

# EXHIBIT B

**BonTerra**  
CONSULTING



## FINAL INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

## RESPONSE TO COMMENTS AND ERRATA

## SUNSET UPPER DEBRIS BASIN DAM MODIFICATION PROJECT COUNTY OF LOS ANGELES, CALIFORNIA

SCH No. 2013031018

Prepared for | County of Los Angeles  
Department of Public Works  
Water Resources Division  
900 South Fremont Avenue, Second Floor  
Alhambra, California 91803

Prepared by | BonTerra Consulting  
225 South Lake Avenue, Suite 1000  
Pasadena, California 91101  
T: (626) 351-2000 F: (626) 351-2030

August 2013

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## SECTION 1.0 INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA), the potential environmental effects of the proposed Sunset Upper Debris Basin Dam Modification Project (Project) have been analyzed in an Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2013031018) dated February 2013. Pursuant to Section 15367 of the CEQA Guidelines, the Los Angeles County Flood Control District (LACFCD), now administered by the Los Angeles County Department of Public Works (LACDPW), is the Lead Agency for the Project. The Lead Agency is the public agency that has the principal responsibility for carrying out a project and also has the authority for approval of the Project and its accompanying environmental documentation.

Section 15074(b) of the CEQA Guidelines states that, prior to approving a project, the Lead Agency must consider the proposed IS/MND together with any comments received during the public review process. The Lead Agency must adopt the proposed IS/MND, only if it finds on the basis of the whole record before it, that there is no substantial evidence that the project would have a significant effect on the environment and that the IS/MND reflects the Lead Agency's independent judgment and analysis.

### 1.1 CEQA AND PUBLIC REVIEW OF THE IS/MND

In accordance with Section 15073 of the CEQA Guidelines, the Draft IS/MND was distributed on March 4, 2013, for a 30-day public review period from March 6, 2013, through April 5, 2013. Consistent with Sections 15072(b) and 15072(d) of the CEQA Guidelines, a Notice of Intent to Adopt the IS/MND (NOI) was published in the *Los Angeles Times*; directly mailed to the 135 residences located downstream of the Sunset Upper Debris Basin Dam on Country Club Drive/Olive Avenue to its intersection with Kenneth Road; and filed with the County of Los Angeles County Clerk/Registrar-Recorder in the City of Norwalk (County Clerk). The Draft IS/MND and NOI or the NOI only was provided to 13 interested agencies and/or groups and to 135 individuals; it was also made available for review at the Burbank Central Library and Buena Vista Branch Library, both in the City of Burbank, during normal business hours and online at <http://dpw.lacounty.gov/wrd/CEQA/Sunset/>.

On March 6, 2013, the first day of the review period, it was determined that the website address printed in the NOI had a minor typographical error and would not have directed a reviewer to the correct webpage to view the IS/MND. The LACFCD immediately prepared a revised NOI to be mailed to all mailing list addressees, including the Governor's Office of Planning and Research and the County Clerk, which revised the website address as well as extended the review period by one week (7 days) to end on April 12, 2013.

Four comment letters, three from agencies and one standard receipt letter from Governor's Office of Planning and Research State Clearinghouse (regarding receipt of the revised NOI) were received during the public review period. The LACFCD's responses to comments contained in these letters are provided in Section 2.0 below, and any errata to the IS/MND are provided in Section 3.0 below. The revision pertaining to the website address noted above was documented via the revised NOI distribution. It is noted that there were no comments pertaining to the adequacy of the CEQA document. The agency comments were either procedural letters or in support of the project.

The LACFCD has reviewed all comments received from agencies, organizations and/or individuals to determine whether any substantial new environmental issues have been raised. Based on the evaluation in the Draft IS/MND together with all comments received, the LACFCD

has determined that no substantial new environmental issues have been raised that have not been adequately addressed in the Draft IS/MND and/or in the Mitigation Monitoring and Reporting Program and Responses to Comments. All potential impacts associated with the proposed Project were found to be less than significant with incorporation of relevant mitigation measures, where applicable. Therefore, the proposed Project would not result in any significant impacts, and a Mitigated Negative Declaration in accordance with the CEQA Guidelines is the appropriate environmental document for the proposed Project.

