Errata and Response to Comments on the Initial Study/Mitigated Negative Declaration

Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project

State Clearinghouse No. 2020050161

Los Angeles Department of Water and Power
Environmental Planning and Assessment
111 North Hope Street, Room 1044
Los Angeles, California 90012

July 2020

Table of Contents

SECTION 1: INTRODUCTION.....1-1
1.1 Overview of the Proposed Project.....1-1
1.2 CEQA Environmental Process.....1-1

SECTION 2: ERRATA TO THE DRAFT IS/MND.....2-1

SECTION 3: RESPONSE TO COMMENTS.....3-1

List of Tables

Table 1 List of Written Comment Letters Received in Response to the Draft IS/MND 3-1

Technical Appendices

Appendix A Mitigation Monitoring and Reporting Program

SECTION 1
INTRODUCTION

1.1 Overview of the Proposed Project

The Los Angeles Department of Water and Power (LADWP) proposes to implement the Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project (proposed project) within its Silver Lake Reservoir Complex (SLRC), which comprises the Silver Lake and Ivanhoe Reservoirs (the reservoirs). This project is being proposed to manage algae growth and reduce related odors at SLRC.

The proposed project would be implemented within the LADWP-owned Silver Lake Reservoir Complex (SLRC), which comprises the Silver Lake and Ivanhoe Reservoirs. The reservoirs require an aeration and recirculation system to ensure that reasonable water quality parameters are met for visual aesthetics and controlling odors, consistent with the requirements of the SLRC Storage Replacement Project Environmental Impact Report. The proposed project would include the installation of a bubble plume aeration system and a recirculation pipe system to ensure oxygenation and destratification of the reservoirs. Destratification allows for the mixing of the reservoir water to maintain oxygen levels throughout the reservoirs. The proposed project would be implemented in two phases. Phase 1 would include installation of an aeration system consisting of air blowers, air piping to each of the reservoirs, bubble plume system diffusers in each of the reservoirs, and aftercoolers. Phase 2 would include the installation of a recirculation system consisting of a recirculation pump station, recirculation piping, and inflow from Ivanhoe Reservoir to Silver Lake Reservoir via the existing overflow weir. Additionally, two concrete plugs and approximately 400 feet of new recirculation piping would be installed within Ivanhoe Reservoir. The concrete plugs would be installed at the existing Ivanhoe Bypass and Ivanhoe Inlet Tower, and would contain all recirculating water within the vicinity of the SLRC to avoid potential flooding of the Rowena-Ivanhoe pipeline.

1.2 CEQA Environmental Process

The California Environmental Quality Act (CEQA) applies to proposed projects initiated by, funded by, or requiring discretionary approvals from state or local government agencies. The proposed project constitutes a project as defined by CEQA (California Public Resources Code Section 21000 et seq.). The CEQA Guidelines Section 15367 states that "'Lead Agency' means the public agency which has the principal responsibility for carrying out or approving a project." Therefore, LADWP is the lead agency responsible for compliance with CEQA for the proposed project.

As the lead agency, LADWP must complete an environmental review to determine if implementation of the proposed project would result in significant adverse environmental impacts. To fulfill the purpose of CEQA, an Initial Study has been prepared to assist in making that determination. Based on the nature and scope of the proposed project and the evaluation contained in the Initial Study environmental checklist (contained in Section 3 of the Draft Initial Study/Mitigated Negative Declaration), LADWP, as the lead agency, has concluded that a Mitigated Negative Declaration (MND) would be the proper level of analysis for this project. The Initial Study shows that the impacts resulting from implementation of the proposed project are either less than significant of significant but mitigable with the incorporation of appropriate mitigation measures. This conclusion is supported by CEQA Guidelines Section 15070, which states that an MND can be prepared when "(a) the initial study shows that there is not

substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or (b) the initial study identifies potentially significant effects, but (1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment."

Draft IS/MND and Notice of Intent

The Draft IS/MND was distributed on May 7, 2020, for a 30-day public review period pursuant to CEQA and its implementing guidelines. The purpose of the public review period was to provide interested public agencies, organizations, and individuals the opportunity to comment on the content and accuracy of the document. The IS/MND and Notice of Completion were distributed to the California Office of Planning and Research, State Clearinghouse. A Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration was distributed to approximately 35 agencies, Native American tribal contacts, and community stakeholders, as well as over 1,400 owners and occupants of properties adjacent to the project site. The NOI informed them of where the IS/MND could be reviewed and how to comment. A copy of the IS/MND was posted on the LADWP website at http://www.ladwp.com/envnotices, and contact information was provided where the public could request a copy of the document.

SECTION 2
ERRATA TO THE DRAFT IS/MND

The following clarifications and modifications are intended to update the IS/MND in response to the comments received during the public review period. These changes are incorporated into the IS/MND, to be presented to the City of Los Angeles Board of Water and Power Commissioners for adoption and project approval. None of these changes to the IS/MND would require recirculation. Revisions made to the IS/MND have not resulted in new significant impacts, requiring mitigation measures, nor has the severity of an impact increased. None of the CEQA criteria for recirculation have been met, and recirculation of the MND is not warranted.

The changes to the IS/MND are listed by section, page number, and paragraph number if applicable. Text which has been removed is shown with a ~~strikethrough~~ line, while text that has been added is shown as <u>underlined</u>. Please refer to Section 3, Response to Comments, for referenced comment letters and corresponding comments.

<u>Page</u> <u>Clarification/Modification</u>

1-11 *In response to Comment 4-2, the following item has been removed from the list of Best Management Practices, and has been replaced by Mitigation Measure BIO-1:*

- ~~LADWP would conduct pre-construction surveys for nesting birds and provide a biological monitor as necessary should project activities be initiated during the nesting bird season, generally February 15 through September 1.~~

2-5 *In response to Comments 4-2, 4-5, and 4-6, the Initial Study Checklist is modified as follows:*

	Potentially Significant Impact	Less Than Significant Impact After Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		<u>X</u>	~~X~~	

3-11 *In response to Comments 4-2, 4-5, and 4-6, the impact conclusion for Section IV, Biological Resources, a) is modified as follows:*

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant Impact After Mitigation Incorporated. A significant impact could occur if the proposed project removed or modified the habitat for, or otherwise directly or indirectly affected, any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).

3-12 *In response to Comment 4-3, the discussion of vegetation on the east side of Ivanhoe Reservoir has been revised to clarify the existing conditions at the Ivanhoe Bypass Pipeline plug and the potential for special status species to occur at that location. The discussion on this page is modified as follows:*

Vegetation in the landscaped area on the east side of Ivanhoe Reservoir includes landscape plantings of occasional spruce (*Picea* sp.) trees, mulefat (*Baccharis salicifolia*), willow (*Salix* sp.), olive (*Olea eruopaea*), and other shrubs, with a ground cover of deer grass (*Muhlenbergia rigens*) and ornamental iris (*Iris* sp.). It was installed to cover an area previously utilized as a staging area, which had left the site disturbed and generally void of vegetation.

Residential development in the area surrounding the SLRC consists primarily of paved surfaces and residential lots which largely have only small areas of ornamental plantings or lawn, with an occasional tall mature ornamental tree occurring on an individual lot. Eucalyptus, pine, cedar, various palm tree species, African fern pine (*Afrocarpus gracilior*), and ficus (*Ficus benjamina*) trees were observed in the surrounding area.

No special-status plant species were observed in the study area during the field survey and no records of special-status plant species coincide with the study area. The nearest occurrences of special-status plants occur over 3 miles to the northwest in Griffith Park. The study area does not provide natural habitats potentially suitable for special-status plants. Project components would primarily be installed in paved areas and at the bottom of the reservoirs. Only the Ivanhoe Bypass Pipeline Plug would be installed in an area that currently consists of vegetation. This area was surveyed and no indication of the presence of special-status species or potential for such species to become established at this site was found.

Additionally, no USFWS-designated critical habitat for any special-status plant species coincides with the study area. The nearest critical habitat area for any federally-listed plant species is approximately 16 miles to the west, in the Santa Monica Mountains near Topanga.

3-13 *An editorial change has been made to clarify the species protected under the California Fish and Game Code. The second paragraph under the Sensitive Wildlife Species heading is modified as follows:*

All birds, except European starlings, English house sparrows, rock doves (pigeons), and non-migratory game birds such as quail, pheasant, and grouse are protected under the MBTA. However, non-migratory game birds are protected under California Fish and Game Code (CFGC) Section 3503. Many other species are considered by CDFW to be California Species of Special Concern (SSC) and others are on a CDFW Watch List (WL). The CNDDB tracks species within California for which there is conservation concern, including many that are not formally listed, and assigns them a CNDDB Rank. [1] Although CDFW SSC and WL species and species that are tracked by the CNDDB but not formally listed are afforded no official legal status, they may receive special consideration during the environmental review process. CDFW further classifies some species as "Fully Protected" (FP), indicating that the species may not be taken or possessed except for scientific purposes, under special permit from CDFW. Additionally, CFGC Sections 3503, 3505, and 3800 prohibit the take, destruction, or possession of any bird, nest, or egg of any bird except English house sparrows and European starlings unless authorization is obtained from CDFW. Bats are considered non-game mammals and are afforded protection under CFGC Section 4150 and California Code of Regulations Section 251.1.

3-14 - 15 *In response to Comments 4-2, 4-5, and 4-6, the discussion of construction impacts on sensitive wildlife species is modified as follows:*

Elements of project construction could potentially affect common wildlife; however, the mortality or injury of individual species is not likely, as the site does not support many species with limited mobility or that occupy burrows within the construction zone that could be crushed during proposed project activities. Short-term indirect effects on wildlife, primarily urban bird species (discussed further below), would occur due to noise disturbances, increased human activity, and vibrations caused by heavy equipment. Wildlife mortality, however, is unlikely to occur, and as a result, impacts to common wildlife would be less than significant.

Ornamental vegetation in the study area provides suitable nesting habitat for common urban bird species protected by the MBTA and by CFGC, including great blue heron, red-tailed hawk, and other common species that have been documented nesting in the study area during surveys and monitoring in support of previous projects implemented within the SLRC. Implementation of Mitigation Measure BIO-1 would require ~~By~~ avoiding project construction during the nesting bird season (generally February 15 to September 1, and as early as January 1 for raptors), and~~/or by implementing and adhering to the BMP listed in Section 1.7~~ ~~related to~~ conducting pre-construction surveys for nesting birds and providing a qualified biological monitor should nesting birds be present, direct impacts during project construction on nesting birds and associated nesting habitats. With implementation of Mitigation Measure BIO-1, construction impacts to nesting birds would be less than significant.

[1] California Department of Fish and Wildlife. 2019. California Natural Diversity Database (CNDDB). Special Animals List. August.

Indirect impacts to nesting birds within the study area could occur during construction as a result of noise, dust, increased human presence, and vibrations resulting from construction activities. Such disturbances could result in increased nestling mortality due to nest abandonment or decreased feeding frequency. However, by implementing Mitigation Measure BIO-1 ~~and adhering to the BMP listed in Section 1.7~~ related to pre-construction surveys and providing a qualified biological monitor as necessary, indirect impacts to nesting birds protected under the MBTA and by CFGC would be less than significant.

