CITY OF BURBANK

OFFICE OF THE CITY COUNCIL

February 15, 2006

Jawahar P. Shah
City of Los Angeles
Public Works, Bureau of Sanitation
Wastewater Engineering Services Division
2714 Media Center Drive
Los Angeles, California 90065

Dear Mr. Shah:

The City of Burbank (Burbank) appreciates the opportunity to comment on the Integrated Resources Plan Draft Environmental Impact Report (Draft EIR) released by the City of Los Angeles. As an amalgamated agency with Los Angeles for wastewater conveyance and treatment and a part of the Los Angeles River Watershed, Burbank's wastewater and storm water operations are inextricably linked with Los Angeles', thus coordination between our cities is essential.

While Burbank understands the need for the City of Los Angeles to improve and expand its wastewater, storm water and recycled water systems, these improvements should not have significant adverse impacts on neighboring cities. Unfortunately, the Glendale-Burbank Interceptor Sewer (GBIS) North Alignment alternative in the Draft EIR would cause unavoidable significant adverse environmental impacts to Burbank residents and businesses. The City of Burbank is adamantly opposed to the northern alignment and, therefore, requests that the Final Environmental Impact Report properly characterize the northern alignment as an environmentally inferior alternative and urges the City of Los Angeles to reject this alternative.

Fortunately, the Draft EIR presents the GBIS South Alignment alternative which would have significantly fewer impacts on the environment. Even though the GBIS South Alignment tunnels under a small section of Burbank, this southern alignment alternative is far superior to the GBIS North Alignment.

The GBIS North Alignment would create significant construction and operation related impacts on Burbank residents and businesses. The northern alignment includes tunneling under Burbank residential properties and businesses along with several maintenance holes in Burbank streets. Of particular concern are the possible shaft sites within or adjacent to the City of Burbank. Construction at the Valley Heart or Riverside West shaft sites would be extremely disruptive to Burbank residents and should be determined to be environmentally inferior in the Final Environmental Impact Report.

In addition, the Draft EIR fails to analyze health impacts to residents and workers from exposure to toxic substances known to contaminate both the water and soil that will be pumped and excavated during the three-year construction process. The significance of this omission, and the extent to which it renders the Draft EIR inadequate, are described in detail in the attached

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letter from toxicologist Susan L. Mearns, Ph.D., which is incorporated into the City's comments on the Draft EIR.

Burbank's specific concerns about the GBIS North Alignment are discussed in detail in below.

Executive Summary

Section 1.6 of the Executive Summary lists three areas of controversy that were raised by the public as part of the scoping process. Absent from this section is a discussion of the controversy surrounding the GBIS alignment alternatives. The only reason that this area of controversy was not discussed in the scoping process was the lack of information presented by Los Angeles regarding the alignments being considered for this project. Had these alignments been discussed, it is almost certain that there would have been public outcry.

The release of the GBIS alignment alternatives has generated outrage by residents that would be negatively impacted by the North Alignment. In fact, the vast majority of the comments made at the two public hearings in closest proximity to this proposed project (at the Van Nuys City Hall and Los Angeles Zoo) were about the GBIS alignment alternatives. Therefore, the Executive Summary is deficient in not both listing and describing the controversy surrounding the GBIS alignment alternatives.

Section 3.2 – Aesthetics

In the North Alignment Alternative, single-family residential areas are adjacent to Riverside East Site, the Valley Heart Site and the Riverside West Site where major structures (shafts, diversion/drops and ATFs) are to be constructed. In contrast, the South Alignment locates major structures away from single family dwellings. The aesthetic impacts on the residential areas impacted by the north alignment from the construction and operation of the major structures must be completely analyzed in the Draft EIR.

The project description (Section 2.1.1.10) does not provide any description of the final structures regarding their height, mass, lighting, etc. The description of the construction activities indicates that very high cranes, large loaders and dump trucks will be used. Yet, the analysis presented only provides general description of a 20 foot construction fence and the potential for exterior lighting. To adequately assess the aesthetic impacts on the residential areas near the major facilities proposed in the North Alignment, an adequate description of the structures and their construction must be provided. For example, the analysis briefly mentions light impacts, but does not describe the source or intensity of such light. Complete information will further reveal the unavoidable impacts on adjacent residential areas associated with the North Alignment.

Section 3.2.4.1 discusses the construction and operation of air treatment facilities (ATF) on the proposed GBIS alignments. Although Section 2 of the Draft EIR indicates that the Valley Heart site is a possible location for an ATF, the aesthetic impacts from the proposed ATF are never disclosed in the project level impact analysis of Section 3.2. An ATF at this site will significantly impact the aesthetics of the recreational area and surrounding homes. This is in contrast to the GBIS South Alignment where the proposed ATFs, if any, would not be visible to homes.