Therefore, this document, combined with the Draft IS/MND, constitutes the Final IS/MND for the proposed Sunset Upper Debris Basin Dam Modification Project. This document includes all public comment letters; the LACFCD responses; and the State Clearinghouse letter that documents receipt and distribution of the revised NOI. The County of Los Angeles Board of Supervisors will consider adoption of the Sunset Upper Debris Basin Dam Modification Project Final IS/MND and approval of the proposed Project.

## **SECTION 2.0 PUBLIC COMMENT LETTERS AND COUNTY RESPONSES**

Letters commenting on the information and analysis in the Draft IS/MND were received from the following parties during and subsequent to the public review period:

### **State**

- State of California, Governor's Office of Planning and Research, March 12, 2013.
- California Department of Water Resources, Division of Safety of Dams, March 26, 2013.

### **County and Local**

- County of Los Angeles Fire Department, March 29, 2013.
- City of Burbank, Department of Public Works, April 12, 2013.

Each letter listed above is included in this document, followed by the LACFCD response to each comment. Each comment letter has been divided into sequential numbered comments (i.e., 1, 2, 3, etc.), as shown on the enclosed letters. Each numbered comment corresponds to a matching numbered response.

**SCH**



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

**Memorandum**

**Date:** March 12, 2013  
**To:** All Reviewing Agencies  
**From:** Scott Morgan, Director  
**Re:** SCH # 2013031018  
Sunset Upper Debris Basin Dam Modification

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Pursuant to the attached letter, the Lead Agency has *revised* some information pertaining to and has *extended* the review period for the above referenced project to **April 12, 2013** to accommodate the review process. All other project information remains the same.

cc: Grace Yu  
Los Angeles County Flood Control District  
900 South Fremont Avenue, 2<sup>nd</sup> Floor  
Alhambra, CA 91803

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov



GAIL FARBER, Director

**COUNTY OF LOS ANGELES**  
**DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE: WR-6

VIA E-MAIL – [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

March 12, 2013

Governor's Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

To Whom It May Concern:

**REVISED NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE  
DECLARATION FOR THE SUNSET UPPER DEBRIS BASIN DAM MODIFICATION  
PROJECT MND (SCH NO. 2013031018)**

Please find attached a revised Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND) for the above-referenced project for filing and distribution by the State Clearinghouse.

The NOI was revised by the County of Los Angeles Department of Public Works (Lead Agency) to correct the website address linking to the MND. Also, the public review period was extended by one week, from April 5 to April 12, 2013, to ensure that all interested parties have a full 30 days for document review subsequent to receiving the revised NOI.

RECEIVED  
MAR 11 2013  
STATE CLEARING HOUSE

Governor's Office of Planning and Research  
March 12, 2013  
Page 2

Please contact Ms. Grace Yu at (626) 458-6139 or at [gyu@dpw.lacounty.gov](mailto:gyu@dpw.lacounty.gov) with any questions or for further information.

Very truly yours,

GAIL FARBER  
Director Public Works

  
CHRISTOPHER STONE  
Assistant Deputy Director  
Water Resources Division

MM:yg  
P:\FINANCIAL SP\USERS\Michael Miranda\Sunset Canyon Debris Basin Parapet Dam Mod\Final Corrections

Enc.

RECEIVED

**UPDATE: WEBSITE REVISED AND  
COMMENT PERIOD EXTENDED**

MAR 11 2013

STATE CLEARING HOUSE



**NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

In accordance with Section 15072 of the California Environmental Quality Act Guidelines, this notice is to inform public agencies, County residents and the general public that the Los Angeles County Flood Control District (LACFCD), now administered by the County of Los Angeles Department of Public Works (LACDPW), has completed an Initial Study/Mitigated Negative Declaration (IS/MND) for the following proposed project:

**Project Title:** Sunset Upper Debris Basin Dam Modification

**Project Description:** The proposed Sunset Upper Debris Basin Dam Modification Project involves increasing the height of the dam, which, in turn, would increase the capacity of the associated debris basin to provide enhanced flood and debris protection to downstream land uses. The existing Sunset Upper concrete arch dam that forms the debris basin is 28.7 feet high and 181 feet wide, and its spillway (in the center of the dam) is 75 feet wide. The project would increase the height of the Sunset Upper concrete arch dam by a maximum of 5 feet on top of the existing dam. The existing protective fences would be removed during construction and reinstalled, and the trash rack cage behind the spillway would be extended by 5 feet. The existing access road crossing the southern end of the dam would be raised by varying amounts up to 4.8 feet over a distance of approximately 104 linear feet to match the increased dam elevation. The Sunset Upper Debris Basin, located behind the Sunset Upper Dam, currently has a capacity of 20,000 cubic yards (cy). Implementation of the proposed Project would provide an additional 8,000 cy of debris basin storage capacity.