To facilitate installation of the Ivanhoe Inlet Tower plug and Ivanhoe Bypass Pipeline plug, water from Ivanhoe Reservoir would be pumped into Silver Lake Reservoir. The draining of Ivanhoe Reservoir is not anticipated to impact wildlife, as no food resources for wildlife exist in Ivanhoe Reservoir ~~and Silver Lake Reservoir would not be drained, providing ample space immediately adjacent for water fowl to rest on~~. Nonetheless, the draining of Ivanhoe Reservoir could lead to bird mortality if birds are present during this activity. As such, Mitigation Measure BIO-2 is required to reduce the risk of bird mortality during draining of Ivanhoe Reservoir. With implementation of Mitigation Measure BIO-2, impacts to birds would be less than significant.

Individual special-status wildlife species could be directly and indirectly affected during construction in the same manner as described above; however, no federal or State-listed wildlife species have been identified in the study area, and potentially suitable habitat for such species is absent from the study area. As a result, direct and indirect impacts to a federally and/or State-listed wildlife species is not anticipated, and impacts would be less than significant.

Non-listed special-status wildlife including great blue heron, Peregrine falcon, merlin, California gull, and hoary bat have been detected in the study area. Since these are mobile species and the removal of bird nesting (mature trees) and bat roosting (structures/buildings within the SLRC) habitats would not occur, direct impacts to non-listed special-status species would not occur. However, indirect impacts to non-listed special-status bird species within the vicinity of the project could occur as a result of noise, increased human presence, and vibrations resulting from construction activities. Such disturbances could result in increased nestling mortality due to nest abandonment or decreased feeding frequency. However, by implementing Mitigation Measure BIO-1 ~~and adhering to the BMP listed in Section 1.7~~ related to pre-construction surveys and providing qualified biological monitors as necessary, indirect impacts to non-listed special-status birds nesting in the study area would be less than significant.

Similar to common bat species, ~~i~~indirect impacts to non-listed special-status bats roosting within the vicinity of the project could occur as a result of noise, increased human presence, and vibrations resulting from construction activities. Disturbances related to construction could result in displacement from daytime roosts, in particular construction activities under Phase 1 around the existing chlorination building may impact bats potentially using the building or surrounding trees as roost sites. By implementing Mitigation Measure BIO-3 related to avoiding construction at dawn and dusk, significant indirect impacts to roosting bats would be less than significant. ~~However, daytime roosting by bats in the SLRC has not been observed and is unlikely. Additionally, disruption of night-time roosts is not anticipated as construction~~

~~would not occur during dusk or evening hours. As a result, direct and indirect impacts to special-status bats would be less than significant.~~

Mitigation Measures

BIO-1 Construction shall occur outside of the nesting bird season (generally February 15 through September 15, and as early as January 1 for raptors). If construction outside this time period is not feasible, the following mitigation measures shall be employed to avoid and minimize impacts to nesting birds protected under the MBTA and CFGC:

1. A pre-construction nesting bird survey shall be conducted by a qualified biologist within 3 days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All nests found shall be recorded.

2. If construction activities must occur within 300 feet of an active nest of any passerine bird or within 500 feet of an active nest of any raptor, a qualified biologist shall monitor the nest on a weekly basis and the construction activity shall be postponed until the biologist determines that the nest is no longer active. The buffers would be increased if needed to protect the nesting birds.

3. If the recommended nest avoidance buffer is not feasible, the qualified biologist shall determine whether an exception is possible and obtain concurrence from the appropriate resource agency before construction work can resume within the avoidance buffer zone. All work shall cease within the avoidance buffer zone until either agency concurrence is obtained or the biologist determines that the adults and young are no longer reliant on the nest site.

BIO-2 A qualified biologist shall be onsite to monitor for the presence of birds during draining and refilling of Ivanhoe Reservoir. The qualified biologist shall have the authority to temporarily stop activities or regulate the draining rate, if necessary, to prevent bird mortality.

1. Ivanhoe Reservoir shall be drained completely to temporarily eliminate the reservoir as a stopover opportunity during project construction activities.

BIO-3 A pre-construction survey to identify trees and/or structures that could provide day and/or night-roosting sites for bats would be conducted within 14 days of construction. If day-time roosting bats are detected.

1. No work activities shall occur within 30 minutes before sunset and 30 minutes after sunrise.

2. No work activities shall occur within 100 feet of or directly under or adjacent to an active roost during the breeding season when young are present but are not yet ready to fly (generally April and August).

The appropriate buffer shall be determined by a qualified biologist relative to specific project activities.

3-21 *An editorial change has been made to correct a typo in the mitigation measure numbering as follows:*

As the SLRC has been deemed eligible for listing in the CRHR as a historic district, it qualifies as a historical resource for purposes of CEQA. As such, any improvements planned for the property should be consistent with the Secretary of the Interior's Standards for Rehabilitation to ensure a less than significant impact on the SLRC Historic District. Thus, Mitigation Measure CUL-1 ~~CR-A~~ would be implemented in order to minimize any potential impacts to the district's eligibility under the CRHR. With implementation of CUL-1 ~~CR-A~~, the impact to the historical resource would be reduced to less than significant.

3-49 *In response to Comment 1-1, Mitigation Measure TCR-1 is modified as follows:*

TCR-1 Within 45 days prior to the start of construction, LADWP shall coordinate with Native American Tribal representatives to develop a Tribal Cultural Resources Monitoring Plan. If any Native American cultural material is encountered within the project site during construction activities, interested Native American parties established through consultation with the lead agency shall be notified. LADWP shall determine during consultation if the resources constitute tribal cultural resources and solicit any comments the Native American parties may have regarding appropriate treatment and disposition of the resources.

SECTION 3
RESPONSE TO COMMENTS

During the public review period, a total of six comment letters were received. Additionally, one comment letter was received after the close of the public review period, as shown in Table 1 below. Each letter has been assigned a number code, and individual comments in each letter have also been coded to facilitate the responses. For example, the letter from the Gabrieleno Band of Mission Indians – Kizh Nation is identified as Comment Letter 1, with the comment noted as 1-1. Copies of each comment letter are provided prior to the response to each letter. Comments that raise issues not directly related to the substance of the environmental analysis in the IS/MND are noted but, in accordance with CEQA, did not receive a detailed response.

The written comment letters received on the IS/MND are listed in Table 1 below. The comments and associated responses are arranged by the date on which the comment letter was received, starting with agencies and organizations, followed by the comment letters submitted by individuals. Each comment in the letters has been numbered and is referenced in the response that directly follow the comment letter.

Table 1
List of Written Comment Letters Received in Response to the Draft IS/MND

Letter #	Agency/Organization/Individual	Date	Page # of Response
Agencies/Organizations			
1	Gabrieleno Band of Mission Indians – Kizh Nation	May 28, 2020	3-3
2	Silver Lake Now	June 1, 2020	3-6
3	California Department of Transportation *Signed: Miya Edmonson*	June 4, 2020	3-9
4	California Department of Fish and Wildlife *Signed: Erinn Wilson*	June 8, 2020*	3-22
Individuals			
5	Thakkaer, Amit	May 17, 2020	3-28
6	Lund, Tony	May 18, 2020	3-34
7	Mittleman, Margaret	June 4, 2020	3-37

* Denotes comment letter received outside of the public review period.

Comment Letter No. 1

GABRIELENO BAND OF MISSION INDIANS - KIZH NATION
Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Notice of Intent to Adopt An Initial Study/ Mitigated Negative Declaration

City of Los Angeles DWP

May 28, 2020

Project Name: Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project

Dear Ms. Kathryn Laudeman,

We have received your Notice of Intent to adopt a Negative Declaration for the Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System City of Los Angeles . Our Tribal Government is requesting the retention of a Native American Tribal Consultant to monitor all ground disturbance conducted for this project. 1-1

Sincerely,
Gabrieleno Band of Mission Indians/Kizh Nation
(1844) 390-0787 Office

Comment Letter 1: Gabrieleno Band of Mission Indians – Kizh Nation

Response 1-1

The commenter requests that a Native American Tribal Consultant monitor all ground disturbance conducted for the proposed project. The commenter is referred to Mitigation Measure TCR-1 on page 3-49 of the Draft IS/MND, which requires consultation with interested Native American parties to determine if the resources constitute tribal cultural resources and solicit any comments the Native American parties may have regarding appropriate treatment and disposition of the resources. In response to this comment, Mitigation Measure TCR-1 has been revised to include development of a Tribal Cultural Resources Monitoring Plan. The commenter is referred to Section 2, Errata to the Draft IS/MND, which includes the modifications to Mitigation Measure TCR-1, as follows:

> **TCR-1** Within 45 days prior to the start of construction, LADWP shall coordinate with Native American Tribal representatives to develop a Tribal Cultural Resources Monitoring Plan. If any Native American cultural material is encountered within the project site during construction activities, interested Native American parties established through consultation with the lead agency shall be notified. LADWP shall determine during consultation if the resources constitute tribal cultural resources and solicit any comments the Native American parties may have regarding appropriate treatment and disposition of the resources.

Comment Letter No. 2

Silver Lake Now*
Comments Regarding the Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project Initial Study/Mitigated Negative Declaration

Silver Lake Now (SLN) appreciates the opportunity to provide comments regarding the Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project Initial Study/Mitigated Negative Declaration (IS/MND). We provide these comments in the spirit of improving the project and making it as good as it can be, rather than to oppose the project.

Overall, Silver Lake Now has found the IS/MND to be comprehensive and thorough. However, we find Section 1.6 Description of the Proposed Project and Section 1.7 Construction Schedule and Procedures to be deficient. In particular, the description of the bubble plume system diffusers and the associated piping that would deliver air to the diffusers does not provide sufficient detail for the layperson to understand what the system will look like and exactly how it will operate. It would be beneficial for the study to clarify areas such as the following: 2-1

- Will the diffusers rest on the bottom of the reservoir or at some other level of the water column? 2-2
- How big will the diffusers be? 2-3
- Will the diffusers and feeder pipelines be visible from the surface because of their light color and/or proximity to the surface? 2-4
- Will the bubbles emitted from the diffusers be visible on the surface and, if so, approximately how much surface area will they affect, i.e., will the water surface appear to be "boiling" because of the bubbles being emitted?

Several of these issues could be clarified by including a schematic of the bubble plume diffusers in the IS/MND. 2-5

Until more details are provided about the issues raised above, we believe that it is premature to determine that the project will have a Less Than Significant Impact on Aesthetics. If a large area of the water surface of the reservoirs appears to be constantly "boiling," as a result of the bubble plume diffusers, this could significantly change the aesthetics of the reservoirs. As a result, it might be necessary to mitigate this effect to retain a natural appearance. Also, if the air pipes feeding the diffusers are white PVC conduit, they would be visible even on the bottom of the reservoirs, and therefore have aesthetic impacts. Using a darker hued conduit would mitigate this issue. We request that these issues be clarified and vetted with the community before the project is approved. 2-6

Silver Lake Now is pleased to engage constructively with the LADWP regarding this project. We would be happy to provide additional details and/or clarification about our comments as desired. 2-7

*Silver Lake Now is a group of committed neighbors and community members who support a measured and thoughtful discussion on the future of the Silver Lake Reservoirs Complex (SLRC). SLN has outreach to nearly 2,000 participants in the Silver Lake area. The group was formed originally in 2016 as Refill Silver Lake Now with the objective of refilling the Silver Lake Reservoir after it was drained for the pipeline construction. After the reservoir was refilled, the organization was renamed Silver Lake Now and our mission broadened to include other issues related to the future of the Silver Lake Reservoirs Complex. Silver Lake Now is one of 4 organizations that was invited to be part of the Stakeholder Working Group for the Silver Lake Reservoirs Complex Master Planning Process.

