

COMMENTS RECEIVED DURING THE PUBLIC HEARING ON THE DEIR

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Comments Received During the Hearing on the DEIR – Monday, September 24, 2007

Public comments pertaining to the adequacy of the DEIR have been briefly summarized below and responses provided. Comments not relevant to the adequacy of the DEIR may be included for consideration by the decision makers.

Commenting Party: Jay Kapitz

Comments:

1. The DEIR does not show how the tank at A8 would really look. It is hard to tell how the tank would look from the photo simulations.
2. States that the Initial Study shows that the costs between the aboveground and belowground tanks are the same and wants to know why.
3. Pipeline reliability is not addresses in the DEIR. Why is one preferable over another?
4. Prefers A7 tank site because it is further from the National Park.

Responses:

1. Figure 4 of the DEIR shows a plan view and a cross section of how the A8B alternative would look. As can be seen from the cross section A-A, under the A8B alternative, the tank would be belowground; however, the surface of the tank would be exposed and a vent would be above the surface. Also, seen from the A-A cross section and plan view, a berm would be constructed along the northern portion of the site. This berm would be between the recreational trail and tank so that it would block the view of the surface of the tank from the trail as approached from Doubletree Road. As can be seen from cross section B-B and the plan view, the tank would be nestled against an existing slope to the south/southwest. Figures 17 through 23 address the visual effects of the A8B alternative and show existing views and post-project simulated views from three view locations. As can be seen from the simulations (Figures 19 and 21), the tank itself will not be visible as approached from Doubletree Road. Persons on the trail adjacent to the site heading east towards the Santa Monica Mountains National Recreation Area will see the berm that would be created to screen the tank surface from this view orientation. The berm would be vegetated. The proposed fencing would also be visible as shown on Figure 19. Figure 19 shows the relocated game guzzler; however, (in response to comments) this feature is presently proposed to be relocated to another portion of the site further from the trail for the protection of the facility. The ultimate location will be determined in coordination with the RSRPD. As shown by Figure 23, viewers on trails located east of the A8 tank site and at a higher elevation that the tank site would see the gravel finish of the tank roof at grade, as well as fencing and the vent depending on how close the viewer is and how good their eyesight is.

2. At Site A8, because of the relatively flat topography, the initial cost of a buried concrete tank is on the order of \$700,000 more than the initial cost of an aboveground tank steel tank. Because tanks require a flat foundation, much of the grading at Site A7 goes into making the site flat. The existing topography at Site A7 is slightly higher than allows gravity filling of the tank without putting the tank in a deep hole. The aboveground tank would require a bigger hole with permanent side slopes. The buried tank requires a smaller hole with temporary (only during construction) side slopes. That is why the topography at Site A7 causes the buried tank at Site A7 to cost on the order of \$200,000 less than the aboveground tank at A7 and either to be more expensive than the buried tank at Site A8. (Cost issues do not need to be included in a DEIR as they are not relevant to the primary function of the DEIR which is focused upon the environmental effect of the project pursuant to CEQA [see Sections 15002 and 15131 of Title 14 of the California Code of Regulations]). However, accurate current relative costs will be useful for decision-making process. Staff is preparing a more detailed cost estimate, which will be available on the District's website in November.)
3. The focus of the California Environmental Quality Act is on the evaluation and disclosure of environmental impacts associated with proposed actions. The reliability of the proposed pipeline is not specifically an environmental effect and need not be evaluated in the DEIR. If there was a concern that lack of reliability would result in an environmental impact, this would appropriately be addressed in the CEQA documentation for the project. There has been no evidence brought forth that implies there would be a reliability issue associated with the proposed pipeline alternatives that would result in adverse environmental effects. None-the-less, the DEIR provides some comparative reliability information for consideration by the decision-makers and the public in Tables 3-1 and 3-2 of the DEIR Project Description (Section 3.0) and Tables A-1 and A-2 of the Revised Initial Study, provided as Appendix A of the DEIR.

The environmental benefits of one pipeline alternative comparative to another is most succinctly presented in Section 6.6.2 of the DEIR pages 6-18 through 6-20.

4. The comment does not address the adequacy of the DEIR and requires no response here but is provided for consideration by the decision-makers.

Commenting Party: Drew Fontaine

Comments:

1. Commentor opined that the installation of one tank is an incremental change that is not wanted and that based upon the vote of the people who passed the Save Open Space and Agricultural Resources Initiative there is great concern over the preservation of open space. He stated that he had 154 signatures of people opposing the A8 tank site.
2. Opined that tank site A7 is at a preferable elevation to tank site A8.