In addition, an ATF at the Valley Heart site will introduce nighttime lighting in an area immediately adjacent to light-sensitive single family homes where there is little or no existing lighting. The light and glare impacts to such sensitive receptors cannot be fully mitigated by directing or shielding the lights and will result in significant unavoidable impacts. The Final EIR

must include a more complete analysis of these impacts and compare them to the southern alignment, which does not include an ATF immediately adjacent to any residential neighborhoods.

Further, the Aesthetics Section must include an analysis of potential significant adverse aesthetic impacts resulting from destruction of dense native coast live oak, California black walnut and California sycamore trees at Bette Davis Park if the GBIS northern alignment is constructed. This adverse impact will significantly alter the character of an established and highly used recreation resource, and the failure to discuss this adverse aesthetic impact renders the impact analysis inadequate.

Section 3.4 – Air Quality

Section 3.4 of the Draft EIR addresses Air Quality impacts of the proposed projects, but does not include analysis of the construction impacts in terms of the Localized Significance Thresholds (LST) now required by the SCAQMD (SCAQMD, Localized Significance Methodology, June 2003). While the analysis on pages 3.4-111 and 3.4-112 shows the daily and annual emissions resulting from construction, the analysis does not compare these emissions to established thresholds and does not indicate their effects on nearby sensitive receptors as required by SCAQMD. Such an analysis would likely reveal that construction air quality emissions from the North Alignment would be significantly greater than that associated with the south alignment because so many more sensitive receptors are located near north alignment structures. (The noise section demonstrates that over one hundred homes are adjacent to the major structures in the North Alignment, while no homes are near the major structures of the South Alignment.) The Final EIR must include an analysis consistent with the LST methodology and must compare the impacts for the two alignment alternatives.

The Draft EIR also describes potential significant adverse impacts to air quality resulting from the formation of odors by the GBIS. Section 3.4.2.5 states that "the proposed ATFs associated with each of the GBIS alignments would be constructed at sites that currently have no sewer gas emissions. As a result, no existing wastewater-related odor sources are associated with sites where ATFs are proposed." Unfortunately, this is not correct.

Section 2 of the Draft EIR lists the Valley Heart site as a possible location for an ATF if the GBIS North Alignment is chosen. The GBIS North Alignment, as shown on figure 2-10 is almost identical to the existing Los Angeles North Outfall Sewer (NOS) alignment as it passes through residential areas in the City of Burbank, including the Valley Heart site. As stated in the Draft EIR, "odors are occasionally observed near maintenance holes associated with . . . the NOS."[1] Therefore, there <u>are</u> existing wastewater related odor sources where an ATF is proposed.

Furthermore, Figure 3.4-9, which attempts to indicate locations of odor complaints near the Northeast Interceptor Sewer – Phase II (NEIS II) and GBIS from March 2003 to January 8, 2005, is incomplete. This map may show all of the odor complaints received by the City of Los Angeles during this time, but it does not include odor complaints received by the City of Burbank. Figure 3.4-9 leads the reader to an incorrect conclusion that existing odors are not an issue in the area. In 2003 and 2004, the City of Burbank received 67 odor complaints in the vicinity of the Valley Heart site (see attached map). The North Alignment of GBIS, which includes a shaft site and ATF at the Valley Heart site, would add an additional odor source to this area.

[1] Integrated Resources Plan – Draft Environmental Impact Report, page 3.4-45.

On page 3.4-46, air toxics related to the GBIS alignments are addressed. The second paragraph of this section states:

> *In addition, existing sewer systems in the general GBIS vicinity, such as the NOS or VORS, could generate emissions of sewer gas through unsealed maintenance holes. Sewer gas can contain H_2S and small quantities of VOCs (Tran, 2005). The proposed ATFs associated with each of the GBIS alignments would be constructed at sites that currently have no sewer gas emissions.*

As discussed above, areas near the Valley Heart site currently do experience sewer gas emissions. The placement of an ATF at this site would exacerbate an existing condition, and thereby, impose a significant adverse impact on residents in this area.

Section 3.4.3.2 attempts to summarize the air quality impacts to the project level components. Included in the analysis of the GBIS South Alignment is Table 3.4-54 (page 3.4-114), Maximum H_2S Concentrations Associated with ATFs for the GBIS South Alignment. This table illustrates that four of the five ATF sites exceed the odor threshold. The four that exceed this threshold are 17 to 20 meters from the receptor. It is this proximity that causes the maximum H_2S concentration to exceed the threshold of 11.26 $\mu g/m^3$.

Rather than create a table for the North Alignment similar to Table 3.4-54, page 3.4-115 refers back to the Table 3.4-54 used for the South Alignment. Referencing a previous table instead of creating a new one is only acceptable where the intent is to prevent needless repetition. In this case, information and analysis of the Valley Heart shaft site has not been shown and should be included in a table for the GBIS North Alignment.

In place of providing a table that includes the Valley Heart shaft site, the Draft EIR merely indicates that the Valley Heart shaft site exists, the nearest sensitive receptor is less than 33 feet away, and that it would likely experience objectionable odors. There are a couple of disturbing aspects about addressing air quality impacts at the Valley Heart shaft site in this manner.