The LACFCD defines two subareas within each debris basin to describe the basin limits and interior work areas/capacity: (1) 25% contact line/mowing contact line (i.e., 25 percent of design capacity), and (2) the 100% contact line (i.e., the design capacity). With proposed Project implementation, the 100% contact line and 25% contact line would increase by 9,002 sf and by 3,279 sf, respectively, along the edges of the existing contact lines. Therefore, the areas within the expanded contact lines would be subject to potential inundation. The existing permits with resource agencies related to long-term debris basin maintenance activities would require amendments subsequent to proposed Project implementation to reflect the expanded 25% and 100% contact lines. The project site is not identified on any hazardous materials list compiled pursuant to Section 65962.5 of the Government Code. The tentative construction schedule for the proposed Project has an anticipated start date in mid-April 2014 and completion by October 2014 (6- to 7-month construction period). Operation and maintenance of the proposed Project would be the same as the existing condition.

**Project Location:** The Sunset Upper dam and debris basin (Project site) are located on County-owned property within the City of Burbank and in the Verdugo Mountains. The Project site is located in the upper portion of Sunset Canyon, north of the terminus of Country Club Drive, and is surrounded by undeveloped hillside areas.

**Public Review Period:** **Wednesday, March 6, 2013 through Friday, April 12, 2013**

**Lead Agency:** Los Angeles County Flood Control District

**Contact Person:** Ms. Grace Yu, PE, LEED AP  
County of Los Angeles Department of Public Works  
Water Resources Division  
900 South Fremont Avenue, 2<sup>nd</sup> Floor  
Alhambra, California 91803

**Availability of Mitigated Negative Declaration:** The IS/MND and all referenced documents will be available for public review at the LACDPW office listed above between the hours of 7:00 AM and 5:00 PM Monday through Thursday. The document can also be reviewed online at <http://dpw.lacounty.gov/wrd/CEQA/Sunset/> and at these City of Burbank libraries – Burbank Central Library (110 North Glenoaks Boulevard) and Buena Vista Branch Library (300 N. Buena Vista Street) – during business hours.

**Methods of Submitting Comments:** Please submit any comments on the IS/MND to Ms. Grace Yu at the above listed address or email to: [gyu@dpw.lacounty.gov](mailto:gyu@dpw.lacounty.gov) before 5:00 p.m. on Friday, April 12, 2013.

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
For Hand Delivery: Street Address: 1400 Tenth Street, Sacramento, CA 95814

SC 2013031018

Project Title: Sunset Upper Debris Basin Dam Modification  
Lead Agency: Los Angeles County Flood Control District Contact Person: Grace Yu, PE, LEED AP  
Mailing Address: 900 South Fremont Avenue, 2<sup>nd</sup> Floor Phone: 626 458 6139  
City: Alhambra Zip: 91803 County: Los Angeles

Project Location: County: Los Angeles City/Nearest Community: Burbank  
Cross Streets: Northern terminus of Country Club Drive Zip Code: 91501  
Longitude/Latitude (degrees, minutes and seconds): 34°12'17.5" N, 118°17'06" W Total Acres: 2.58  
Assessor's Parcel No.: 5608 005 901 Section: 5 Twp: 1 Range: 13 Base: San Bernardino Meridian  
Within 2 Miles: State Hwy. #: 5 Waterways: N/A  
Airports: N/A Railroads: N/A Schools: N/A

Document Type:  
CEQA:  NOP  Draft EIR NEPA:  NOI Other:  Joint Document  
 Early Cons  Supplement/Subsequent (Prior SCH No.)  EA  Final Document  
 Neg Dec  Draft EIS  Other:  
 Mit Neg Dec Other: FONSI

Local Action Type:  
 General Plan Update  Specific Plan  Rezone  Annexation  
 General Plan Amendment  Master Plan  Prezone  Redevelopment  
 General Plan Element  Planned Unit Development  Use Permit  Coastal Permit  
 Community Plan  Site Plan  Land Division (subdivision, etc.)  Other: Infrastructure Improvement