2-8

Comment Letter 2: Silver Lake Now

Response 2-1

This comment includes introductory remarks. No further response to this comment is required.

Response 2-2

The commenter inquires about the location of the diffusers in the reservoirs. The bubble plume diffuser units would sit at the bottom of and be placed in the deepest part of the reservoirs.

Response 2-3

The commenter asks how big the diffusers would be. The diffusers have an outside diameter of five inches.

Response 2-4

The commenter asks whether the diffusers and pipelines would be visible from the surface. Neither the pipelines nor the diffusers would be visible after installation. As discussed in Section 1, Project Description, of the Draft IS/MND, the pipes supplying air to the diffusers would be installed underground, with the exception of self-weighted lines that would extend within the reservoir. As stated in Response 2-2 above, the diffusers would sit at the bottom of the reservoirs.

Response 2-5

The commenter asks if the bubbles created by the diffusers would be visible on the surface. The bubble plume diffuser units would produce fine bubbles over a large surface area of the reservoirs for oxygen transfer. The fine bubbles do not displace a large column of water, rather, they produce numerous tiny bubbles that rise slowly and increase dissolved oxygen levels at the bottom of the reservoirs. Since the diffusers would be placed in the deepest part of the reservoirs and would be spread out from each other, these fine bubbles would not be visible on the water surface.

The commenter also requests that a schematic of the bubble plume diffusers be included in the IS/MND. As discussed in Section 1.6, Description of the Proposed Project, beginning on page 1-5 of the Draft IS/MND, the air pipes would connect to the diffuser equipment. The commenter is referred to Figure 3, Proposed Project Aeration and Recirculation System, on page 1-7 of the Draft IS/MND, which shows a schematic plan of the placement of the air pipes, which would be connected to the diffusers and would span across the bottom of the deepest part of the reservoirs.

Response 2-6

The commenter states that if the air pipes are white PVC conduit, they may have aesthetic impacts if they are visible. The commenter is referred to Response 2-4 regarding the installation of the air supply pipes and diffusers. As discussed, the pipes supplying air to the diffusers would be installed underground. The diffusers would be connected to the air supply pipes with self-weighted lines within the reservoir, which are not white PVC conduit. As discussed, neither the pipes nor the diffusers would be visible after installation.

Response 2-7

This comment includes closing remarks. No further response to this comment is required.

Response 2-8

The commenter provides background information regarding the formation of the organization and its members. This comment does not state a specific concern of question regarding the adequacy of the environmental impact analysis in the Draft IS/MND. Therefore, no further response to this comment is required.

Comment Letter No. 3

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7 – Office of Regional Planning
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life.

June 4, 2020

Kathryn Laudeman
City of Los Angeles Department of Water and Power
111 N. Hope Street, Room 1044
Los Angeles, CA 90012

RE: Silver lake and Ivanhoe Reservoirs Aeration and Recirculation System Project – Mitigated Negative Declaration (MND)
SCH # 2020050161
GTS # 07-LA-2020-03254
Vic. LA-2/PM: 14.185

Dear Kathryn Laudeman:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for this project's Mitigated Negative Declaration (MND). The proposed project would be implemented within the LADWP-owned Silver Lake Reservoir Complex (SLRC), which comprises the Silver Lake and Ivanhoe Reservoirs. The reservoirs require an aeration and recirculation system to ensure that reasonable water quality parameters are met for visual aesthetics and controlling odors, consistent with the requirements of the SLRC Storage Replacement Project Environmental Impact Report. The proposed project would include the installation of a bubble plume aeration system and a recirculation pipe system to ensure oxygenation and destratification of the reservoirs, allowing for the mixing of the reservoir water to maintain oxygen levels throughout the reservoirs. The proposed project would be implemented in two phases. Phase 1 would include installation of an aeration system. Phase 2 would include the installation of a recirculation system. Phase 2 also includes the installation of two concrete plugs, which are barriers that would be installed to contain all recirculating water within the vicinity of the SLRC to avoid potential flooding of the Rowena-Ivanhoe pipeline. 3-1

After reviewing the MND, Caltrans does not expect project approval to result in a direct adverse impact to the existing State transportation facilities. 3-2

As a reminder, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods. 3-3

If you have any questions, please contact Reece Allen, the project coordinator, at reece.allen@dot.ca.gov, and refer to GTS # 07-LA-2020-03254

Sincerely,

Miya Edmonson

MIYA EDMONSON
IGR/CEQA Branch Chief
cc: Scott Morgan, State Clearinghouse

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Comment Letter 3: California Department of Transportation

Response 3-1

The commenter accurately characterizes the proposed project described in the Draft IS/MND. This comment includes introductory remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft IS/MND. Therefore, no further response to this comment is required.

Response 3-2

The commenter states that they do not expect project approval to result in a direct adverse impact to the existing state transportation facilities. No further response to this comment is required.

Response 3-3

The commenter states that the transportation of heavy construction equipment and use of oversized transport vehicles on state highways would require a Caltrans transportation permit. The commenter also recommends limiting large size vehicle trips to off-peak commute periods. The proposed project would be required to comply with all applicable Caltrans regulations during construction. As applicable, a Transportation Permit would be obtained from Caltrans for the use of oversized vehicles associated with the proposed project that would be expected to travel on state highways. Additionally, to the extent practicable, large size truck trips would be limited to off-peak commute periods.

Comment Letter No. 4

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

June 8, 2020

Ms. Kathryn Laudeman
Los Angeles Department of Water and Power
111 N. Hope Street Room 1044
Los Angeles, CA 90012
kathryn.laudeman@ladwp.com

Subject: Mitigated Negative Declaration for the Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project, SCH # 2020050161, Los Angeles County

Dear Ms. Laudeman:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Mitigated Negative Declaration (MND) for the Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project (Project). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources. 4-1

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Project Description and Summary

Objective: As the Lead Agency, Los Angeles Department of Water and Power (LADWP) proposes the Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project (Project) within its Silver Lake Reservoir Complex (SLRC), which comprises the Silver Lake and Ivanhoe Reservoirs (reservoirs). The proposed Project is intended to discourage algae growth and reduce related odors from anerobic conditions in the SLRC to ensure that reasonable water quality parameters are met for visual aesthetics and controlling odors. The Project would be implemented in two phases and would include the installation of a bubble plume aeration system and a recirculation pipe system to ensure oxygenation and destratification of the reservoirs.

Construction of Phase 1 is anticipated to begin in November 2020 and take approximately 13 months to complete concluding in December 2021. Phase 1 would include installation of an aeration system consisting of air blowers, air piping to each of the reservoirs, bubble plume system diffusers in each of the reservoirs, and aftercoolers. The air blowers would be housed in an enclosure at the existing chlorination building consisting of a local control panel and electrical power to support the air blowers and appurtenant equipment. Site preparation for the enclosure would include demolition of existing concrete slabs, installation of 40 polyvinyl chloride (PVC) conduits, and construction and casting of concrete and equipment pads. The concrete and equipment pads would require the site to be cleared, excavated up to 3 feet, and graded. After construction of the air blower enclosures, air pipes would be installed from the air blowers to diffuser systems at each reservoir. The pipes would be installed underground utilizing trenching and backfilling methods.

4-1 Cont'd

Construction of Phase 2 is anticipated to start toward the end of Phase I and take approximately 16 months to complete concluding in December 2022. Phase 2 would include installation of a pipeline in Ivanhoe Reservoir, installation of concrete plugs at the existing Ivanhoe Bypass and Ivanhoe Inlet tower, demolition of the existing equipment in the existing Gate 456 structure, installation of a suction intake on the existing Silver Lake bypass pipeline, and construction of the recirculation pump station within the Gate 456 structure, including a partition wall. Before installation of the concrete plugs, water from Ivanhoe Reservoir would be pumped into Silver Lake Reservoir. Demolition would involve removal of existing electrical and mechanical equipment and an existing concrete slab within the Gate 456 structure. The recirculation pump station equipment would be located within the Gate 456 structure. Construction activities for the recirculation pump station would include excavation up to 4 feet for a 15-foot by 27-foot duct bank, construction of 40 PVC conduits, casting equipment pads and concrete slabs for a 6-foot by 3-foot sized enclosure, installation of the control system, and connecting the control panel to the equipment and pipes.

Approximately 1,102 and 167 cubic yards of material would be imported to the Project site for Phase 1 and 2, respectively. Materials required for construction of Phase 1 and 2 would be stored on site, except for asphalt and concrete. Construction activities for Phase 1 and 2 would each require heavy equipment including asphalt paver, backhoe loader, barge, butt fusion machine, crane, front end loader, fork lift, generator, roller, and vibrating plate as well as maintenance and dump trucks. All equipment would be stored on site.

Location: The 1,237-acre, LADWP-owned SLRC is in the Silver Lake community of the City of Los Angeles, approximately 5 miles north of downtown Los Angeles. The SLRC is generally

bounded by Tesla Avenue on the north, Armstrong Avenue and Silver Lake Boulevard on the east, Van Pelt Place on the south, and Silver Lake Drive on the west. Regional access to the SLRC is provided via Interstate 5 (I-5, Golden State Freeway), U.S. Route 101 (US 101, Hollywood Freeway), and State Route 110 (SR 110, Pasadena Freeway).

4-1 Cont'd

Comments and Recommendations

CDFW offers the comments and recommendations below to assist LADWP in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

Project Description and Related Impact Shortcomings

Comment #1: Impacts to Nesting Birds

Issue: Birds may nest in trees, shrubs, or in open fields and grasslands surrounding the Project site. Mature Eucalyptus groves are located on the east and west sides of the SLRC (GPA Consulting 2019). Other tree species present in the SLRC include Coast live oak (*Quercus agrifolia*), California sycamore (*Platanus racemosa*), California black walnut (*Juglans californica*), pines (*Pinus* spp.) and blue elderberry (*Sambucus nigra* ssp. *caerulea*) (GPA Consulting 2019). Page 8 of *Initial Study/Mitigated Negative Declaration Appendix B* (IS/MND Appendix B) states that the vegetation in the landscaped area on the east side of Ivanhoe Reservoir includes "plantings of spruce trees (*Picea* sp.), mulefat (*Baccharis salicifolia*), willow (*Salix* sp.), olive (*Olea europaea*), and other shrubs, with a ground cover of deer grass (*Muhlenbergia rigens*) and ornamental iris (*Iris* sp.)."