First, when analyzing the other possible ATF sites the distance to the receptor is listed in meters. The given distance to a receptor for the Valley Heart site is in feet. If converted to meters so that a direct comparison can be made, the receptor distance for the Valley Heart site is 10 meters. This would be easily the closest receptor distance of any possible ATF site. By listing the distance in feet rather than meters, an unfair comparison of odor impacts is made. Including a table using the same units for all possible ATFs must be done to make an accurate comparison.

Second, it appears no analysis was done for the Valley Heart site to see if the maximum H_2S concentration will exceed the threshold of 11.26 $\mu g/m^3$. The Draft EIR makes the assumption that the threshold will be exceeded, but does not include the result of the analysis. Due to the proximity of the receptor, it is likely that the maximum 1-hour H_2S concentration will be much higher than those possible ATF sites where the nearest receptor is at least 17 meters away. The missing analysis and lack of resulting data to compare ATF sites masks the true odor impacts of the possible use of the Valley Heart site for an ATF. The Draft EIR analysis of potentially significant air quality impacts is, therefore, inadequate and must be revised to present a comparative analysis of the impacts of both the northern and southern GBIS alignments.

Section 3.5 – Biological Resources

In Section 3.4, both GBIS alignments are analyzed in regards to the disruption of biological resources during both construction and operation. The Draft EIR explains that the Riverside East shaft site (Bette Davis Park) in the GBIS North Alignment may require the removal of trees protected by local ordinances. The section states:

> *The non-native landscaped vegetation on the shaft sites, except for one, consists of ornamental species, and none of the trees have removal restrictions under local tree ordinances or policies. The exception is the Riverside East shaft site area, which supports a dense grove of trees that includes native coast live oaks, California black walnuts, and California sycamores. In the event native trees onsite cannot be preserved or avoided, impacts to trees would occur in conflict with local ordinance and policy.*

It is unlikely that the removal of many of these protected trees could be avoided due to the density of the trees at this location. Not only do these trees have a protected status, but they are situated directly across the street from single family dwellings. These trees are situated directly across from single family residences where they are enjoyed by the public. The loss of these protected trees is completely unnecessary since the GBIS South Alignment would not cause their removal. Furthermore, the Draft EIR on page 3.5-19 clearly demonstrates that the sites designated for major structures in the North Alignment contain more sensitive biological resources than the sites in the South Alignment. Therefore, the GBIS North Alignment creates an unnecessary environmental impact and should be rejected.

Section 3.9 – Geology and Soils

Tunneling for either the northern or southern alignment of the GBIS is expected to cause ground settlement that cannot be fully mitigated. The Draft EIR states that the settlement will be controlled by requiring the contractor to comply with a performance standard that limits settlement to less than 0.75 inch. The impacts to residential and commercial properties from three-quarter-inch settlement would be much more significant than to open space or areas within the public right-of-way. The northern alignment appears to be under more residential properties than the southern alignment; thus, significant adverse settlement impacts will be greater if the GBIS were built along the northern alignment. In order to provide full and adequate disclosure of the impacts from the GBIS northern and southern alignment options, the Geology and Soils Section must be revised to provide a comparative analysis of adverse settlement impacts that may result from implementation of both alignments.

Section 3.12 – Land Use and Planning

The adopted Los Angeles River Master Plan (page 251 figure 58) shows an equestrian bridge from the Pollywog area across the LA River to facilitate equestrian activities in the Pollywog area. The proposed construction activities and Air Treatment Facility associated with the "Northerly Alignment" will conflict with equestrian use of the Pollywog area and are in conflict with equestrian provisions in the Los Angeles River Master Plan. This plan inconsistency needs to be disclosed and analyzed in the Draft EIR.

As well, according to Section 3.12.3.2, the GBIS North Alignment could require permanent underground easements from private properties. Underground private property easements

would not be required if the GBIS South Alignment is selected. In addition, the GBIS North Alignment may require the acquisition of private property at 11003 W. Moorpark Street or 10928 W. Riverside Drive. A drop structure is proposed either on Caltrans property or one of these sites. This structure would limit the ability for these sites to be fully utilized in the future. This impact to land use would not occur with the use of the GBIS South Alignment.

Section 3.13 – Noise and Vibration

No other impact so clearly delineates the disproportionate impacts associated with the North Alignment than noise. There are three construction sites in the North Alignment and two construction sites in the South Alignment that are exclusive to each. These are the Riverside East, Valley Heart and Riverside West sites in the North Alignment, and the Barham and Travel Town sites in the South Alignment. The noise impacts on the three North Alignment sites are extraordinarily significant.