Development Type:  
 Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Office: Sq Ft \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Commercial: Sq Ft \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Industrial: Sq Ft \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Educational \_\_\_\_\_  
 Recreational \_\_\_\_\_  
 Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_  
Transformation: Type \_\_\_\_\_  
Mining: Mineral \_\_\_\_\_  
Power: Type \_\_\_\_\_ MW  
Waste Treatment: Type \_\_\_\_\_ MGD  
Hazardous Waste: Type \_\_\_\_\_  
 Other: Flood Control Dam Improvement; 8,000 cy debris basin capacity increase

Project Issues Discussed in Document:  
 Aesthetics/Visual  Fiscal  Recreation/Parks  Vegetation  
 Agricultural Land  Flood Plain/Flooding  Schools/Universities  Water Quality  
 Air Quality  Forest Land/Fire Hazard  Septic Systems  Water Supply/Groundwater  
 Archaeological/Historical  Geologic/Seismic  Sewer Capacity  Wetland/Riparian  
 Biological Resources  Minerals  Soil Erosion/Compaction/Grading  Growth Inducement  
 Coastal Zone  Noise  Solid Waste  Land Use  
 Drainage/Absorption  Population/Housing Balance  Toxic/Hazardous  Cumulative Effects  
 Economic/Jobs  Public Services/Facilities  Traffic/Circulation  Other: GHG Emissions

Present Land Use/Zoning/General Plan Designation:  
Sunset Upper Debris Basin Dam, constructed 1926, Open Space (OS) zoning; Mountain Reserve; land use designation  
Project Description: The project would increase the height of the Sunset Upper concrete arch dam by a maximum of 5 feet on top of the existing dam. The existing access road crossing the southern end of the dam would be raised by varying amounts up to 4 feet to match the increased dam elevation. The proposed project would provide an additional 8,000 cubic yards (cy) of storage capacity to Sunset Upper Debris Basin. Increasing the debris basin capacity would expand the 100% and 25% capacity contour lines, by 9,002 square feet and 3,279 square feet, respectively.

State Clearinghouse Contact: (916) 445-0613

State Review Began: 3 - 6 - 2013

SCH COMPLIANCE 4 - 12 - 2013

Note: Extended Review

Please note State Clearinghouse Number (SCH#) on all Comments

SCH#: 2013031018

Please forward late comments directly to the Lead Agency

AQMD/APCD 33

(Resources: 3 / 4)

Project Sent to the following State Agencies

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Resources              | State/Consumer Svcs                                  |
| <input type="checkbox"/> Boating & Waterways               | General Services                                     |
| <input type="checkbox"/> Coastal Comm                      | Cal EPA  |
| <input type="checkbox"/> Colorado Rvr Bd                   | ARB: Airport/Energy Projects                         |
| <input type="checkbox"/> Conservation                      | ARB: Transportation Projects                         |
| <input checked="" type="checkbox"/> CDFW # 6               | ARB: Major Industrial Projects                       |
| <input type="checkbox"/> Delta Protection Comm             | SWRCB: Div. Financial Assist.                        |
| <input type="checkbox"/> Cal Fire                          | SWRCB: Wtr Quality                                   |
| <input type="checkbox"/> Historic Preservation             | SWRCB: Wtr Rights                                    |
| <input checked="" type="checkbox"/> Parks & Rec            | <input checked="" type="checkbox"/> Reg. WQCB # A    |
| <input type="checkbox"/> Central Valley Flood Prot.        | Toxic Sub Ctrl-CTC                                   |
| <input type="checkbox"/> Bay Cons & Dev Comm.              | Yth/Adlt Corrections                                 |
| <input checked="" type="checkbox"/> DWR                    | Corrections  |
| <input type="checkbox"/> Cal EMA                           |  |
| <input type="checkbox"/> Resources, Recycling and Recovery |  |
| <input type="checkbox"/> Bus Transp Hous                   | Independent Comm                                     |
| <input type="checkbox"/> Aeronautics                       | Energy Commission                                    |
| <input checked="" type="checkbox"/> CHP                    | <input checked="" type="checkbox"/> NAHC             |
| <input checked="" type="checkbox"/> Caltrans # 7           | Public Utilities Comm                                |
| <input type="checkbox"/> Trans Planning                    | <input checked="" type="checkbox"/> State Lands Comm |
| <input type="checkbox"/> Housing & Com Dev                 | Tahoe Rgl Plan Agency                                |
| <input type="checkbox"/> Food & Agriculture                |  |
| <input checked="" type="checkbox"/> Public Health          |  |
|  | Conservancy  |
|  | Other:   |