In the last 10 years, 170 species of birds have been observed at the SLRC, including two CESA-listed species: willow flycatcher (*Empidonax traillii*) and bank swallow (*Riparia riparia*). A review of the California Natural Diversity Database (CNDDB) indicates that there is historic record of observation of southwestern willow flycatcher (*E. traillii extimus*) and three recorded observations of least Bell's vireo (*Vireo bellii pusillus*) are within 2 miles of the SLRC. Great blue heron (*Ardea herodias)*, great horned owl (*Bubo virginianus*), northern mockingbird (*Mimus polyglottos*), and red-tailed hawk (*Buteo jamaicensis*) have been observed nesting in the SLRC (GPA Consulting 2019). Page 8 of IS/MND Appendix B states that "a great blue heron rookery has been present within the Eucalyptus grove on the west side of the Silver Lake Reservoir since at least 2005…approximately 14 nests in the rookery [were observed] during regular surveys and monitoring in 2015." Page 18 states that "ornamental vegetation provides suitable nesting habitat for common urban bird species."

4-2

Specific impacts: Project construction may occur during the bird nesting season. Construction staging and laydown areas would occur within the SLRC, and construction equipment and materials would remain or be stored at the Project site. Construction vehicle access would be available via the existing driveway at the northeast corner of the SLRC near the intersection of Tesla Avenue and Armstrong Avenue. Construction of Phase 1 and 2 would require approximately 277 and 81 truck trips, respectively. The estimated daily average of on-site workers would consist of a peak of 29 and 22 workers per day for Phase 1 and 2, respectively.

Construction activities for Phase 1 include site preparation for the air blower enclosure at the existing chlorination building. This would require the site to be cleared, excavated up to 3 feet,

and graded. The existing chlorination building is surrounded by trees. Juvenile mockingbirds have been observed near the chlorination building (GPA Consulting 2019).
Construction activities for Phase 2 include installation of the Ivanhoe Bypass Pipeline Plug, demolition of the existing equipment in the Gate 456 structure, and construction of the recirculation pump station within the Gate 456 structure. Ornamental landscape species, including willow, deer grass, and ornamental iris, and would be removed during installation of the Ivanhoe Bypass Pipeline Plug (see IS/MND Appendix B Photo 3). Juvenile mockingbirds have been observed near the proposed location for the Ivanhoe Bypass Pipeline Plug (GPA Consulting 2019). Gate 456 structure is surrounded by trees where red-tailed hawks and great blue herons have historically used for nesting.

Why impacts would occur: Construction during the breeding season for nesting birds could result in the loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Impacts could result from noise disturbances, increased human activity, dust, vegetation clearing, ground disturbing activities (e.g. staging, access, excavation, grading), and vibrations caused by heavy equipment. Such disturbances could result in increased nestling mortality due to nest abandonment or decreased feeding frequency.

Evidence impact would be significant: The loss of occupied habitat or reductions in the number of rare bird species, either directly or indirectly through nest abandonment or reproductive suppression, would constitute a significant impact absent appropriate mitigation. Furthermore, nests of all native bird species are protected under State laws and regulations, including Fish and Game Code sections 3503 and 3503.5. Noise from increased road use, generators, and other equipment may disrupt willow flycatcher mating calls which could impact their reproductive success (Patricelli and Blickley 2006, Halfwerk et al. 2011). CDFW also considers impacts to Species of Special Concern (SSC) a significant direct and cumulative adverse effect without implementing appropriate avoid and/or mitigation measures.

4-2
Cont'd

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: To protect nesting birds that may occur on site, CDFW recommends that the final environmental document include a measure that no construction should occur from February 15 through August 31, and as early as January 1 for raptors.

Mitigation Measure #2: If construction during this period must occur, a qualified biologist should complete a survey for nesting bird activity within the Project site and a 500-foot buffer. Surveys will begin no more than 14 days prior to the start of Project activities and will be repeated for the duration of Project activities that occur during the bird nesting season. Nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites.

Mitigation Measure #3: If an active nest is found within 500 feet of Project activities and in areas with increased impacts resulting from noise disturbances, human activity, dust, vegetation clearing, ground disturbing activities (e.g. staging, access, excavation, grading), and vibrations caused by heavy equipment, a qualified biologist should determine the nesting status and set up a species-appropriate no-work buffer that should be no less than 300 feet initially. Buffers should be marked around the active nest site as directed by the qualified biologist.

No Project activities should be allowed inside these buffers until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. These buffers should be increased if needed to protect the nesting birds.

4-2 Cont'd

Mitigation Measure #4: Any removal of vegetation when birds are likely to be nesting should be monitored by a qualified biologist and should only occur when a qualified biologist is present.

Mitigation Measure #5: After construction activities are complete, vegetation should be restored around the Ivanhoe Bypass Pipeline Plug site and all areas where vegetation was removed or disturbed as part of Project activities. Revegetation should restore a 1:1 ratio of trees, shrubs, grasses, and low ground-cover species removed. Vegetation cover, diversity, and density should be restored to conditions before Project construction. If construction of a new facility (e.g. Ivanhoe Bypass Pipeline Plug) does not allow for 1:1 revegetation or restoration equal to the area disturbed, revegetation should occur near the new facility if feasible or where there is low or bare ground cover in the landscaped area that would provide ecological benefits to birds. The revegetation area should be equal to or more than the total amount of area disturbed. Planting should occur outside of bird nesting season. The Project proponent should monitor planting success or mortality and perform infill planting if needed.

4-3

Comment #2: Special-Status Plant Survey

Issue: A biological resource field survey was conducted on January 10, 2020. Page 6 of IS/MND Appendix B states "seasonal, species-specific botanical and wildlife surveys were not conducted as part of this evaluation; however, based on the survey conducted and an assessment of conditions in the [SLRC], it is apparent that special-status plant and wildlife species are not anticipated within the SLRC and surrounding urbanized environment."

Of the 66 special-status plant species considered for the IS/MND, 13 are federal Endangered Species Act and/or CESA-listed species. These species typically bloom between March through July except for Brauton's milk-vetch (*Astragalus brauntonii*) which could bloom early in January. A more robust, season-specific survey of plants, particularly species found in disturbed areas, is needed to determine whether species-status plants are present or absent.

4-4

Specific impacts: Project activities including vegetation clearing and ground disturbance (e.g. staging, access, excavation, grading, parking, trampling) would occur in areas that have been historically disturbed or landscaped. Species-status plants found in disturbed areas may be impacted by Project activities. One species that could occur is the San Bernardino aster (*Symphyotrichum defoliatum*), listed by California Native Plant Society (CNPS) as having a rarity ranking of 1B.2 (GPA Consulting 2019). This is considered moderately threatened in California and thus a locally rare plant species that warrants mitigation.

Why impact would occur: Project activities, including vegetation clearing and ground disturbance (e.g. staging, access, excavation, grading, parking, trampling) may result in direct mortality, population declines, or local extirpation of special-status plants.

Evidence impacts would be significant: Impacts to special-status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these special-status plant species will result in the Project to have a substantial adverse direct,

indirect, and cumulative effect, on any species identified as a candidate, sensitive, or species in local or regional plans, policies, or regulations, or by CDFW or United States Fish and Wildlife Service (USFWS).

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends conducting focused surveys for special-status plants on site and disclosing the results in the final environmental document. Based on the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018), a qualified biologist should "conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting." The final CEQA documentation should provide a thorough discussion on the presence/absence of sensitive plants on site and identify measures to protect sensitive plant communities from Project-related direct and indirect impacts.

4-4 Cont'd

Comment #3: Impacts to Bats

Issue: Based on a survey by AECOM in 2015 in support of the SLRC storage Replacement Project, five species of bats forage in the SLRC: western red bat (*Lasiurus blossevillii*), hoary bat (*Lasiurus cinereus*), Yuma myotis (*Myotis yumanensis*), canyon bat (*Prastrelus hesperus*), and Mexican free-tailed bat (*Tadarida brasiliensis*). Bats could roost in crevices, hollow trees, and buildings in the SLRC. Night roosts are typically utilized from the approach of sunset until sunrise. In most parts of California, night-roost use will only occur from spring through fall (Johnston et al. 2004). Day-roost use usually occurs during the spring, summer, and fall in California (Johnston et al. 2004).

Specific impacts: Impacts to bats and roosts could result from increased noise disturbances, human activity, dust, vegetation clearing, ground disturbing activities (e.g. staging, access, excavation, grading), and vibrations caused by heavy equipment. Demolition, grading, and excavating activities around the chlorination building during Phase 1 may impact bats potentially using the building or surrounding trees as roost sites.

4-5

Why impact would occur: Modifications to roost sites can have significant impacts on the bats' usability of the roost and can impact the bats' fitness and survivability (Johnston et al. 2004). Extra noise, vibration, or the reconfiguration of large objects can lead to the disturbance of roosting bats which may have a negative impact on the animals. Human disturbance can also lead to a change in humidity, temperatures, or the approach to a roost that could force the animals to change their mode of egress and/or ingress to a roost. Although temporary, such disturbance can lead to the abandonment of a maternity roost (Johnston et al. 2004).

Evidence impacts would be significant: Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish & G. Code, § 4150, Cal. Code Regs., § 251.1).

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: To protect bats and roosts that may occur on site, CDFW recommends that the final environmental document include a measure that a qualified bat specialist conduct a pre-construction survey to identify trees and/or structures that could provide day and/or night-

time roost sites for bats. Work activities should not occur under the structure between 30 minutes before sunset and 30 minutes after sunrise. Work should not occur within 100 feet of or directly under or adjacent to an active roost during the breeding season when young are present but are not yet ready to fly (generally April and August) (Johnston et al. 2004). CDFW recommends that the final environmental document include a measure that no construction should occur between 30 minutes before sunset and 30 minutes after sunrise during the non-volant period between April and August if day-time roost sites are found.

4-5 Cont'd

Comment #4: Impacts to Birds and Wildlife During Draining of Ivanhoe Reservoir & Notification of Lake and Streambed Alteration Agreement

Issue: To facilitated installation of the Ivanhoe Inlet Tower Plug and Ivanhoe Bypass Pipeline Plug as part of Phase 2 of the Project, water from Ivanhoe Reservoir would be pumped into Silver Lake Reservoir.

Specific impact: While Silver Lake Reservoir will not be drained and will "provide ample resting space immediately adjacent" to the Ivanhoe Reservoir (IS/MND Appendix B page 19), draining the Ivanhoe Reservoir would be temporary elimination of stopover opportunities for birds.

Why impacts would occur: Draining of the Ivanhoe Reservoir could lead to bird mortality if they are present in the reservoir.

4-6

Evidence impacts would be significant: Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act of 1918 (Code of Federal Regulations, Title 50, § 10.13) and Fish and Game Code, sections 3503 *et seq.* and 3513.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends that the final environmental document include a measure to have a qualified biologist on site during draining and refilling of the Ivanhoe Reservoir to monitor for birds and could temporarily stop activities or regulate draining rate if necessary, to prevent bird morality and injury to native aquatic species. The reservoir should be drained completely, not left partially drained, to temporarily eliminate the Ivanhoe Reservoir as a stopover opportunity during Project activities.