The noise and vibration impacts of GBIS construction are proposed to occur for three years and to increase noise levels dramatically. Noise levels are expected to achieve a community noise equivalent level (CNEL) of 88 dB or more at the construction site. (While many of the tables in this section of the Draft EIR do not clearly point out that the noise levels are measured in CNEL, it is clear from Table 3.13-28 regarding the NEIS, that the dB levels are expressed in CNEL.) CNEL is not a peak noise, or a periodic noise, but the average noise over a 24 hour period. Peak noise levels are well in excess of 95 dBA. Even considering the attenuation of noise over distance, the CNEL levels in adjacent residential areas could be well over 80 CNEL. While short term, peak construction noises might be tolerated, noise from a three-year construction project that would raise CNEL levels to this degree would be excessive.

A comparison of the ambient noise level impacts between the GBIS North Alignment and GBIS South Alignment demonstrate how the southern alignment is environmentally superior. Table 3.13-33 and Table 3.13-35 of the Draft EIR list the number of sensitive receptors that will experience significant adverse noise levels during construction on the GBIS South Alignment and GBIS North Alignment, respectively. The data totals from those tables are illustrated in the table below:

Data Totals from Tables 3.13-33 and Table 3.13-35 **Sensitive Receptors that Would Experience Noise Level of 5 dBA or More During Construction**					
	Residences				
Alignment	**SFR**	**MFR**[a]	**School/Church**	**Parks**	**Other**
South Alignment	88	19	3/1[b]	4	1
North Alignment	175	47	2/1	5	0

MFR: single-family residence
SFR: multi-family residence
[a] Where the type of residential land use could not be identified, structure was classified as a multi-family building
[b] Total shown on Table 3.13-33 incorrectly presents the sum of 2/2. The corrected summation is shown here.

It is clear from this table that the GBIS North Alignment causes significant adverse noise impacts to over twice as many residential properties as the GBIS South Alignment. Of these 222 residential properties impacted by construction noise from the North Alignment, 82 are Burbank residences and 34 are Glendale residences. This totals 116 non-Los Angeles residences impacted by noise on a Los Angeles project. The noise related impact on Burbank residents is particularly concerning when an alternate alignment is feasible.

This table does not illustrate the extreme magnitude of the impacts because it only indicates that noise increases would exceed 5 dB. As stated in Table 3.13-34, noise levels near the Riverside East, Valley Heart and Riverside West sites would rise from CNEL levels of 56 and 58 dBA to a CNEL of 88 dBA. This is a shocking increase that would make some residential areas almost uninhabitable.

The Draft EIR attempts to evaluate noise impacts in part by measuring noise at various proposed shaft sites. The noise measurements at the Valley Heart shaft site were taken over a 24 hour period on February 28, 2005.[2] This noise measurement showed that the primary noise at the site was traffic on SR-134. Since the time of this noise measurement, a sound wall along westbound SR-134 has been completed. This has significantly reduced the noise from the highway and has rendered the noise measurements in the Draft EIR invalid.

Not only did the sound wall reduce highway noise in the location of the Valley Heart shaft site, but, if the GBIS North Alignment is selected, this new sound wall will reflect construction noise back into the community creating a doubling of project-level construction noise. The effect of this “double impact” (lower background noise due to the sound wall and higher GBIS noise bouncing off the sound wall) will create an intolerable ambient noise level to the many residents that are adjacent to this shaft site and significantly degrade recreational activities at the site.

In addition to ambient noise caused by construction, groundborne noise will be caused by muck trains during the tunneling operation. During a similar sewer project (NORS) previously constructed by the City of Los Angeles, groundborne noise from muck train operations was a

[2] Integrated Resources Plan – Draft Environmental Impact Report, Table 3.13-8, page 3.13-29

major source of community complaints.[3] Comparison between the two alignments yields the following table:

Data from Page 3.13-79 and 3.13-83 **Groundborne Noise Levels Greater than 45 dBA Caused by Tunnel Construction**				
Alignment	**Residences**		**School/Church**	**Other**
	SFR[a]	**MFR**		
South Alignment	101	13	1/0	3
North Alignment – Option A	126	246	6/2	-
North Alignment – Option B	102	168	2/2	-
[a] SFR: multi-family residence MFR: single-family residence				

As this table shows, groundborne noise levels under the GBIS North Alignments impact <u>over 150 more</u> multi-family residential buildings than the GBIS South Alignment. Considering that each multi-family residence can house dozens of people, there can potentially be thousands of people disturbed by groundborne noise levels if either of the GBIS North Alignment alternatives is chosen. The groundborne noise impact will be significantly less under the South Alignment and must therefore be the selected alignment.

Additionally, the Draft EIR should consider the noise standards of the community and residents the GBIS is impacting. The City of Burbank has a Noise Ordinance which prohibits any increase in the ambient noise level established for a residential neighborhood during the evening hours. The proposed Air Treatment Facility would be located adjacent to a single family residential neighborhood, upon which the project will impose significant adverse noise impacts. To be adequate, the Draft EIR needs to incorporate an analysis of noise impacts at the Valley Heart site under Burbank's noise standards.