Responses:

1. The comment presents an opinion on the project, but is not specific to the DEIR. Therefore, no further response is required here. However, the comment is provided for consideration by the decision-makers. Petitions provided at the end of this section.
2. Either tank site provides adequate elevation for the proposed relocation of the Conifer Tank without the use of pumps. Please see response to Save Open Space comment No. 29 above for further information about determining the appropriate elevation for a water tank.

Commenting Party: Mary Weisbrock

Comments:

1. Why were the 14 other sites eliminated by the Board?
2. The DEIR says that Tank Site A8 is not environmentally superior.
3. How will the high water table at the A8 tank site, which was found during a low rain year, affect the tank?
4. The endangered Braunton's milkvetch found in the footprint of the A8 tank is not addressed in the EIR.
5. Due to the Homeland Security Act there needs to be a vulnerability assessment. How will the tank be protected.
6. Commentor is against alarms and lights for tank protection due to wildlife in the area that would be affected.
7. The EIR must address federal laws protecting the Santa Monica Mountains National Recreation Area.
8. The tank needs to be higher than what is provided for by the A8 site because the water needs to get to the Conifer Zone.
9. The tank size is now 2.4 MG is it acceptable to have options on gradients and size?
10. The commentor's opinion is that the visual impact of the tank is not reduced to less than significant.
11. Where is the Calleguas Lindero Feeder and what areas does it currently serve? Is the water currently pumped up to the Deerhill Tank?

Responses:

1. Please see response to comment No. 1 of the Save Open Space comment letter on the DEIR above.
2. The comment is correct in that the DEIR indicates that both the Mitigated A7B and A8B alternatives are considered environmentally superior in that neither have any significant impacts after mitigation. However, Table 6.6-1 and the text of Section 6.6.1 provide a relative comparison on the adverse impacts associated with these alternatives.
3. Please see response to comment No.9 of the Save Open Space comment letter on the DEIR.
4. Please see response to comment No.13 of the Save Open Space comment letter on the DEIR.
5. Please see response to comment No.14 of the Save Open Space comment letter on the DEIR.
6. The proposed security system would include the use of lights and alarm only in the event that a large animal or human entered the fenced area of the tank. This is expected to be a rare occurrence. The intent is to deter people and animals from entering the area. Because of the expected infrequent triggering of the system and innocuous nature of the system (light and sound), no significant impacts to animals are anticipated.
7. Please see response to comment No. 77 of the Save Open Space comment letter on the DEIR.
8. The A7 and A8 tanks sites were selected in part based upon the fact that they have the appropriate elevation to serve the community needs by gravity flow. Thereby eliminating any need for pumping. Also see response to comment No. 29 to the Save Open Space comment letter on the DEIR for additional information.
9. The DEIR addresses the worst case scenario with regard to the potential tank dimensions relative to environmental impacts. This allows the District some latitude in its ultimate design of the tank while ensuring adequate environmental review of potential environmental impacts.
10. The commentor expressed the opinion that the visual impact of the tank project would not be reduced to less than significant. The DEIR Section 5.1 Visual Resources (page 5-10, acknowledges in summary that the new tank may be seen as a degradation of visual resources in the area in which it is located. With the under-grounding of the tank, the visual impact although adverse, is considered in the DEIR to be less than significant.
11. The location of the Calleguas Municipal Water District's Lindero Feeder within Oak Park is shown as the blue line in the DEIR Figure 5, Pipeline Alternative A, and also as the

blue line in the DEIR Figure 8, Pipeline Alternative D. The Save Open Space (SOS) comment letter on the DEIR provided previously contains an overview map of Calleguas' Lindero Feeder that shows its extent outside Oak Park. In the overview map, Calleguas' Westlake reservoir is a mile west of Lindero Canyon Road. On the east side of Oak Park, Calleguas' Palo Comando Pump Station is a third of a mile east of Site A8. Calleguas' 4 million gallon Chesebro Reservoir is 1.1 overhead, straight-line miles or 2 pipeline miles east of Site A8. The Calleguas facilities within the National Recreation Area became unnecessary when Ahmanson Ranch became part of the Recreation Area. (See the DEIR, Page 6-4 for an explanation of why the Chesebro Reservoir is not a favorable alternative.)

Calleguas' Lindero Feeder serves all the areas of Oak Park with water pressure that would fill a tank to elevation 1,350 under static conditions. However, moving water has friction and that causes the water pressure to be lower when the water is flowing. The tank elevations needed to serve the various home elevations for areas of Oak Park are explained in the response to SOS comment No 29 above.