Filing Fees

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by LADWP and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

4-7

Conclusion

We appreciate the opportunity to comment on the Project to assist Los Angeles Department of Water and Power in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the LADWP has to our comments and to receive notification of any forthcoming hearing date(s) for

4-8

the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Ruby Kwan-Davis, Senior Environmental Scientist, at Ruby.Kwan-Davis@wildlife.ca.gov or (657) 215-1007.

4-8 Cont'd

Sincerely,

DocuSigned by:
Erinn Wilson-Olgin
B6E58CFE24724F5...

Erinn Wilson
Environmental Program Manager I

ec: CDFW
Victoria Tang – Los Alamitos
Megan Evans – Los Alamitos
Andrew Valand – Los Alamitos
Frederic Reiman – Los Alamitos
Felicia Silva – Los Alamitos
David Lin – Los Alamitos
Malinda Santonil – Los Alamitos
CEQA Program Coordinator - Sacramento

State Clearinghouse

References:

California Department of Fish and Wildlife [CDFW]. March 20,2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities [Internet]. Available from: https://wildlife.ca.gov/Conservation/Survey-Protocols

GPA Consulting. 2019. Task II: Research & Analysis Biological Resources Report. Silver Lake Reservoir Complex Master Plan Project [Internet]. [cited 2020 May 28]. Available from: https://eng.lacity.org/sites/g/files/wph726/f/THE SLRCMP%20-%20BIOLOGICAL%20RESOURCES%20Report.pdf

Halfwerk, W., Holleman, L. J. M., Lessells, Ck. M., Slabbekoorn, H. 2011. Negative impact of traffic noise on avian reproductive success. Journal of Applied Ecology 48:210–219.

Johnston, D., Tatarian, G., Pierson, E. 2004. California Bat Mitigation Techniques, Solutions, and Effectiveness. [Internet]. [cited 2020 May 28]. Available from: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=113490

Patricelli, G., and J. J. L. Blickley. 2006. Avian communication in urban noise: causes and consequences of vocal adjustment. Auk 123:639–649.

4-9

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

CDFW recommends the following language to be incorporated into a future environmental document for the Project.

Biological Resources (BIO)			
Mitigation Measure (MM)		**Timing**	**Responsible Party**
MM-BIO-1 – Impacts to Nesting Birds	To protect nesting birds no Project activity shall occur from February 15 (January 1 for raptors) through August 31.	NA	Los Angeles Department of Water and Power
MM-BIO-2 – Impacts to Nesting Birds	If construction during the above period must occur, a qualified biologist shall complete a survey for nesting bird activity within the Project site and a 500-foot buffer. Surveys will begin no more than 14 days prior to the start of Project activities and will be repeated for the duration of Project activities that occur during the bird nesting season. Nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites.	Prior to and during Project activities	Los Angeles Department of Water and Power
MM-BIO-3 – Impacts to Nesting Birds -	If an active nest is found within 500 feet of Project activities and in areas with increased impacts resulting from noise disturbances, human activity, dust, vegetation clearing, ground disturbing activities (e.g. staging, access, excavation, grading), and vibrations caused by heavy equipment, a qualified biologist shall determine the nesting status and set up a species-appropriate no-work buffer that shall be no less than 300 feet initially. Buffers shall be marked around the active nest site as directed by the qualified biologist. No Project activities shall be allowed inside these buffers until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. These buffers shall be increased if needed to protect the nesting birds.	During construction/ Project activities	Los Angeles Department of Water and Power

4-10

Ms. Kathryn Laudeman
Los Angeles Department of Water and Power
June 8, 2020
Page 11 of 12

Biological Resources (BIO)			
Mitigation Measure (MM)		**Timing**	**Responsible Party**
MM-BIO-4 – Impacts to Nesting Birds	During time of year when nesting birds are likely to be nesting any removal of vegetation shall be monitored by a qualified biologist and will only occur when a qualified biologist is present.	During construction/ Project activities	Los Angeles Department of Water and Power
MM-BIO-5 – Impacts to Nesting Birds	After construction activities are complete, vegetation shall be restored around the Ivanhoe Bypass Pipeline Plug site and all areas where vegetation was removed or disturbed as part of Project activities. Revegetation shall restore a 1:1 ratio of trees, shrubs, grasses, and low ground-cover species removed. Vegetation cover, diversity, and density shall be restored to conditions before Project construction. If construction of a new facility (e.g. Ivanhoe Bypass Pipeline Plug) does not allow for 1:1 revegetation or restoration equal to the area disturbed, revegetation shall occur near the new facility if feasible or where there is low or bare ground cover in the landscaped area that would provide ecological benefits to birds. The revegetation area shall be equal to or more than the total amount of area disturbed. Planting shall occur outside of bird nesting season. Monitor planting success or mortality and perform infill planting if needed.	After construction/ Project activities	Los Angeles Department of Water and Power
MM-BIO-6 – Special-Status Plant Survey	CDFW recommends conducting focused surveys for special-status plants on site and disclosing the results in the final environmental document. Based on the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018), a qualified biologist shall "conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting." The final CEQA documentation shall provide a thorough discussion on the presence/absence of sensitive plants on site and identify measures to protect sensitive plant communities from Project-related direct and indirect impacts.	Prior to construction/ Project activities	Los Angeles Department of Water and Power

4-10 Cont'd

Ms. Kathryn Laudeman
Los Angeles Department of Water and Power
June 8, 2020
Page 12 of 12

Biological Resources (BIO)			
Mitigation Measure (MM)		**Timing**	**Responsible Party**
MM-BIO-7 – Impacts to Bats	To protect bats and roosts that may occur on site, CDFW recommends that the final environmental document include a measure that a qualified bat specialist conduct a pre-construction survey to identify trees and/or structures that could provide day and/or night-time roost sites for bats. Work activities shall not occur under the structure between 30 minutes before sunset and 30 minutes after sunrise. Work shall not occur within 100 feet of or directly under or adjacent to an active roost during the breeding season when young are present but are not yet ready to fly (generally April and August) (Johnston et al. 2004). CDFW recommends that the final environmental document include a measure that no construction shall occur between 30 minutes before sunset and 30 minutes after sunrise during the non-volant period between April and August if day-time roost sites are found.	Prior to and during construction/ Project activities	Los Angeles Department of Water and Power
MM-BIO-8 – Impacts to Birds and Wildlife –	CDFW recommends that the final environmental document include a measure to have a qualified biologist on site during draining and refilling of the Ivanhoe Reservoir to monitor for birds and could temporarily stop activities or regulate draining rate if necessary, to prevent bird morality and injury to native aquatic species. The reservoir shall be drained completely, not left partially drained, to temporarily eliminate the Ivanhoe Reservoir as a stopover opportunity during Project activities.	During construction/ Project activities	Los Angeles Department of Water and Power

4-10
Cont'd

Comment Letter 4: California Department of Fish and Wildlife

Response 4-1

This comment includes introductory remarks and describes CDFW's role as a Responsible Agency under CEQA. This comment also includes a summary of the project description. No further response to this comment is required.

Response 4-2

The commenter states that construction activities occurring during the bird nesting season could result in significant impacts to nesting birds and recommends measures to mitigate potential impacts. The Draft IS/MND impact analysis acknowledges the potential for impacts to nesting birds during construction. As stated in Section 3, Environmental Impact Assessment, subsection IV, Biological Resources, on page 3-14 of the Draft IS/MND:

> "Ornamental vegetation in the study area provides suitable nesting habitat for common urban bird species protected by the [Migratory Bird Treaty Act] MBTA and by [California Fish and Game Code] CFGC, including great blue heron, red-tailed hawk, and other common species that have been documented nesting in the study area during surveys and monitoring in support of previous projects implemented within the SLRC. By avoiding project construction during the nesting bird season (generally February 15 to September 1, and as early as January 1 for raptors), and/or by implementing and adhering to the [Best Management Practice] BMP listed in Section 1.7 related to pre-construction surveys for nesting birds and providing a qualified biological monitor should nesting birds be present, direct impacts during project construction on nesting birds and associated nesting habitats would be less than significant.
>
> Indirect impacts to nesting birds within the study area could occur during construction as a result of noise, dust, increased human presence, and vibrations resulting from construction activities. Such disturbances could result in increased nestling mortality due to nest abandonment or decreased feeding frequency. However, by implementing and adhering to the BMP listed in Section 1.7 related to pre-construction surveys and providing a qualified biological monitor as necessary, indirect impacts to nesting birds protected under the MBTA and by CFGC would be less than significant."

The commenter is also referred to the first BMP listed on page 1-11 of the Draft IS/MND, which states: "LADWP would conduct pre-construction surveys for nesting birds and provide a biological monitor as necessary should project activities be initiated during the nesting bird season, generally February 15 through September 1."

In response to this comment, the BMP regarding pre-construction surveys for nesting birds is removed and replaced by the mitigation recommended, which is included as Mitigation Measure BIO-1. The commenter is referred to Section 2, Errata to the Draft IS/MND, which includes the addition of Mitigation Measure BIO-1, as follows:

> **BIO-1** Construction shall occur outside of the nesting bird season (generally February 15 through September 15, and as early as January 1 for raptors). If construction outside this time period is not feasible, the following mitigation

measures shall be employed to avoid and minimize impacts to nesting birds protected under the MBTA and CFGC:

1. A pre-construction nesting bird survey shall be conducted by a qualified biologist within 3 days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All nests found shall be recorded.

2. If construction activities must occur within 300 feet of an active nest of any passerine bird or within 500 feet of an active nest of any raptor, a qualified biologist shall monitor the nest on a weekly basis and the construction activity shall be postponed until the biologist determines that the nest is no longer active. The buffers would be increased if needed to protect the nesting birds.

3. If the recommended nest avoidance buffer is not feasible, the qualified biologist shall determine whether an exception is possible and obtain concurrence from the appropriate resource agency before construction work can resume within the avoidance buffer zone. All work shall cease within the avoidance buffer zone until either agency concurrence is obtained or the biologist determines that the adults and young are no longer reliant on the nest site.

Response 4-3

The commenter recommends mitigation requiring that vegetation be restored around the Ivanhoe Bypass plug site and other areas where vegetation is removed or disturbed as part of project activities. As discussed on page 3-11 of the Draft IS/MND, vegetation in the SLRC includes mature groves of trees on both the east and west side of Silver Lake Reservoir; an approximate 5-acre green space known as Silver Lake Meadows that consists primarily of lawn on the east side of Silver Lake Reservoir; and an approximate 1-acre area along the west side of Ivanhoe Reservoir that formerly served as a staging area for work associated with the SRP, but has since been landscaped with ornamental trees, shrubs, and groundcover. The project components would primarily be installed in paved areas and at the bottom of the reservoirs. Only the Ivanhoe Bypass Pipeline plug would be installed in an area that contains vegetation. This vegetated area is the location of a former staging yard utilized for the SLRC Storage Replacement Project and was covered by ornamental landscaping in 2017. Photos of the area are included in Appendix B to the Draft IS/MND. As discussed in the Biological Resources Memorandum prepared for the proposed project, which is included as Appendix B to the Draft IS/MND, only ornamental landscape species would be removed during installation of the bypass plug. This does not constitute a significant direct impact and the area would be restored with similar landscaping upon completion of the project. The commenter is referred to Section 2, Errata to the Draft IS/MND, which includes modifications to the discussion of the type of vegetation present in the area of the Ivanhoe Bypass Pipeline plug and impacts to existing vegetation at that site to clarify the nature of the impact.