The Draft EIR misleads readers on the comparisons shown on Table 3.13-36 by providing only generalized statements. A reader of this Table would believe that the noise impacts between the two alignments were essentially equivalent when in fact the impacts from the North Alignment are much greater. At a minimum, the Final EIR should include the number of sensitive receptors in each cell of the Table where impacts are shown.

Section 3.14 – Population, Housing and Employment

As stated in Section 3.14.3.2, the GBIS South Alignment would require the partial acquisition of a private property. This parcel is currently vacant, and no displacements of residents, businesses or employees would occur. On the other hand, the Optional Alignment A of the GBIS North Alignment would require the acquisition of a parcel that is developed by an automobile repair facility. Relocation of this business would need to be provided if this alignment was selected. Optional Alignment B of the GBIS North Alignment could require the acquisition of a surface parking lot that contains four parcels. If this site is used, additional parking would need to be acquired for the businesses that use this lot. Therefore, there is

[3] Integrated Resources Plan – Draft Environmental Impact Report, page 3.13-69.

clearly a greater impact on employment if either GBIS North Alignments are selected. This adverse effect contributes to the GBIS South Alignment being environmentally superior to the GBIS North Alignment and, therefore, must be included in a comparative analysis of the two options.

Section 3.16 – Recreation

Table 3.16-5 of the Draft EIR lists the recreational resources within a 2-mile radius of GBIS. Unfortunately, this table does not list Pollywog, the site of the proposed Valley Heart shaft site on GBIS North Alignment, even though the Pollywog area may be part of the Griffith Park Trust lands. Pollywog is used frequently by the equestrian community in this area to exercise their horses and for other recreational purposes. It also provides a critical link to an equestrian trail along the Los Angeles River.

Losing the use of this facility is of great concern to the residents of the City of Burbank. The horses owned by residents need to be properly exercised, and this area is the only suitable place for this purpose. Although the site is large enough to theoretically allow for both the shaft site and equestrian use, the site could not be used during construction because the noise and equipment movement would frighten the animals.

In addition to the construction impacts, an ATF is proposed for this site if the GBIS North Alignment is selected. Locating an ATF on this site would permanently restrict the use of this site for recreational purposes. Section 3.16.2.2 of the Draft EIR fails to recognize the possibility of an ATF at the Valley Heart site and therefore has not assessed the environmental impacts on recreation at this site.

The following table compares the two shaft sites unique to the GBIS South Alignment and the three shaft sites unique to the GBIS North Alignment in regards to recreation impacts:

	Significant Construction Impact? Duration?	Significant Operational Impact?	Adjacent to Residences?
South Alignment			
Travel Town Shaft Site	No	No	No
Barham Shaft Site	No	No	No
North Alignment			
Riverside East Shaft Site	**Yes – 3 years**	No	**Yes**
Valley Heart Shaft Site	**Yes – 3 years**	**Yes**	**Yes**
Riverside West Shaft Site	**Yes – 3 years**	No	**Yes**

The table above clearly illustrates that the impacts on recreation are significantly greater on the GBIS North Alignment than those on the GBIS South Alignment.

Section 3.17 – Transportation and Traffic

Section 3.17.3.2 and Tables 3.17-21 and 22 indicate that the peak phase of the construction activity would add 114 one-way truck trips, and 150 construction worker trips per day at each

active shaft site on the GBIS project. Although this estimate is equivalent in both alignments, the increased truck traffic has a greater negative impact on the GBIS North Alignment. The Barham and Travel Town sites associated with the South Alignment would utilize Forest Lawn Drive. At the Barham site, Forest Lawn Drive has four travel lanes, a median and two parking lanes. At the Travel Town site, Forest Lawn Drive has a controlled stop at Zoo Drive, two parking lanes, a median, several turning lanes and convenient freeway access.

In contrast, the shaft sites for the GBIS North Alignment would use streets with much less capacity. The streets to be used for the Riverside East Site are not included in the analysis presented on Table 3.17-22. The cells for the streets to be used and for the projected traffic trips are empty. This analysis needs to be completed in the Final EIR. Nevertheless, the construction traffic for the Riverside East site would use either Riverside Drive where it is narrow and has no shoulder or parking lanes, or the narrow two lane residential Garden or Davis streets. The Valley Heart Site would use the narrow two-lane residential Valley Heart Drive and Reese Place. The Riverside West site would have access to Riverside Drive, but would also impact the residential cul-de-sac of Bob Hope Drive. In all cases for the North Alignment shaft sites, the over 400 construction traffic trips would occur in residential areas.

Additionally, since the Valley Heart shaft site is located in an equestrian community, there are often horses that share the local streets. The problem is exacerbated when the horse trails are blocked by construction at the Valley Heart shaft site. The GBIS North Alignment would place over 100 truck trips on the same streets that the horses travel, creating a significant adverse traffic safety hazard, which must be analyzed in the Draft EIR.