In short, yes, the Deerhill Tank with bottom elevation of 1,470 (dictated by the associated home elevations) requires a pump station to move water from the Lindero Feeder to the Upper Deerhill pressure zone.

Commenting Party: Don Jeffries

Comments:

1. Because he is a Quail View Court resident he is against A8.
2. Stated that it looks like the A8 tank will be completely buried, but he is confused about what is visible.
3. Thinks A7 is better if the existing pipeline is used.
4. High pressure gas pipeline not addressed.

Responses:

1. The comment presents opinions on the project, but is not specific to the DEIR. Therefore, no further response is required here. However, the comment is provided for consideration by the decision-makers.
2. Please see response to comment No. 3 of the National Park Service comment letter on the DEIR provided above.
3. The comment does not address the adequacy of the DEIR and requires no response here, but is provided for consideration by the decision-makers.

4. See response to comment No. 67 from the Save Open Space comment letter on the DEIR.

Commenting Party: Mimi Kim

Comments:

1. Concerned about the integrity of a tank at the A7 Site because of proximity to homes and school.

Responses:

1. Please see response to comment No. 1 of the Tract 4524 Home Owners Association comment letter on the DEIR.

Commenting Party: Neita Shinde

Comments:

1. Main concern is the proximity of the school to the A7 tank site.
2. Another concern is about the proximity of the recreational trail to the A7 tank site.
3. The commentor wants to see open space preserved.

Responses:

1. Please see response to comment No. 1 of the Tract 4524 Home Owners Association comment letter on the DEIR.
2. Section 5.2 of the DEIR addresses recreation including the proximity of both the A7 and A8 tank sites to recreational trails. Short-term impacts on trail use would be mitigated through the provision of bypass trails and over the long-term trail access would be maintained. Also, as discussed in the DEIR the trail adjacent to the A7 tank site receives much less use than the trail at the A8 tank site.
3. The comment does not address the adequacy of the DEIR, but is provided for consideration by the decision makers. Additionally the following information is provided. As discussed in Section c.2., Land Use of the Revised Initial Study provided as Appendix A of the DEIR, the tank is a relatively benign use that would not be inconsistent with existing land use. Furthermore, the tank would be a replacement tank for the existing Conifer Tank. Ultimately, the existing Conifer Tank site would be restored to open space conditions pursuant to the requirements of the Rancho Simi Recreation and Park District in whose jurisdiction the existing and proposed replacement tanks are/would be located.

Commenting Party: Rose Milanese-Skopp

Comments:

1. The commentor is concerned about the proximity of the A7 tank site to a school.
2. She is concerned about gas lines.
3. She is concerned that in an earthquake the tank would leak and cause a mudslide.

Responses:

1. Please see response to comment No. 1 of the Tract 4524 Home Owners Association comment letter on the DEIR.
2. Please see response to comment No. 67 of the Save Open Space comment letter on the DEIR. Also the following response is provided. While there is no gas line at the A7 tank site or in the access hillside, the same large gas lines near the A8 site, are in Kanan Road. The Kanan Road pipeline work for A7 will be near the gas lines. Many pipelines have been installed in Kanan Road paralleling or crossing these same large gas lines without incident. It is most accurate to say that both sites require care when excavating near gas lines. If there were an incident as a result of an excavation, the hazard may be considered greater for a street excavation than one at the A8 site due to the greater number of people that access the public streets versus the trails adjacent to the A8 tank site during the workday. None-the-less this potential impact is considered to be less than significant for the reasons identified above.
3. Please see response to comment No. 1 of the Tract 4524 Home Owners Association comment letter on the DEIR.

Commenting Party: Margaret Puryear

Comments:

1. Commentor is confused with respect to how deep the tank would be and how much would be shown.
2. Why were the other potential tank sites dismissed, especially the one near the existing Conifer Tank site?

Responses:

1. Figure 3 shows a plan view of the A7B Alternative and a cross section. The plan view shows the proposed site layout and the diameter of the proposed tank which is going to be between 115 and 125 feet. The cross section has a scale on the side and the bottom margins. From this cross section you can tell the elevation of the bottom and top of the

tank as well as the ground surface elevation. Additionally, the tank top and bottom elevations are designated on the drawing. The A7B alternative would have the tank constructed with a bottom elevation of about 1,344 feet or up to 10 feet lower. The top elevation of the tank would be about 1,344 feet. As can be seen from the figure the tank would be 30 feet in height and would be below the finished grade. However, a vent would be exposed above grade. The finished grade at the tank would be slightly sloped with the ground cover on the tank ranging from about 3 to 8 feet deep.