State of California  
GOVERNORS OFFICE OF PLANNING AND RESEARCH  
STATE CLEARINGHOUSE  
P.O. BOX 3044  
SACRAMENTO, CALIFORNIA 95812-3044

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MAIL CENTER  
U.S. POSTAL SERVICE

**State of California – Governor’s Office of Planning and Research (SCH)**

**March 12, 2013**

Comment SCH-1

The Office of Planning and Research (OPR) has copied the LACFCD on the State Clearinghouse Memorandum that notified recipient agencies, as indicated in the attachments to the Memorandum, that the Lead Agency had revised the NOI and extended the public review period. This Memorandum does not include any questions/comments regarding the analyses or conclusions within the Draft IS/MND.

## DSOD

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

### DEPARTMENT OF WATER RESOURCES

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



**MAR 26 2013**

Ms. Grace Yu, P.E.  
County of Los Angeles  
Department of Public Works  
Water Resources Division  
900 South Fremont Avenue, Second Floor  
Alhambra, California 91803

SCH# 2013031018, Notice of Intent to Adopt a Mitigated Negative Declaration for the  
Sunset Upper Debris Basin Dam Modification Project  
Los Angeles County

Dear Ms. Yu:

We have reviewed the Mitigated Negative Declaration for the above referenced project, which involves increasing the height of Sunset Upper Debris Basin Dam, which would increase the capacity of the basin behind the dam. Our records show that Sunset Canyon Debris Basin Dam, No. 32-14, was under the jurisdiction of the State for dam safety until 1933, when it was altered and removed from jurisdiction.

The documents indicate that the project will have a height of 28.7 feet with a reservoir capacity of 14.8 acre-feet when the project is completed. As described, the dam would not be subject to State jurisdiction for dam safety.

As defined in Sections 6002 and 6003, Division 3, of the California Water Code, dams 25 feet or higher with a storage capacity of more than 15 acre-feet, and dams higher than 6 feet with a storage capacity of 50 acre-feet or more are subject to State jurisdiction. The dam height is the vertical distance measured from the maximum possible water storage level to the downstream toe of the barrier.

If modifications are made to the dam that will cause it to be of jurisdictional size and subject to State jurisdiction, a construction application, together with plans, specifications, and the appropriate filing fee must be filed with the Division of Safety of Dams. All dam safety related issues must be resolved prior to approval of the application, and the work must be performed under the direction of a Civil Engineer registered in California. Sharon Tapia, our Design Engineering Branch Chief, is responsible for the application process and can be reached at (916) 227-4660.

If you have any questions or need additional information, you may contact Office Engineer Randy Fessler at (916) 227-4601 or me at (916) 227-4600.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn".

Shawn O. Jones, Regional Engineer  
Southern Region  
Field Engineering Branch  
Division of Safety of Dams

cc: (See attached list.)

1

cc: Ms. Nadell Gayou  
Resources Agency Project Coordinator  
Environmental Review Section  
Division of Statewide Integrated Water Management  
901 P Street  
Sacramento, California 95814

Governor's Office of Planning and Research  
State Clearinghouse  
Post Office Box 3044  
Sacramento, California 95812-3044

STATE OF CALIFORNIA  
CALIFORNIA NATURAL RESOURCES AGENCY  
DEPARTMENT OF WATER RESOURCES  
P.O. BOX 942836  
SACRAMENTO, CALIFORNIA 94236-0001



MS GRACE YU  
COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
WATER RESOURCES DIVISION  
900 SOUTH FREMONT AVE SECOND FL  
ALHAMBRA CA 91803

9180361331 0026

**Department of Water Resources, Division of Safety of Dams (DSOD)**

**March 26, 2013**

Comment DSOD-1

The DSOD indicates that, based on the proposed height of the dam and storage capacity of the debris basin, the Sunset Upper Debris Basin Dam would not be under jurisdiction of the DSOD, consistent with the statement on page 3-5 of the IS/MND. The DSOD also describes the consultation requirements if modifications are made to the dam that would cause it to become of jurisdictional size. This letter does not include any questions/comments regarding the analyses or conclusions within the Draft IS/MND.