Response 4-4

The commenter states that project activities may impact special-status plant species. As discussed in Response 4-3 above, the project components would primarily be installed in paved areas and at the bottom of the reservoirs, and only the Ivanhoe Bypass Pipeline plug would be installed in an area that contains vegetation. As stated in the Biological Resources

Memorandum prepared for the proposed project, this vegetated area was a former staging yard utilized for the SLRC Storage Replacement Project and was covered by landscaping in 2017. Photos of the area are included in Appendix B to the Draft IS/MND. The area was surveyed and no indication of the presence of special-status plants or potential for such species to become established at this site was found. Additionally, no special-status plant species were observed in the study area during the field survey and no records of special-status plant species coincide with the study area. As such, the Draft IS/MND concluded that direct and indirect impacts to special-status plant species would be less than significant, and no mitigation is required.

Response 4-5

The commenter states that previous surveys have stated that bat species forage in SLRC and that impacts to bats and roost could result from construction activities and recommends mitigation to reduce potential impacts. The discussion of potential impacts to bats included on page 3-15 of the Draft IS/MND acknowledges that indirect impacts to bats roosting within the vicinity of the project could occur as a result of noise, increased human presence, and vibrations resulting from construction activities. In response to this comment, Mitigation Measure BIO-3 has been added to address potential impacts to roosting bats. The commenter is referred to Section 2, Errata to the Draft IS/MND, which includes the addition of Mitigation Measure BIO-3, as follows:

> **BIO-3** A pre-construction survey to identify trees and/or structures that could provide day and/or night-roosting sites for bats would be conducted within 14 days of construction. If day-time roosting bats are detected.
>
> 1. No work activities shall occur within 30 minutes before sunset and 30 minutes after sunrise.
>
> 2. No work activities shall occur within 100 feet of or directly under or adjacent to an active roost during the breeding season when young are present but are not yet ready to fly (generally April and August). The appropriate buffer shall be determined by a qualified biologist relative to specific project activities.

Response 4-6

The commenter states that the draining of Ivanhoe Reservoir would temporarily eliminate stopover opportunities for birds and could lead to bird mortality. The commenter also recommends mitigation to address potential impacts related to the temporary draining of Ivanhoe Reservoir during construction of Phase 2 of the proposed project. As noted by the commenter, the Draft IS/MND states that Silver Lake Reservoir would not be drained, and would provide space immediately adjacent to Ivanhoe Reservoir for water fowl to rest on. In response to this comment, Mitigation Measure BIO-3 has been added to address potential impacts to birds resulting from the draining of Ivanhoe Reservoir during construction of the proposed project. The commenter is referred to Section 2, Errata to the Draft IS/MND, which includes the addition of Mitigation Measure BIO-2, as follows:

BIO-2 A qualified biologist shall be onsite to monitor for the presence of birds during draining and refilling of Ivanhoe Reservoir. The qualified biologist shall have the authority to temporarily stop activities or regulate the draining rate, if necessary, to prevent bird mortality.

1. Ivanhoe Reservoir shall be drained completely to temporarily eliminate the reservoir as a stopover opportunity during project construction activities.

Response 4-7

The commenter states that the payment of California Fish and Wildlife fees would be required. LADWP would pay all applicable fees and file the Notice of Determination within five days of approval of the proposed project by the Board of Water and Power Commissioners pursuant to CEQA Guidelines Section 15075.

Response 4-8

This comment includes closing remarks. No further response to this comment is required.

Response 4-9

The commenter attaches references for their comments. No further response to this comment is required.

Response 4-10

The commenter provides a list of their recommended mitigation measures. The commenter is referred to Responses 4-2 through 4-6 above regarding inclusion of their recommendations.

Comment Letter No. 5

From: A Thakkar [mailto:athakkar47@yahoo.com]
Sent: Sunday, May 17, 2020 12:48 PM
To: Laudeman, Kathryn
Subject: [EXTERNAL] COMMENTS on Silver Lake and Ivanhoe Reservoirs Aeration Recirculation MND 2020

Hello Ms. Laudeman,

My name is Amit Thakkar and I am writing in response to the Notice of Intent to Adopt an MND for the Silver Lake and Ivanhoe Reservoir Aeration and Recirculation System Projects. I live directly adjacent to the Ivanhoe Reservoir at 2415 W. Silver Lake Drive and will be directly impacted by construction of this project and any impacts from the changes made to the reservoir complex adjacent to my residence. I understand this project is important, so I just writing to ask some questions and express some concerns or desires for appropriate mitigation. 5-1

First, just to note, the public comment period started on May 7, but the US postal service has the letter being mailed to me on May 15, which does not really give the community adequate 30 days notice to comment. 5-2

I have the following questions. Below that you will see my request for items to be addressed with proper mitigation. 5-3

QUESTIONS:

1. Concerning Phase 1, where is hot air going to be vented from the air blowers and dafter coolers?
2. Concerning Phase 1, how much noise will be create from 8am-5pm once the project is complete? Both the machinery to make all this work, as well as water being transported and deposited? 5-4
3. Concerning Phase 2, how often will water be going from SL Res to Ivanhoe Res? Will this be a continual occurrence? Will there be the constant sound of running water? 5-5
4. Concerning Phase 2 Step 3, when and how will the proposed 36in pipe be installed? How much will this disturb the community? How much noise and dust should the immediate neighbors expect and for how long? 5-6
5. How long will the Ivanhoe reservoir be drained for this process? 5-7

MITIGATIONS I'D LIKE IMPLEMENTED:

1. I would like all hot air vented from the aeration system to be vented away from homes. If any smells are going to be associated with the vented air, there should be a way to keep these smells and any heat from entering the adjacent residential homes in a reasonable manner. 5-8
2. Noise mitigation needs to be a factor during construction and once the project is complete. I ask that neighbors be consulted about construction hours and noise. More importantly, what kind of noise will all the newly installed equipment be making? Please discuss this with the community, or post a video with sound prior to approvals. I would ask that equipment be kept underground or under water to prevent noise from operation to pollute the environment. 5-9
3. Can the water that will be injected into Ivanhoe Res from SL Res be injected under the water, to prevent the constant sound of running and splashing water? 5-10

1

4. Can you please provide the community with specific schedules for the draining of Ivanhoe reservoir, how long it will take, and dust mitigation for the surrounding homes. Last time the reservoir was drained and construction commenced, we could not open our windows all summer because of dust, which caused all of us to have to run our AC systems during 95+ degree heatwaves which we can all agree is not the best use of energy or resources. 5-11

I would appreciate if these questions can be included AND addressed in all documents associated with this MND, and if these questions can be answered for the entire community I think it would be important for all neighbors to know the answers. 5-12

Thank you so much and I hope you and your family and your colleagues are all staying safe.

All the best,

Amit Thakkar

Comment Letter 5: Thakkar, Amit

Response 5-1

This comment includes introductory remarks. No further response to this comment is required.

Response 5-2

The commenter expresses their concern over the public review period for the proposed project. As discussed in Section1, Introduction, of this Errata and Response to Comments on the Draft IS/MND, the IS/MND and Notice of Completion were distributed to the California Office of Planning and Research, State Clearinghouse. Section 15105(b) of the CEQA Guidelines addresses the public review period required for an MND, stating: "The public review period for a proposed negative declaration or mitigated negative declaration shall be not less than 20 days. When a proposed negative declaration or mitigated negative declaration is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 30 days, unless a shorter period, not less than 20 days, is approved by the State Clearinghouse." As the Draft IS/MND was distributed to the State Clearinghouse, the Draft IS/MND was circulated from May 7, 2020, through June 5, 2020, a 30-day public review period pursuant to CEQA and its implementing guidelines.

Section 15072(b) of the CEQA Guidelines addresses the distribution of a Notice of Intent to Adopt an MND, as follows: "The lead agency shall mail a notice of intent to adopt a negative declaration or mitigated negative declaration to the last known name and address of all organizations and individuals who have previously requested such notice in writing and shall also give notice of intent to adopt a negative declaration or mitigated negative declaration by at least one of the following procedures to allow the public the review period provided under Section 15105:

(1) Publication at least one time by the lead agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.

(2) Posting of notice by the lead agency on and off sit in the area where the project is to be located.

(3) Direct mailing to the owners and occupants of property contiguous to the project. Owners of such property shall be identified as shown on the latest equalized assessment roll."

As discussed on page 1-2 of this Errata and Response to Comments on the Draft IS/MND, the NOI was distributed to approximately 35 agencies, Native American tribal contacts, and community stakeholders, as well as over 1,400 owners and occupants of properties adjacent to the project site. Additionally, the NOI was published in the May 14, 2020, edition of the Los Angeles Times newspaper. As such, the NOI was published in the newspaper of general circulation in the area affected by the proposed project and was distributed via direct mailing to the owners and occupants of property contiguous to the project site, in accordance with CEQA Guidelines Section 15072(b). Notwithstanding, the lead agency understands that mailings can sometimes be delayed for circumstances beyond its control. As such, it should be noted that the lead agency has accepted the one comment letter that was received following the close of the

public review period posted in the NOI. Additionally, it should be noted that the public comment period is not the last time that comments may be submitted regarding the environmental documentation prepared for the proposed project. All agencies, organizations, and individuals who provided written comments on the Draft IS/MND will be notified of the anticipated date of the Board of Water and Power Commissioners hearing to consider the proposed project. The public is welcome to submit any additional comments on the project at that hearing.

Response 5-3

The commenter inquires where the air from the after blowers would be vented. The air from the aftercoolers would be vented to the atmosphere in an updraft fashion similar to a traditional air conditioning condensing unit. As shown in Figure 3 on page 1-7 of the Draft IS/MND, the proposed air blower enclosure would be located on the northwest side of Silver Lake Reservoir, approximately 350 feet away from the nearest residences on Armstrong Avenue.

Response 5-4

The commenter asks how much noise would be generated from Phase 1 of the proposed project during operation. A discussion of the noise levels anticipated to be generated by the proposed project is included in Section 3, Environmental Impact Assessment, subsection XIII, Noise, beginning on page 3-36 of the Draft IS/MND. As discussed on page 3-41 and 3-42 of the Draft IS/MND, the source of operational noise for Phase 1 of the proposed project would be the air blower system. The air blower system would be housed in an enclosure with ventilation and sound insulation. A single air blower system produces a noise level of 74.0 decibels on the A-weighted scale at the Equivalent Noise Level (dBA L_{eq}) at three feet. Aftercoolers would generate a noise level of approximately 75.0 dBA at three feet. Equipment noise related to the air blower system and the aftercooler system operating in tandem would be approximately 79.1 dBA Leq. However, noise levels decrease with distance from the noise sources. As such, due to the distance of the equipment, noise levels at sensitive receptors, which include nearby residences and the Neighborhood Nursery School in the northwest portion of the SLRC property, would decrease to a point that they would be similar to existing conditions. As shown in Table 11, Air Blower System Noise Level, on page 3-42 of the Draft IS/MND, noise levels at the nearby sensitive receptors during operation of the air blower system would be similar to existing ambient noise levels. As such the proposed project would be compliant with the requirements of the Los Angeles Municipal Code Section 112.02, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than 5dB. Accordingly, the Draft IS/MND concludes that noise generated from operation of the air blower system in Phase 1 of the proposed project would result in a less than significant impact.