As described in Section 5.1, Visual Resources, of the DEIR, the A7B alternative would be subsurface (with the exception of a roof vent) and would only be visible from limited residents (e.g., some on Napoleon Drive). From such residential areas, the tank site would be seen as a variation in the vegetation of the background view. See Figure 14 for a photo simulation of post-project conditions under the A7B alternative as viewed from Napoleon Drive at Lindero Canyon Road.

Please see response No. 3 to the National Park Service comment letter on the DEIR for a discussion of the A8B tank alternative.

2. Please see response to comment No. 1 of the Save Open Space comment letter on the DEIR.

Comments from Planning Commissioners (Note: only Board member comments that are relevant to the EIR or otherwise require response from District staff or the EIR consultant are provided here)

Commenting Party: Director Janna Orkney

Comments:

1. Couldn't find high pressure gas line location.
2. Would like better legends on maps of the pipelines because they are confusing.
3. Would like an explanation of the two kinds of tanks, flow-through and fill and release.
4. Wants to know what the cost impact of the depth to water for the A8 tank will be.
5. Can't figure out what the depth to the tanks is and what size they are.
6. A7 simulated photo makes it look like its level.
7. Costs are confusing.
8. Wants a more quantified discussion of foot traffic at the proposed tank sites.
9. Opined that the game guzzler would be better placed further from the trail and tank.

10. Opined that a barbed wire fence wouldn't give much security but would be ugly.
11. How loud is 75 dBA?

Responses:

1. Please see response to comment No. 67 of the Save Open Space comment letter on the DEIR. Also see response to oral public comment No.2 from Rose Milanese-Skopp.
2. Figures 3-9 of the DEIR have been revised in response to this comment in an effort to make them more easily understood.
3. The advantages of a flow-through tank are mentioned in the DEIR Project Description, Section 3.0, page 3-3. By using separate in and out pipes, all the water provided to customers flows through the tank. That is; the tank can both fill and empty simultaneously. Because all the water supplied to customers flows through the tank, the water is kept fresher or a greater stored volume can be kept for more days. In contrast, a single pipe would require some water go directly from Calleguas to customers while the tank is filling. Historically, about half the water supplied to customers flows through the single pipe tanks and those tanks are less than half full briefly more than once a week. See also Responses to SOS Comments 34 and 104.
4. No cost impact is anticipated due to the slow seep of groundwater noticed in Bore Hole 1 at Site A8. See responses to comments Nos. 9 and 97 from the Save Open Space comment letter on the DEIR.
5. Please see response to Margaret Puryear's verbal comment No 1 for a discussion of the A7B alternative.

Please see response to comment No. 3 to the National Park Service Letter for a discussion of the A8B alternative.
6. The A7 simulated photo makes it look like the tank surface is level because it would be. The fill over the tank roof rises toward the east however.
7. The costs are confusing because the projects are complex. While cost issues are not relevant to certifying an environmental document, accurate current relative costs will be useful for decision-making. Staff is preparing a more detailed cost estimate, breaking out items that have been specifically commented on. The updated estimate will be available on the District's website in November.
8. Please see response to Save Open Space comment No. 75.
9. Please see response to comment No 3 to the Rancho Simi Recreation and Park District comment letter on the DEIR.

10. District staff selected a barbed wire fence in order to blend into the existing character of the open space. Presently there are other areas of barbed wire fence in proximity to the A8 site and this is typical as the open space area was formerly ranch property. The fence would serve to designate the limits of the tank site and is not intended as a physical barrier to humans. There would be “no trespassing” signs posted at the site, to keep people off of the tank.

Either Site A7 or A8 will have the same state-of-the-art structural features and electronic security measures that allow for a low-visibility barbed wire fence. Site A8 may have a more favorable security condition because of the additional trail traffic and potential that easier sheriff access would give would-be terrorists or vandals more fear of detection. The buried tank, either A7 or A8, does not offer much surface to vandalize.

11. Section C. 18, Noise and Vibration of the Revised Initial Study which is provided as Appendix A of the DEIR, provides setting information including characteristics of noise. Some sample typical sound pressure levels for common sounds are provided: rustle of leaves – 10 dB; ordinary conversation at 3 feet – 60 dB; and power mower at 5 feet – 100 dB.

In response to this question, sources including web page references from acoustical consultants (Acoustical Solutions and New York Product and Testing Services) were reviewed. Based upon these references, typical noise sources that would produce a noise level of 75 dB include a vacuum cleaner at 3 feet, an alarm clock at 4 to 9 feet, a large truck traveling 55 miles per hour at a distance of 50 feet (see attached noise level data table from Acoustical Solutions). It should be noted that the frequency of the noise source influences the perceived loudness of the noise.