The traffic analysis also does not provide haul routes for the mucking operations, but it does provide some intersection impact analysis on Tables 3.17-19. Generally, the volume capacity ratio (V/C) increases for the North Alignment are much greater than those for the South alignment. While there are significant impacts with both alignments, the rise in V/C ratios for various intersections ranges between 0.174 and 0.843 for the South Alignment, but ranges from 0.343 to 1.009 for the North Alignment. Clearly, the traffic impacts under the North Alignment far exceed those for the South Alignment. The analysis also obscures the fact that the two shaft sites for the South Alignment have convenient freeway access, while the three shaft sites for the North Alignment require long circuitous routes through residential areas to reach the freeway.

The traffic analysis also does not provide complete data on the parking impacts. The Draft EIR indicates the need for 75 parking spaces and listed streets where on street parking may be displaced. However, this list does not include the residential streets near the Valley Heart or the Riverside East sites, and only one small segment of a street near the Riverside West site. No methodology or analysis is presented to provide background on these conclusions. A complete analysis must be included in the Final EIR to assure that parking impacts are fully analyzed.

The traffic impacts associated with the North Alignment are severe. A large number of large haul vehicles will be traversing narrow residential streets for a three year period. Construction worker traffic will similarly impact residential streets. Intersection impacts would be as high as an increase of 1.09 V/C ratio which means that project related traffic, in and of itself, will completely overwhelm the capacity of an intersection. Impacts of this magnitude are significant, unavoidable, and much greater than the South Alignment. The Final EIR should make this distinction clear so that the North Alignment emerges as the environmentally inferior alternative.

Summary and Conclusion

The City of Burbank believes that the Draft EIR is currently inadequate because it fails to disclose and analyze all potentially significant adverse environmental impacts of the GBIS. Further, the Draft EIR fails to provide a comparative analysis of the significant adverse impacts of the GBIS South Alignment and GBIS North Alignment. Such an analysis will clearly show that the GBIS South Alignment is environmentally superior to the GBIS North Alignment. In light of CEQA's mandate that a public agency should not approve a project where feasible alternatives would substantially lessen significant environmental impacts (14 Cal. Code Regs. § 15021), the City of Burbank urges the City of Los Angeles to reject the GBIS North Alignment.

Further, the Draft EIR must be recirculated for public review and comment after all revisions are made because substantial new information will be required to address the City's comments set forth in this letter (see 14 Cal. Code Regs. § 15088.5). Failing to recirculate the Draft EIR after it is revised to: identify the preferred alternative, preferred GBIS alignment and environmentally superior alternative; to adequately address noise, air quality and traffic impacts; and to analyze impacts to human health from exposure to hazardous materials will deprive the public of a meaningful opportunity to review this new information.

We appreciate the opportunity to comment. If you have questions for City of Burbank staff, please contact Rodney Andersen at (818) 238-3931.

Sincerely,

Jef Vander Borght
Mayor

Dave Golonski
Council Member

David W. Gordon
Council Member

Marsha R. Ramos
Council Member

Attachments:

Comment Letter from Mearns Consulting Corporation
Figure 3.4-9 Update

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February 3, 2006

via email and US Mail

Mr. Rodney Andersen
Principal Civil Engineer
City of Burbank
275 E. Olive Avenue
Burbank, California 91502

RE: **Comments**
City of Los Angeles, Integrated Resources Plan, Facilities Plan
Draft Environmental Impact Report

Dear Mr. Andersen:

Pursuant to your request and authorization, I have reviewed the Executive Summary, Sections 1, 2, 3.4, 3.10 and 3.11 of the Draft Environmental Impact Report (DEIR) prepared for the Integrated Resources Plan, Facilities Plan on behalf of the City of Los Angeles relative to the Glendale-Burbank Interceptor Sewer (GBIS) North Alignment Options A and B and the GBIS South Alignment.

General Comments

The DEIR does not identify a Project, instead it presents Alternatives and identifies Alternative 4, Expansion of Tillman to 100mgd with Cisterns, (page ES-22, Section ES1.7.1) as the Environmentally Superior Alternative. Although, the DEIR also identifies Alternative 1, Hyperion Expansion to 500mgd, as the Environmentally Superior Alternative (page ES-24, Section ES1.9) as well. Clarification regarding which Alternative, 1 or 4, is the Environmentally Superior Alternative would be beneficial.

Moreover, the DEIR states that the Preferred Alternative will be identified in the Final EIR in order to consider Public and Agency comments to the DEIR prior to selecting a Preferred Alternative.

Although the stated intent is commendable, it is difficult to provide thoughtful comments on the DEIR without the *a priori* identification of the Project, or Preferred Alternative. Indeed EIRs, pursuant to CEQA guidelines, should identify the environmental impacts of the proposed Project and Alternatives and why the Project is preferred over the Alternatives.

The DEIR does not identify which GBIS Alignment, the GBIS North Alignment Option A or Option B or the GBIS South Alignment, is preferred due to posing less of an impact on the environment. An EIR should evaluate all three GBIS alignment options and present the preferred alignment option on the basis that it poses less of an environmental impact than the alternatives.