Regarding the commenter's inquiry related to noise from transporting and depositing water, Phase 1 of the proposed project includes the construction and operation of the aeration system, which consists of construction and operation of air blowers, air piping, bubble plume system diffusers, and aftercoolers. No water would be transported as part of Phase 1 of the proposed project. Phase 2 of the proposed project includes construction and operation of the recirculation system, which would circulate water between the two reservoirs. As discussed on page 3-42 of the Draft IS/MND, operational noise associated with Phase 2 of the proposed project would be generated by pumps. Two pumps would be located within the Gate 456 structure and would be submerged under water. The submerged pumps have no potential to generate audible noise. Both of the pumps would be placed below-grade within a hydraulic structure, which would be shielded from view at the property line. Pump noise would not be audible at existing residences.

Response 5-5

The commenter asks how often water would be transferred from Silver Lake Reservoir to Ivanhoe Reservoir and whether any noise will be generated by that activity. Water would be pumped from Silver Lake Reservoir to Ivanhoe Reservoir continuously. This transfer of water between the reservoirs would occur via the following four-step process (the commenter is referred to Figure 3, Proposed Project Aeration and Recirculation System, on page 1-7 of the Draft IS/MND, which shows the locations of the existing and proposed equipment and features at the SLRC):

- Step 1: Water would enter the existing 60-inch bypass pipeline at the bottom of Silver Lake Reservoir and flow by gravity towards Ivanhoe Reservoir.

- Step 2: The existing concrete vault (Gate 456 Structure) at the northwest would be modified as a pump station to push water from Silver Lake Reservoir into Ivanhoe Reservoir.

- Step 3: Water would flow through a proposed new 36-inch pipe that would discharge near the existing Ivanhoe Inlet Tower.

- Step 4: Water would naturally flow within Ivanhoe Reservoir, rise up, and flow of the existing weir into Silver Lake Reservoir.

The recirculation process would then begin again at Step 1. The flow of water from Silver Lake Reservoir into Ivanhoe Reservoir would occur below operating water level and would not generate noise. The flow of water from Ivanhoe Reservoir into Silver Lake Reservoir would occur similar to existing conditions over the existing spillway. As such, noise associated with this flow would be similar to existing conditions. As discussed in Response 5-4 above, operational noise associated with the proposed recirculation system would be generated by pumps, which would be submerged and not audible at existing residences.

Response 5-6

The commenter asks how the proposed new pipeline would be installed, how much noise and dust the pipeline installation activities would generate, and the duration of pipeline installation activities. As discussed in Section 1, Project Description, subsection 1.7, Construction Schedule and Procedures, of the Draft IS/MND, approximately 400 linear feet of new pipeline would be place and casted with concrete within Ivanhoe Reservoir to recirculate water within the reservoir. This pipeline would be installed on the base of the reservoir. Phase 2 is anticipated to take approximately 16 months to complete, with construction of the pipeline within Ivanhoe Reservoir taking approximately three months. It is anticipated that Ivanhoe Reservoir would be drained for up to six months for installation of the recirculation system within the reservoir.

Regarding construction noise levels associated with Phase 2 of the proposed project, as discussed in Section 3, Environmental Impact Assessment, on page 3-38 of the Draft IS/MND, "construction activity would comply with the allowable hours of construction in the Los Angeles Municipal Code (LAMC) Section 41.40 (Noise Due to Construction, Excavation Work – When Prohibited), including 7:00 a.m. to 9:00 p.m. Monday through Friday, 8:00 a.m. to 6:00 p.m. on Saturday, and no construction activity on Sundays or federal holidays. The LAMC limits equipment noise levels to 75 dBA L_{eq} at 50 feet unless technically infeasible." Construction equipment associated with Phase 2 of the proposed project would not exceed these noise

levels. As such, the Draft IS/MND concluded that Phase 2 construction activities would not generate significant noise levels.

Regarding dust generated from construction activities during Phase 2 of the proposed project, the comment is referred to Section 1, Project Description, subsection 1.7, Construction Schedule and Procedures, beginning on page 1-9 of the Draft IS/MND, which lists the Best Management Practices to be implemented to avoid potential impacts. As listed on page 1-10, "the construction contractor would implement Rule 403 dust control measures required by the South Coast Air Quality Management District (SCAQMD), which would include the following:

- Water shall be applied to exposed surfaces at least two times per day to prevent generation of dust plumes.
- All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).
- Construction activity on exposed or unpaved dirt surfaces shall be suspended when wind speed exceeds 25 miles per hour (such as instantaneous gusts).
- Ground cover in disturbed areas shall be replaced in a timely fashion when work is completed in the area.
- Identify a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
- Traffic speeds on all unpaved roads to be limited to 15 mph or less.
- Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water."

Additionally, as discussed in Section 3, Environmental Impact Assessment, subsection III, Air Quality, on page 3-5 of the Draft IS/MND, SCAQMD Rule 403 requires Best Management Practices for fugitive dust control that achieve a 61 percent reduction from on-site fugitive dust sources, including disturbed ground surfaces. With implementation of SCAQMD Rule 403 dust control measures, maximum daily emissions of all air pollutants would remain below all applicable regional SCAQMD thresholds during construction of the proposed project.

Response 5-7

The commenter inquires about the duration that Ivanhoe Reservoir will be drained. The commenter is referred to Response 5-6 above regarding the schedule for construction activities at Ivanhoe Reservoir.

Response 5-8

The commenter requests that air vented from the aeration system be vented away from homes and that, if any odors are associated with vented air, those odors also be vented away from nearby homes. The commenter is referred to Response 5-3 above, which explains that the air blower enclosure would be located approximately 350 feet away from the nearest residences. Additionally, as discussed in Response 5-3, the after coolers would remove excess heat from the aeration system in a manner similar to an air conditioning condensing unit. No odors would be associated with the vented air.

Response 5-9

The commenter requests that neighbors be consulted about construction hours and noise. The commenter is referred to page 3-41, which lists the mitigation measures that would be implemented to reduce impacts related to construction noise. Specifically, Mitigation Measure NOI-6 requires that the public "be notified in advance of the location and dates of construction hours and activities."

The commenter is referred to Response 5-4 regarding noise generated during operation of the proposed project and the locations of noise-generating equipment.

Response 5-10

The commenter asks whether water transfer from Silver Lake Reservoir into Ivanhoe Reservoir can be done under water to prevent the generation of noise from such activities. The commenter is referred to Response 5-5 above regarding noise generated by the proposed recirculation activities. As discussed, the flow of water from Siler Lake Reservoir into Ivanhoe Reservoir would occur below operating water level and would not generate noise.

Response 5-11

The commenter requests that the community be provided with schedules for activities at Ivanhoe Reservoir. The commenter is referred to Response 5-9 above regarding the advance public notification of the location and dates of construction hours and activities, as outlined in Mitigation Measure NOI-6.

The commenter also requests information on dust mitigation. The commenter is referred to Response 5-6 above regarding the implementation of SCAQMD Rule 403 dust control measures.

Response 5-12

The commenter requests that their comments be addressed and included in the MND. The written responses to comments received contained in this Errata and Response to Comments on the Draft IS/MND will be included as part of the administrative record for the proposed project, which will be forwarded to the decision-making bodies for their review and consideration. Additionally, this Errata and Response to Comments on the Draft IS/MND will be posted on the LADWP website. All agencies, organizations, and individuals who provided written comments on the Draft IS/MND will be notified when the responses to their comments are available and informed of where the responses can be reviewed.

Comment Letter No. 6

From: Tony Lund [mailto:anthonylund@gmail.com]
Sent: Monday, May 18, 2020 3:30 AM
To: Laudeman, Kathryn
Subject: [EXTERNAL] I WILL NOT TOLERATE THIS KIND OF BULLSHIT IN MY NEIGHBORHOOD!!

I just received a letter that LADWP is planning a major construction project regarding my beloved Silverlake and Ivanhoe Reservoir!!!

Are you aware that you will be handling the lethal chemical DiHydrogenMonoxide which is known to cause thousands of deaths per year via inhalation!?!? I for one, am appalled that the city is willing to work with ANY CHEMICAL as chemicals are known to cause tremendous harm when improperly handled. Why are you working with DiHydrogenMonoxide when citizens demand ALL NATURAL solutions like H20?? 6-1

Ok, ok, ok, I kid, I kid. :)

But in all seriousness, this is really cool to hear about this project!! I'm SUPER CURIOUS! I do not doubt that they do, but I want to know why the Silverlake/Ivanhoe reservoirs need stratification systems? They're so shallow — are there really extreme differences in temperature or oxygen levels? What kinds of problems does this cause if no action is taken? Is the primary issue temperature or is it oxygen levels? Or both? 6-2 What are the concrete 'plugs' mentioned in the letters? 6-3 Does the proposed system take in ambient air for aeration, or does it use a system that needs to be replenished by imported resources ala a giant aquarium that requires constant replenishing of oxygen tanks?? This is intellectually exciting!! 6-4

In terms of policy, please note that in a normal world, I would normally have ZERO capacity to respond to this letter even though I support the endeavor. But, since we are now living in the bad timeline, I can effectively lend my voice to the public comment!! So, here's my public comment: I want to say as a matter of public record that I fully support Kathryn Laudeman's position on this matter as she is a verified expert on water treatment engineering (I looked her up on LinkedIn to verify that she wasn't a Public Affairs/PR drone). To that end, I want to also acknowledge and thank the city employees and employees of LADWP for doing an excellent job. Most of your interactions with the public happen when someone from the public is irate, so please assume that I am shouting my voice of indifferent satisfaction at the same volume as the hysterics. 6-5

Anyways, I'm a nerd and I make science documentaries for a living for the likes of Discovery Channel, National Geographic, etc… so all I really want to know is the science behind what is being proposed!

And, as a resident of Silverlake, if I have any say in the matter, I put full faith in Kathryn because she obviously knows what she's doing (unless she's lying on her LinkedIn profile! Lol).

Tony Lund
Isotope Entertainment, Inc.

anthonylund@gmail.com
m: 801.867.2366

1

Comment Letter 6: Lund, Tony

Response 6-1

This comment includes introductory remarks. No further response to this comment is required.