# LACoFD



## COUNTY OF LOS ANGELES FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294  
(323) 881-2401

DARYL L. OSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

March 29, 2013

Ms. Grace Yu, Planner  
Los Angeles County Flood Control District  
County of Los Angeles Department of Public Works  
Water Resources Division  
900 South Fremont Avenue, 2nd Floor  
Alhambra, CA 91803

Dear Ms. Yu:

**MITIGATED NEGATIVE DECLARATION, NOTICE OF INTENT TO ADOPT A MITIGATED  
NEGATIVE DECLARATION, SUNSET UPPER DEBRIS BASIN DAM MODIFICATION, TO  
INCREASE THE HEIGHT OF THE DAM, UPPER PORTION OF SUNSET CANYON, NORTH OF  
THE TERMINUS OF COUNTRY CLUB DRIVE, BURBANK (FFER #201300035)**

The Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

**PLANNING DIVISION:**

1. The subject property is entirely within the City of Burbank, which is not a part of the emergency response area of the Los Angeles County Fire Department (also known as the Consolidated Fire Protection District of Los Angeles County). Therefore, this project does not appear to have any impact on the emergency responsibilities of this Department.

**LAND DEVELOPMENT UNIT:**

1. The County of Los Angeles Fire Department has no requirements for this permit. This project is located entirely in the City of Burbank. Therefore the City of Burbank Fire Department has jurisdiction concerning this project and will be setting conditions.

} 1

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENORA	IRVINDALE	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BRADBURY							WHITTIER

Ms. Grace Yu, Planner  
March 29, 2013  
Page 2

2. The County of Los Angeles Fire Department, Land Development Unit, appreciates the opportunity to comment on this permit. Should any questions arise, please contact Juan Padilla, at (323) 890-4243 or [Juan.Padilla@fire.lacounty.gov](mailto:Juan.Padilla@fire.lacounty.gov).

**FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:**

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources and the County Oak Tree Ordinance.
2. The loss of Oak tree habitat should be mitigated for pursuant to the provisions of the City of Burbank Oak Tree Ordinance.
3. We have not received an Oak Tree Permit application or report for review. An Oak Tree Permit may be required for this project.

**HEALTH HAZARDOUS MATERIALS DIVISION:**

1. The Health Hazardous Materials Division has no objection to the proposed project.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION  
PREVENTION SERVICES BUREAU

FV:ij

1  
(cont.)

COUNTY OF LOS ANGELES  
FIRE DEPARTMENT  
FORESTRY DIVISION  
5823 RICKENBACKER ROAD, ROOM #123  
COMMERCE, CA 90040-4335

2013 APR 9 AM 8 25  
MAIL CENTER  
1000 W. 10TH AVE.

MS. GRACE YU, PLANNER  
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT  
COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS  
WATER RESOURCES DIVISION  
900 SOUTH FREMONT AVENUE, 2ND FLOOR  
ALHAMBRA, CA 91803

9180341201 0026

**County of Los Angeles Fire Department (LACoFD)**

**March 29, 2013**

Comment LACoFD-1.

This letter primarily describes the limited statutory responsibilities and/or jurisdiction of the LACoFCD for the Project site, as it is located within the City of Burbank. As stated on page 4-22 of the IS/MND, “no trees would be removed or require trimming during project construction; therefore, there would be no impact on coast live oak or Southern California black walnut trees and no permits would be needed.” Therefore, in response to item numbers 2 and 3 under “Forestry Division – Other Environmental Concerns”, an oak tree permit either with the County of Los Angeles or the City of Burbank would not be needed.

This letter does not include any questions/comments regarding the analyses or conclusions within the Draft IS/MND.

## BURBANK

**From:** "Yu, Grace" <GYU@dpw.lacounty.gov>  
**To:** "Corrigan, Sean" <SCorrigan@burbankca.gov>  
**Date:** 4/16/2013 7:35 AM  
**Subject:** RE: Sunset Upper Debris Basin Dam Modification  
**CC:** "Barrett, Carol" <CBarrett@burbankca.gov>, "Molinar, John" <JMolinar@bur...

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Mr. Corrigan,

Thank you for your comment. The Project Manager, Mike Miranda, will provide you with as-built drawings at the completion of the project.

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### Grace Yu, P.E., LEED AP

County of Los Angeles  
Department of Public Works  
Water Resources Division  
[626.458.6139] | [gyu@dpw.lacounty.gov]  


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**From:** Corrigan, Sean [mailto:SCorrigan@burbankca.gov]  
**Sent:** Friday, April 12, 2013 4:06 PM  
**To:** Yu, Grace  
**Cc:** Barrett, Carol; Molinar, John; Rynn, Daniel; Sloan, Tom; Sanchez, Ricardo; Mace, Bill  
**Subject:** Sunset Upper Debris Basin Dam Modification

Ms. Yu,

I am writing in response to your notice of intent to adopt a mitigated negative declaration for the above project. This project will increase the height of the current dam.