GBIS Comments

Page 3.4-8 – The DEIR identifies sensitive receptors as identified by the California Air Resources Board (CARB) yet does not consider the potential impacts on these sensitive receptors of tunneling through soils contaminated with volatile organic compounds (VOCs) and the subsequent release of these volatile contaminants into the atmosphere. Nor does the DEIR consider the potential health impacts on these sensitive receptors of dewatering groundwater contaminated with VOCs and the subsequent release of these VOCs into the atmosphere.

As the number of sensitive receptors that will be potentially exposed to VOCs released from tunneling and dewatering activities is significantly greater along the GBIS North Alignment, regardless of which Option A or B is implemented, the GBIS North Alignment therefore is less environmentally superior than the GBIS South Alignment.

As the volume of contaminated soils and groundwater that will be encountered during the tunneling and dewatering activities conducted for the GBIS North Alignment, regardless of which Option A or B is implemented, is significantly greater than the volume of contaminated soils and groundwater at the locations associated with the GBIS South Alignment, the GBIS North Alignment is less desirable than the GBIS South Alignment.

Page 3.4-13 – The DEIR summarizes the SCAQMD's MATES-II study and states the cancer risk identified in the MATES-II study within the South Coast Air Basin (SCAB) due to inhalation of toxic air contaminants (TACs) was 1.4×10^{-3}, i.e., where 1.4 people within a population of 1,000 are at an increased risk of developing cancer or adverse health impacts due to exposure to TACs through inhalation.

Furthermore, the DEIR states the MATES-II study attributes 90% of the increased cancer risks to mobile sources including diesel particulate emissions (70%) and VOCs (20%) and the remaining 10% from VOC emissions from stationary sources. Therefore, 30% of the increased cancer risks are attributed to VOC emissions. As the emissions of VOCs from contaminated soils and groundwater underlying the GBIS North Alignment, regardless of implementation of Option A or B, will be greater than the emissions of VOCs from contaminated soils and groundwater associated with the locations of the GBIS South Alignment, the GBIS North Alignment is less environmentally superior than the GBIS South Alignment.

Page 3.10-2 – The primary contaminants of concern identified in the Superfund areas are tetrachloroethylene (PCE) and trichloroethene (TCE). Potential sources of PCE and TCE in groundwater were identified, but conspicuously absent was any mention of aerospace industry, the single biggest contributor to PCE and TCE pollution in groundwater underlying Burbank, i.e., within the San Fernando Valley Superfund Site.

The DEIR does not mention that residual concentrations of volatile organic compounds (VOCs) such as PCE and TCE that are adhered to clay particulates in the soil at depth will volatilize when exposed to the atmosphere. As the depth of the tunneling is expected to be between 15 to 180 feet below ground surface (bgs) the probability that workers will be exposed to concentrations of PCE and TCE both in the soil column and in the vapor phase is great.

Additionally, the DEIR does not mention the probability that concentrations of PCE and TCE in groundwater underlying the areas to be tunneled as part of the GBIS Alignments will volatilize as the overburden is removed during the tunneling, exposing workers to concentrations of PCE and TCE in the vapor phase.

Moreover, the DEIR does not mention the proximity of the GBIS to residences on Elmer Street, Hood Avenue, Griffith Park Drive, Garden Street, and school children at Oakwood Elementary, Rio Vista School, St. Charles Catholic School, Providence High School, and infirm at St Joseph's Medical Center that also may be exposed to PCE and TCE in the vapor phase during tunneling and dewatering activities.

Adding concentrations of PCE and TCE to the atmosphere in Burbank will contribute to the health risk of the residents, especially the sensitive populations such as children, the elderly and the infirm. This potential health effect of the GBIS Alignment is not discussed in the DEIR.

Page 3.10-11 – The DEIR states that approximately 44 of 89 sites identified on government databases within the GBIS Alignment corridors have soil and/or groundwater contamination. However, the DEIR does not differentiate between those sites within these 44 that are gasoline service stations with total petroleum hydrocarbon (TPH) contamination emanating from leaking underground storage tanks (USTs) and therefore, relatively low risk versus those sites that are Superfund sites and presumably pose greater risk to human health due to the types of chemicals and concentrations of chemicals detected in soils or groundwater.

Page 3.10-21 – The DEIR indicates that dewatering might be required if groundwater is encountered during tunneling. Although the DEIR briefly mentions that disposal of contaminated groundwater encountered during dewatering would be mitigated by appropriate testing and treating, there is no mention of mitigating the risk posed to human health due to exposure of the contaminated groundwater.

The DEIR states that methane gas concentrations would be kept low so as not pose an explosive hazard, although, specific mitigation measures are not identified.

Page 3.11-66 – The DEIR states that construction of the GBIS North Alignment (Option A or B is not specified) crosses closer to the groundwater plume, i.e., the San Fernando Valley Superfund Site, Area 2, pursuant to the June, 2003 delineation of the groundwater plume than does the GBIS South Alignment.