Response 6-2

The commenter inquires about why the aeration and recirculation system is needed, and what would happen if the project is not implemented. As discussed in Section 1, Project Description, subsection 1.4, Project Background, beginning on page 1-2 of the Draft IS/MND, the Environmental Impact Report prepared for the SLRC Storage Replacement Project (SRP) stated that Silver Lake and Ivanhoe Reservoirs would be allowed to revert to a more natural state, maintained as view lakes, and to remain consistent with the community values set forth in the Silver Lake Master Plan. This includes maintaining these two reservoirs at historic levels, typically between an elevation of 440 and 451 feet, and ensuring a greenish hue of the water. Water levels at the reservoirs are maintained with nonpotable sources, such as groundwater and stormwater. As discussed in subsection 1.5, Project Objectives, on page 1-5 of the Draft IS/MND, the objectives of the proposed project are to:

- "Comply with the requirements of the SLRC SRP Environmental Impact Report
- Install an aeration and recirculation system to ensure full water transfer between both basins and increase the oxygen levels at the bottom of the reservoirs, and properly mix and destratify the water in the reservoirs to minimize stagnation
- Control algal growth and associated odors at the reservoirs"

There is currently no treatment regimen for the water in the reservoirs. As such, without the aeration and recirculation system, dissolved oxygen levels at the bottom of the water could decrease and lead to algal growth, which can lead to increased odors. The aeration system would increase oxygen levels, while the recirculation system would ensure mixing of water between the reservoirs. Together, the aeration and recirculation system would achieve desired levels of dissolved oxygen and reduce stagnation of the water to discourage algal growth and control odors at the reservoirs, and maintain the aesthetic value of the reservoirs as view lakes in accordance with the Silver Lake Master Plan.

Response 6-3

The commenter inquires about the concrete plugs mentioned in the NOI. As discussed in Section 1, Project Description, on page 1-6 of the Draft IS/MND, the concrete plugs would be installed at the existing Ivanhoe Bypass and Ivanhoe Inlet Tower, and would contain all recirculating water within the vicinity of the SLRC to avoid potential flooding of the Rowena-Ivanhoe pipeline. The Rowena-Ivanhoe pipeline currently connects Rowena Reservoir, located approximately 0.5 mile northwest of the SLRC, to Ivanhoe Reservoir. The concrete plugs would block that connection and, as discussed, contain the water within the SLRC.

Response 6-4

The commenter inquires about how air is taken in for the aeration system. As discussed in Section 2, Project Description, page 1-5 of the Draft IS/MND, the aeration system would consist

of air blowers, air piping, bubble plume system diffusers, and aftercoolers. The air blowers take in and compress air and pump it through the pipe to the diffusers.

Response 6-5

The commenter expresses their support for the proposed project. No further response to this comment is required.

Comment Letter No. 7

From: Margaret Mittleman [mailto:margaretmittleman@gmail.com]
Sent: Thursday, June 4, 2020 1:10 PM
To: Laudeman, Kathryn
Subject: [EXTERNAL] Silver Lake Reservoir

Hi Kathryn,

I live on Putnam Street just of West Sliver Lake blvd. since 1995 The do love the improvements that have been done so far.
I'm writing to say that I'm not in favor of any other changes - at first it was exciting to hear the possibilities. Then it became too ambiguous.
Now I'm not sure who is voting for these improvements - non of my neighbors approve.
And in light of all that is going on I don't feel the money should be spend on the project.
There are more important things to spend it on. 7-1

Best,
Margaret

Comment Letter 7: Mittleman, Margaret

Response 7-1

The commenter expresses their opposition to changes at SLRC and states that the changes are ambiguous. The commenter is referred to Section 1, Project Description, of the Draft IS/MND, which includes an overview of the project; a discussion of the CEQA requirements and the need to prepare and IS/MND for the proposed project; a description of the project location and setting; a discussion of the project background; a list of the project objectives; a description of the proposed project; details on the construction schedule and procedures; and a list of the permits and approvals anticipated to be required to implement the proposed project. The commenter is also referred to Response 6-2 above regarding the purpose and need to implement the proposed project to comply with the requirements of the SLRC SRP Environmental Impact Report and maintain the aesthetic value of the reservoirs as view lakes in accordance with the Silver Lake Master Plan.

Page intentionally left blank

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM

Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project
Mitigated Negative Declaration
(State Clearinghouse No. 2020050161)

Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines to provide for monitoring of the mitigation measures required by certification of the Silver Lake and Ivanhoe Reservoirs Aeration and Recirculation System Project (proposed project) Mitigated Negative Declaration (MND). Section 21081.6 of the Public Resources Code and Section 15091(d) of the CEQA Guidelines require public agencies to "adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." The lead agency must define specific reporting and/or monitoring requirements to be enforced during project implementation prior to final approval of the proposed project.

The Los Angeles Department of Water and Power (LADWP) is the lead agency for the proposed project and is responsible for administering and implementing the MMRP. The MMRP stipulates how all required mitigation measures are to be implemented and completed during the appropriate project phase. It also facilitates documentation necessary to verify that mitigation measures were in fact properly implemented.

Mitigation Monitoring and Reporting Program Procedures

This MMRP gives LADWP the primary responsibility for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. LADWP's designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems. LADWP, at its discretion, may delegate responsibility for measure implementation and monitoring, or portions thereof, to other responsible individuals, such as a licensed contractor. Specific responsibilities for LADWP include:

- Coordination of all mitigation monitoring activities
- Management of the preparation, approval, and filing of monitoring or permit compliance reports
- Maintenance of records concerning the status of all approved mitigation measures
- Quality control assurance of field monitoring personnel
- Coordination with other agencies regarding compliance with mitigation or permit requirements
- Reviewing and recommending acceptance and certification of implementation documentation

- Acting as a contact for interested parties or surrounding property owners who wish to register complaints, observations of unsafe conditions, or environmental violations; verifying any such circumstances; and developing any necessary corrective actions

Resolution of Noncompliance Complaints

Any person or agency may file a complaint regarding noncompliance with the mitigation measures addressed in the MMRP. The complaint shall be directed to LADWP (111 North Hope Street, Room 1044, Los Angeles, CA 90012) in written form providing detailed information on the purported violation. LADWP will investigate any complaints filed to determine the validity of the complaint. If noncompliance with a mitigation measure is verified, LADWP will take the necessary action(s) to remedy the violation. The complainant will receive written confirmation indicating the results of the investigation or the final corrective action that was implemented in response to the specific noncompliance issue.

Mitigation Monitoring and Reporting Program Matrix

The MMRP is organized in a matrix format. The first column identifies the mitigation measure number. The second column identifies the mitigation measure. The third column, entitled “Time Frame for Implementation,” refers to when monitoring will occur. The timing for implementing mitigation measures and the definition of the approval process has been provided to assist LADWP staff to plan for monitoring activities. The fourth column, entitled “Responsible Monitoring Agency,” refers to the agency responsible for ensuring that the mitigation measure is implemented. The fifth column, entitled “Verification of Compliance,” has subcolumns for initials, date, and remarks. This last column will be used by the lead agency to document the person who verified that the mitigation measure was satisfactorily implemented, the date on which this verification occurred, and any other notable remarks. The mitigation measures are presented by environmental issue area.

Number	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
BIOLOGICAL RESOURCES						
BIO-1	Construction shall occur outside of the nesting bird season (generally February 15 through September 15, and as early as January 1 for raptors). If construction outside this time period is not feasible, the following mitigation measures shall be employed to avoid and minimize impacts to nesting birds protected under the MBTA and CFGC: 1. A pre-construction nesting bird survey shall be conducted by a qualified biologist within 3 days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All nests found shall be recorded. 2. If construction activities must occur within 300 feet of an active nest of any passerine bird or within 500 feet of an active nest of any raptor, a qualified biologist shall monitor the nest on a weekly basis and the construction activity shall be postponed until the biologist determines that the nest is no longer active. The buffers would be increased if needed to protect the nesting birds. 3. If the recommended nest avoidance buffer is not feasible, the qualified biologist shall determine whether an exception is possible and obtain concurrence from the appropriate resource agency before construction work can	Prior to and During construction	LADWP			

Number	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
	resume within the avoidance buffer zone. All work shall cease within the avoidance buffer zone until either agency concurrence is obtained or the biologist determines that the adults and young are no longer reliant on the nest site.					
BIO-2	A qualified biologist shall be onsite to monitor for the presence of birds during draining and refilling of Ivanhoe Reservoir. The qualified biologist shall have the authority to temporarily stop activities or regulate the draining rate, if necessary, to prevent bird mortality. 1. Ivanhoe Reservoir shall be drained completely to temporarily eliminate the reservoir as a stopover opportunity during project construction activities.	During Construction	LADWP			
BIO-3	A pre-construction survey to identify trees and/or structures that could provide day and/or night-roosting sites for bats would be conducted within 14 days of construction. If day-time roosting bats are detected. 1. No work activities shall occur within 30 minutes before sunset and 30 minutes after sunrise. 2. No work activities shall occur within 100 feet of or directly under or adjacent to an active roost during the breeding season when young are present but are not yet ready to fly (generally April and August). The appropriate buffer shall be determined by a qualified biologist relative to specific project activities.	Prior to and During Construction	LADWP			

Number	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
CULTURAL RESOURCES						
CUL-1	Any proposed alterations planned for the SLRC Historic District shall be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, particularly the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Per the National Park Service, rehabilitation is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property that are significant to its historic, architectural, and cultural values. Rehabilitation assumes that at least some repair or alteration of the historic building will be needed to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features, or finishes that are important in defining the building's historic character. Any proposed alterations shall be designed under the guidance of a Secretary of the Interior qualified architectural historian in order to comply with the Secretary of the Interior's Standards for Rehabilitation.	Prior to Construction	LADWP			
NOISE						
NOI-1	Construction equipment shall be properly maintained and equipped with mufflers.	During Construction	LADWP			
NOI-2	Rubber-tired equipment shall be used rather than tracked equipment when feasible.	During Construction	LADWP			
NOI-3	Equipment shall be turned off when not in use for an excess of five minutes, except for equipment that requires idling to maintain performance.	During Construction	LADWP			

Number	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
NOI-4	A public liaison shall be appointed for project construction will be responsible for addressing public concerns about construction activities, including excessive noise. As needed, the liaison shall determine the cause of the concern (e.g., starting too early, bad muffler) and implement measures to address the concern.	During Construction	LADWP			
NOI-5	Prior to initiating construction activity, LADWP shall coordinate with the site administrator for the Neighborhood Nursery School to discuss construction activities that generate high noise levels. Coordination between the site administrator and LADWP shall continue on an as-needed basis throughout the construction phase of the project to mitigate potential disruption of classroom activities.	Prior to and During Construction	LADWP			
NOI-6	The public shall be notified in advance of the location and dates of construction hours and activities.	Prior to and During Construction	LADWP			
TRIBAL CULTURAL RESOURCES						
TCR-1	Within 45 days prior to the start of construction, LADWP shall coordinate with Native American Tribal representatives to develop a Tribal Cultural Resources Monitoring Plan. If any Native American cultural material is encountered within the project site during construction activities, interested Native American parties established through consultation with the lead agency shall be notified. LADWP shall determine during consultation if the resources constitute tribal cultural resources and solicit any comments the Native American parties may have regarding appropriate treatment and disposition of the resources.	During Construction	LADWP			