We support your effort to reduce the risk of debris flows and flooding for our citizens who live and work below Sunset Canyon. Your study includes a commitment to implement best management practices during the project to minimize tracking of dirt onto Country Club Drive, our major concern.

We ask that you provide us with as-built drawings at the completion of the project.

Thank you for the opportunity to comment on the project.

Sean Corrigan

Sean Corrigan, P.E.  
Chief Assistant Public Works Director/City Engineer  
City of Burbank  
(818) 238-3804

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**Sean Corrigan, Chief Assistant Public Works Director/City Engineer, City of Burbank (BURBANK)**

**April 12, 2013**

Comment BURBANK-1.

This letter expresses support for the Project and notes that the City's major concern of tracking of dirt onto Country Club Drive had been addressed. This letter also requests that the LACFCD provide the City with as-built drawings at Project completion.

On April 16, 2013, the LACFCD contact for the CEQA process, Ms. Grace Yu, acknowledged receipt of Mr. Corrigan's e-mail comment, and committed to provide the as-built drawings.

## SECTION 3.0 ERRATA

The following text changes are made to the Draft IS/MND and incorporated as part of the Final IS/MND, comprised of the Draft IS/MND and this MMRP, Response to Comments, and Errata document. These changes further substantiate conclusions and/or clarify aspects of the previously circulated document. None of these changes reflect a determination of a new or more significant environmental impact than disclosed in the Draft IS/MND. Changes to the text are noted with **bold** (for added text) or ~~strikeout~~ type (for deleted text).

### Page 4-22 through 4-24 (Section 4.4 Biological Resources)

**MM 4.4-3** The LACFCD will work with the CDFW during the preparation of the Project's Streambed Alteration Agreement to incorporate into the Agreement CDFW-approved temporary exclusionary measures to prevent raptor nesting within the established buffer distance from the Project construction areas. The LACFCD will employ approved exclusionary measures prior to February 1 (start of raptor breeding season) and remove them upon completion of construction activities.

~~Prior to construction of the proposed Project, a~~ **A** pre-construction survey for active raptor nests shall be conducted by a qualified Biologist prior to the commencement of any construction activities as directed in the CDFW Streambed Alteration Agreement. If an active nest is observed, it shall be mapped and a buffer zone designated per CDFW's direction to protect the nest. **The size of the buffer zone shall be designated based on consultation between CDFW and a qualified Biologist regarding the specific raptor nest(s), if present, and the recommendations of CDFW and the qualified Biologist on the site shall be implemented throughout Project construction.** Construction activities will be excluded from this buffer zone until the nest is no longer active. **If an active raptor nest(s) is present and a buffer zone has been implemented, a qualified Biologist shall be retained by the LACFCD to periodically monitor, at an interval to be determined by the Biologist, the efficacy of the buffer and the status of the nest(s). All recommendations of the monitoring Biologist shall be implemented by the LACFCD, and the Biologist shall have the authority to halt construction activity and/or move the buffer as necessary if the nest(s) being monitored are being adversely affected.**

Prior to any maintenance activities within the expanded maintenance areas during the breeding season (February 1 to July 30), the LACFCD will follow the same pre-construction raptor nesting survey procedure and restrictions as described above. This approach is consistent with the LACFCD's existing debris basin maintenance permits.

**MM 4.4-4** The LACFCD will work with the CDFW during the preparation of the Project's Streambed Alteration Agreement to incorporate into the Agreement CDFW-approved temporary exclusionary measures to prevent migratory bird nesting within the established buffer distance from the Project construction areas. The LACFCD will employ approved exclusionary measures prior to March 1 (start of nesting season) and remove them upon completion of construction activities.

