revised as follows:

Under the 5.3.2 subheading, the No Project Alternative has been renamed to No Project/Reasonably Foreseeable Development and the following No Project/No Build Alternative has been add as follows.

### No Project/No Build Alternative

According to the CEQA Guidelines Section 15126.6(e)(3)(b), the No Project Alternative is defined as the "circumstance under which the proposed project does not proceed." The purpose of describing and analyzing the No Project Alternative is "to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." Under the No Project/No Build Alternative, the proposed project would not be constructed and the site would remain in its existing condition. The existing Las Encinas Hospital campus would continue to operate as under existing conditions. No new structures would be constructed and no structures would be demolished. The environmental characteristics would be the same as those described in the environmental setting sections of Chapter 3.0.

Construction impacts related to air quality, biological resources, cultural resources, hydrology and water quality, utilities, and noise associated with the proposed project would be avoided because no development would occur on the project site under the No Project/No Build Alternative. The existing structures would not be demolished and the existing uses would continue to operate in their current capacity and function.

Operational impacts associated with aesthetics, public services, and transportation and traffic would be avoided because no changes to the project site would occur. The number of vehicles trips to/from the project site would be similar to the existing conditions. Thus, no substantial increase in mobile emissions or vehicular noise would be expected to occur. This alternative would not achieve any of the objectives of the proposed project.

#### 5-19 The first paragraph under 5.3.4 has been revised as follows:

The project site contains approximately 1,032 trees, of which approximately 276 trees qualify for protection under the City of Pasadena Tree Protection Ordinance. The trees onsite include a mix of native and non-native species measuring 6 inches DBH or higher. Construction of the proposed project would require removal of approximately <u>61 protected trees</u>, or <u>5.9 percent</u>, and <u>189 unprotected trees</u> <u>250</u>, or <u>2418.3</u> percent, and relocation of 26 trees, or <u>3 percent</u> of existing trees of existing trees and relocation of approximately <u>26</u>, or <u>3 percent</u> of existing trees. In order to minimize the loss of trees, the Tree Mitigation Alternative was developed. By rearranging the proposed new building on the project site, the Tree Mitigation Alternative would reduce the number of trees to be removed by <u>53</u>, <u>11</u> of which qualify as protected. This alternative would result in the removal of approximately <u>197</u> trees. In order to retain as many trees as possible, the footprint of the following three buildings would be modified: independent living facility (Building 34), the assisted living facility (Building 32), and the adolescent psychiatry unit (Building 33). Figure 5-3 shows the site plan under the Tree Mitigation Alternative.

#### 5-24 The paragraph under Conclusion has been revised as follows:

Under the Tree Mitigation Alternative, approximately the same amount of new development would occur in terms of total square footage. However, this alternative would reduce the number of trees to be removed by 53, 11 of which are protected under the City's Tree Protection Ordinance. Compared to the proposed project, this alternative would remove 197 Thus, this alternative would result in a reduced impact to biological resources, trees. although implementation of mitigation measures would still be required. Further, Las Palmas (Building 15) and the Lodge (Building 16) would be retained in their existing locations on El Nido Avenue. Compared to the proposed project, only 2 historic buildings that contribute to the National Register-eligible historic district would be demolished (the men's dormitory, or Building 2725, and the Barn, or Building 2527). As such, the Tree Mitigation Alternative would result in reduced impacts related to cultural resources, although the impact would remain significant and unavoidable under this alternative because the Barn (Building  $\frac{25}{27}$ ), which is a critical component of the historic district, would still be removed. The impacts to air quality, hydrology and water quality, noise, public services and utilities, and transportation and traffic would be similar to the proposed project because essentially the same amount of new development would occur under the Tree Mitigation Alternative as is contemplated for the proposed project. Unlike the proposed project, this alternative would create a significant visual impact because the height of the independent living facility (Building 35) and assisted living facility (Building 32) would be increased to accommodate the reduced development footprint in order to minimize impacts to trees.

5-23 Table 5-1 on page 5-23 of the Draft EIR has been renumbered as Table 5-2 on Page 5-26 of the Final EIR and revised with the following table.

Impact Area	Proposed Project	<u>No Project/No Build</u> <u>Alternative</u>	No Project <u>/Existing</u> Master Plan Alternative	Building Mitigation Alternative	Tree Mitigation Alternative
Aesthetics	III	IV (Less)	III (Less)	I (Greater)	I (Greater)
Air Quality: Construction	II	IV (Less)	II (Less)	II (Similar)	II (Similar)
Operation	III	IV (Less)	III (Less)	III (Similar)	III (Similar)
Biological Resources	II	IV (Less)	II (Less Greater)	II (Similar)	II (Similar)
Cultural Resources	Ι	IV (Less)	I (Greater)	III (Less)	I (Less)
Hydrology and Water Quality	III	IV (Less)	III (Less)	III (Similar)	III (Similar)
Noise/Vibration: Construction	II	IV (Less)	II (Less)	II (Similar)	II (Similar)
Operation	III	IV (Less)	III (Less)	II (Similar)	II (Similar)
Public Services, Utilities and Recreation	III	IV (Less)	III (Less)	III (Similar)	III (Similar)
Transportation and Traffic	II	IV (Less)	II (Less)	II (Similar)	II (Similar)

#### TABLE 5-2 COMPARISON OF IMPACTS FOR THE PROPOSED PROJECT AND THE ALTERNATIVES

Notes:

I: Significant Unavoidable Impact

II: Potentially Significant Impact Unless Mitigated

III: Less Than Significant Impact

IV: No Impact

Less: Similar: Greater: Mixed: Impact is lower in magnitude than impacts of the proposed project Impact is similar in magnitude to impacts of the proposed project Impact is greater in magnitude than impacts of the proposed project Some impacts are less than, similar to, and/or greater in magnitude than impacts of the proposed project

#### **6.0 Clarifications and Modifications**

9-2 The following acronym has been added:

CWCP Comprehensive Water Conservation Plan

- *10-2 The following references have been added under California Department of Water Resources:* 
  - 2009a Notices. website http://www.water.ca.gov/swpao/docs/notices/08-07.pdf, accessed May 7, 2009.
  - 2009b Notices. website http://www.water.ca.gov/swpao/docs/notices/09-04.pdf; see also http://www.water.ca.gov/news/newsreleases/2009/031809allocation20.doc, accessed May 7, 2009.
  - 2009c Notices. website http://www.water.ca.gov/swpao/docs/notices/09-06.pdf, accessed May 7, 2009.
  - 2009d Press Releases. website http://www.water.ca.gov/news/newsreleases/2009/041509allocationam.doc, accessed May 7, 2009.
- 10-3 The following reference has been added under City of Pasadena:

2009 City Council Agenda Report. April 13, 2009.

10-4 The following reference has been added under Metropolitan Water District (MWD):

2009 Press Releases. website http://www.mwdh2o.com/mwdh2o/pages/news/press\_releases/2009-02/conservation%20increase.pdf, accessed May 7, 2009.

- 10-5 The following references have been added under Pasadena Water and Power:
- *10-6 The following new reference has been added:*

<u>State of California Office of Governor</u> <u>2009</u> Press Release. website http://gov.ca.gov/press-release/11556/, accessed May 7, <u>2009.</u>

10-7 The following new reference has been added:

 United States Fish and Wildlife Service

 2008
 Biological Opinion for State Water Project and Central Valley Project. website

http://www.fws.gov/sacramento/es/documents/SWP-CVP\_OPs\_BO\_12-15\_final\_OCR.pdf, accessed May 7, 2009.