Furthermore, the DEIR states the tunneling activities could act as a preferential pathway for contaminated groundwater thereby increasing groundwater contamination into areas with lower contamination levels or extending the plume at higher rates than would otherwise occur.

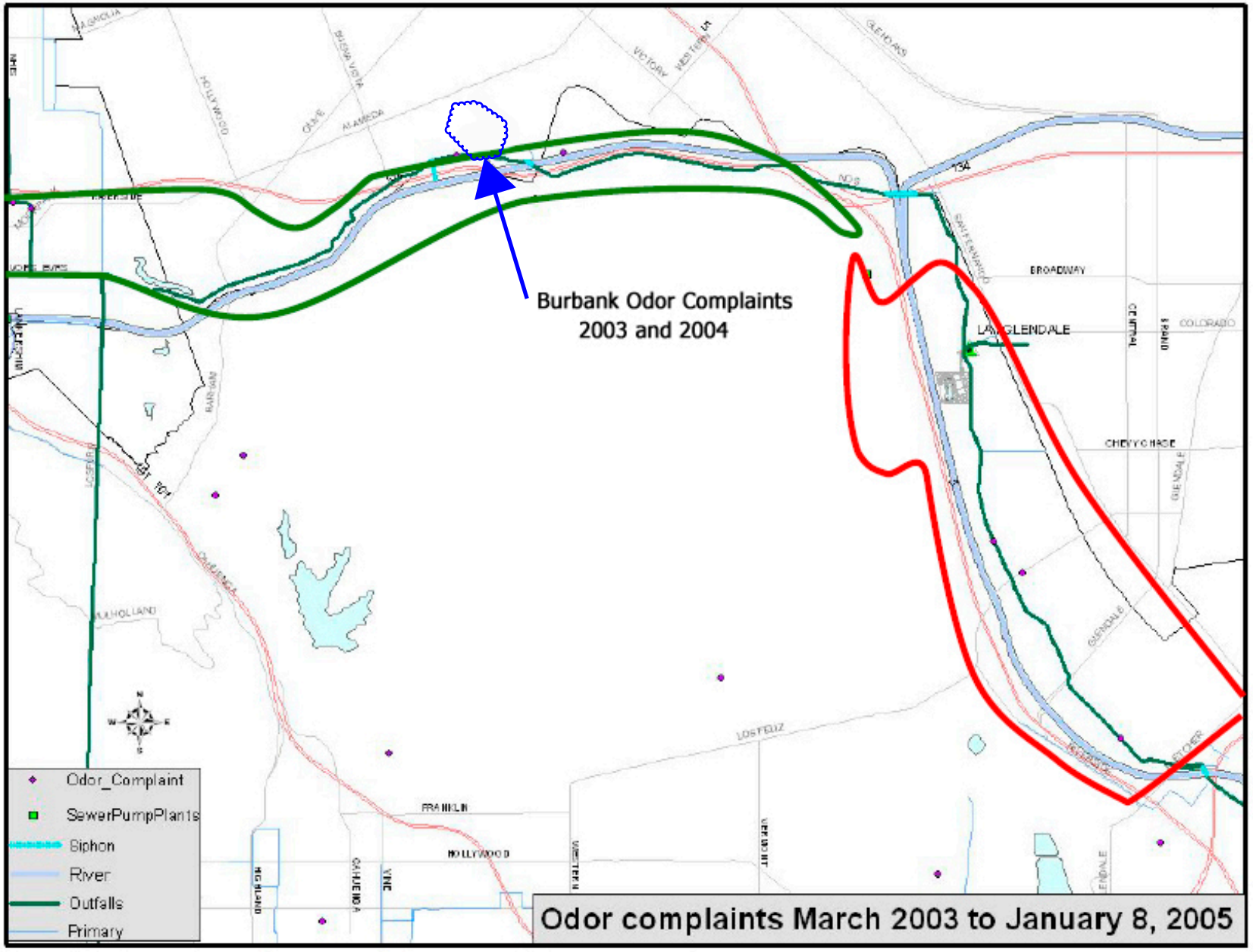
The GBIS North Alignment, therefore, would increase the extent of contaminated groundwater, identified as a Superfund site, which would require more federal, State and local monies to remediate. In essence, the GBIS North Alignment would be creating significant environmental pollution of an uncontaminated resource, i.e., groundwater heretofore not impacted by the San Fernando Valley Superfund site.

Therefore, the GBIS North Alignment, regardless of implementation of Option A or B, is less environmentally superior than the GBIS South Alignment.

Please do not hesitate to contact me is you have any questions at 310.396.9606.

Very truly yours,

Susan L. Mearns, Ph.D., REA II 20032



NEIS II Alignments (approximate) GBIS Alignments (approximate)

Figure 3.4-9
Locations of Odor Complaints near NEIS II and GBIS

Revised: Odor Complaints Received by Burbank Staff near GBIS

CH:CDM

Integrated Resources Plan
Environmental Impact Report

Source: Vlad Lorenzo, Bureau of Sanitation, March 2, 2005