~~Prior to construction of the proposed Project, a~~ **A** pre-construction survey for active bird nests shall be conducted by a qualified Biologist **prior to the commencement of any construction activities as directed in the CDFW Streambed Alteration Agreement (or as otherwise directed in the CDFW Streambed Alteration Agreement).** The survey shall include all potential nesting areas, including dam structures and bare ground. If an active nest is observed, it shall be mapped and a buffer zone designated per CDFW's direction to protect the nest. **The size of the buffer zone shall be designated based on consultation between CDFW and a qualified Biologist regarding the specific migratory bird nest(s), if present, and the recommendations of CDFW and the qualified Biologist on the site shall be implemented throughout Project construction.** ~~the size of the buffer will be determined by the Biologist based on the sensitivity of the species and CDFW requirements.~~ Construction activities will be excluded from this buffer zone until the nest is no longer active. **If an active migratory bird nest(s) is present and a buffer zone has been implemented, a qualified Biologist shall be retained by the LACFCD to periodically monitor, at an interval to be determined by the Biologist, the efficacy of the buffer and the status of the nest(s). All recommendations of the monitoring Biologist shall be implemented by the LACFCD, and the Biologist shall have the authority to halt construction activity and/or move the buffer as necessary if the nest(s) being monitored are being adversely affected.**

Prior to any maintenance activities within the expanded maintenance areas during the nesting season (March 1 to August 31), the LACFCD will follow the same pre-construction nesting bird survey procedure and restrictions as described above. This approach is consistent with LACFCD's existing debris basin maintenance permits.

#### **Page 4-33 (Section 4.7 Greenhouse Gas Emissions)**

The County has not adopted or established any quantitative significance criteria for GHG emissions. In April 2008, the SCAQMD convened a working group to provide guidance to local lead agencies on determining the significance for GHG emissions in their CEQA documents. The working group adopted a philosophy similar to recommendations made by other agencies in California to identify Significance Screening Levels, or thresholds, for GHG emissions. Projects with GHG emissions less than these levels or thresholds would be determined to have less than significant impacts. Projects with GHG emissions greater than the Significance Screening Level would be required to implement specific performance standards or purchase offsets to reduce their climate change impact to less than significant levels. In December 5, 2008, the SCAQMD Governing Board adopted an interim screening threshold for industrial projects where SCAQMD is the lead agency of 10,000 MTCO<sub>2</sub>e/year. In September 2010, the working group proposed to expand this 10,000 MTCO<sub>2</sub>e/year threshold to other lead agency industrial projects (SCAQMD 2010). Although the SCAQMD Governing Board has yet to consider this proposal, the SCAQMD threshold is the most applicable to the Project and is used in the analysis below. **Because the magnitude of global GHG emissions is extremely large when compared with the emissions of typical development projects, it is accepted as very unlikely that any individual development project would have GHG emissions of a magnitude to directly impact global climate change. CAPCOA's CEQA and Climate Change states, "GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective" (CAPCOA 2008). Therefore, the analysis of GHG emissions is inherently a cumulative analysis.**

#### **Page 4-34 (Section 4.7 Greenhouse Gas Emissions)**

~~Because construction impacts are relatively short term (approximately 6 to 7 months), they would contribute a relatively small portion of the overall lifetime Project GHG emissions. In addition, GHG emission reduction measures for construction equipment are relatively limited. In its Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Thresholds, the SCAQMD recommends that construction emissions be amortized over a 30-year Project lifetime so that GHG reduction measures will address construction GHG emissions as part of the operational GHG reduction strategies (SCAQMD 2008). Therefore,~~

~~The increase in GHG emissions for the Project, based on the 30-year amortization of construction emissions, is estimated at 5 MTCO<sub>2</sub>e per year, which is substantially less than the 10,000 MTCO<sub>2</sub>e per year threshold recommended by SCAQMD. As discussed further below, there would be no increase or decrease in GHG emissions related to long-term debris basin maintenance (i.e., operation of the Project) because this is an ongoing activity that is already occurring. As such, GHG emissions from implementation of the Project would not be cumulatively considerable. The Project would not generate GHG emissions that, either directly or indirectly, may have a significant impact on the environment. Impacts from construction GHG emissions would be less than significant and no mitigation is required.~~

#### **Page 4-56 (Section 4.16 Transportation/Traffic)**

Due to the narrow width of Country Club Drive, **during concrete pouring/placing operations, parking will be prohibited for about 4 days during construction hours.** There will be no parking restrictions during cleanout operations.

#### **Page 5-2 (Section 5.0 References)**

California Air Pollution Control Officers Association (CAPCOA). 2010 (August). *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures*. Sacramento, CA: CAPCOA. <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.

———. 2008 (January). *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*. Sacramento, CA: CAPCOA. <http://www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf>.