

Date

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City of Los Angeles
Public Works, Bureau of Sanitation
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Dear Mr. Shah,

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

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

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

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

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

Section 3.2 – Aesthetics

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

In addition, an ATF at the Valley Heart site will introduce nighttime lighting in an area immediately adjacent to light-sensitive single family homes where there is little or no existing lighting. The light and glare impacts to such sensitive receptors cannot be fully mitigated by directing or shielding the lights and will result in significant unavoidable impacts. The Final EIR must include a more complete analysis of these impacts and compare them to the southern alignment, which does not include an ATF immediately adjacent to any residential neighborhoods.

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

Section 3.4 – Air Quality

Section 3.4 of the Draft EIR addresses Air Quality impacts of the proposed projects. The Draft EIR describes potential significant adverse impacts to air quality resulting from the formation of odors by the GBIS. Section 3.4.2.5 states that “the proposed ATFs associated with each of the GBIS alignments would be constructed at sites that currently have no sewer gas emissions. As a result, no existing wastewater-related odor sources are associated with sites where ATFs are proposed.” Unfortunately, this is not correct.

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

Furthermore, Figure 3.4-9, which attempts to indicate locations of odor complaints near the Northeast Interceptor Sewer – Phase II (NEIS II) and GBIS from March 2003 to January 8, 2005, is incomplete. This map may show all of the odor complaints received by the City of Los Angeles during this time, but it does not include odor complaints received by the City of Burbank. Figure 3.4-9 leads the reader to an incorrect conclusion

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

that existing odors are not an issue in the area. In 2003 and 2004, the City of Burbank received 67 odor complaints in the vicinity of the Valley Heart site (see attached map). The North Alignment of GBIS, which includes a shaft site and ATF at the Valley Heart site, would add an additional odor source to this area.

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

In addition, existing sewer systems in the general GBIS vicinity, such as the NOS or VORS, could generate emissions of sewer gas through unsealed maintenance holes. Sewer gas can contain H₂S and small quantities of VOCs (Tran, 2005). The proposed ATFs associated with each of the GBIS alignments would be constructed at sites that currently have no sewer gas emissions.

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

Section 3.4.3.2 attempts to summarize the air quality impacts to the project level components. Included in the analysis of the GBIS South Alignment is Table 3.4-54 (page 3.4-114), Maximum H₂S Concentrations Associated with ATFs for the GBIS South Alignment. This table illustrates that four of the five ATF sites exceed the odor threshold. The four that exceed this threshold are 17 to 20 meters from the receptor. It is this proximity that causes the maximum H₂S concentration to exceed the threshold of 11.26 µg/m³.

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

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

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

Second, it appears no analysis was done for the Valley Heart site to see if the maximum H₂S concentration will exceed the threshold of 11.26 µg/m³. The Draft EIR makes the assumption that the threshold will be exceeded, but does not include the result of the analysis. Due to the proximity of the receptor, it is likely that the maximum 1-hour H₂S concentration will be much higher than those possible ATF sites where the nearest

receptor is at least 17 meters away. The missing analysis and lack of resulting data to compare ATF sites masks the true odor impacts of the possible use of the Valley Heart site for an ATF. The Draft EIR analysis of potentially significant air quality impacts is, therefore, inadequate and must be revised to present a comparative analysis of the impacts of both the northern and southern GBIS alignments.

Section 3.5 – Biological Resources

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

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

It is unlikely that the removal of many of these protected trees could be avoided due to the density of the trees at this location. Not only do these trees have a protected status, but they are situated directly across the street from single family dwellings. These trees are situated directly across from single family residences where they are enjoyed by the public. The loss of these protected trees is completely unnecessary since the GBIS South Alignment would not cause their removal. Therefore, the GBIS North Alignment creates an unnecessary environmental impact and should be rejected.

Section 3.9 – Geology and Soils

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

Section 3.12 – Land Use and Planning

The adopted Los Angeles River Master Plan (page 251 figure 58) shows an equestrian bridge from the Pollywog area across the LA River to facilitate equestrian activities in the Pollywog area. The proposed construction activities and Air Treatment Facility associated with the “Northerly Alignment” will conflict with equestrian use of the Pollywog

area and are in conflict with equestrian provisions in the Los Angeles River Master Plan. This plan inconsistency needs to be disclosed and analyzed in the Draft EIR.

As well, according to Section 3.12.3.2, the GBIS North Alignment could require permanent underground easements from private properties. Underground private property easements would not be required if the GBIS South Alignment is selected. In addition, the GBIS North Alignment may require the acquisition of private property at 11003 W. Moorpark Street or 10928 W. Riverside Drive. A drop structure is proposed either on Caltrans property or one of these sites. This structure would limit the ability for these sites to be fully utilized in the future. This impact to land use would not occur with the use of the GBIS South Alignment.

Section 3.13 – Noise and Vibration

One of the most negative impacts of the GBIS project is noise and vibration. Although noise impacts are a part of almost all construction projects, the noise and vibration impacts of GBIS construction are proposed to occur for three years. While short term construction noises can be tolerated, noise from a three-year construction project can be unbearable.

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

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

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

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

The Draft EIR attempts to evaluate noise impacts in part by measuring noise at various proposed shaft sites. The noise measurements at the Valley Heart shaft site were taken over a 24 hour period on February 28, 2005.² This noise measurement showed that the primary noise at the site was traffic on SR-134. Since the time of this noise measurement, a sound wall along westbound SR-134 has been completed. This has significantly reduced the noise from the highway and has rendered the noise measurements in the Draft EIR invalid.

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

In addition to ambient noise caused by construction, groundborne noise will be caused by muck trains during the tunneling operation. During a similar sewer project (NORS) previously constructed by the City of Los Angeles, groundborne noise from muck train operations was a major source of community complaints.³ Comparison between the two alignments yields the following table:

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

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

Additionally, the Draft EIR should consider the noise standards of the community and residents the GBIS is impacting. The City of Burbank has a Noise Ordinance which

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

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

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

Section 3.14 – Population, Housing and Employment

As stated in Section 3.14.3.2, the GBIS South Alignment would require the partial acquisition of a private property. This parcel is currently vacant, and no displacements of residents, businesses or employees would occur. On the other hand, the Optional Alignment A of the GBIS North Alignment would require the acquisition of a parcel that is developed by an automobile repair facility. Relocation of this business would need to be provided if this alignment was selected. Optional Alignment B of the GBIS North Alignment could require the acquisition of a surface parking lot that contains four parcels. If this site is used, additional parking would need to be acquired for the businesses that use this lot. Therefore, there is clearly a greater impact on employment if either GBIS North Alignments are selected. This adverse effect contributes to the GBIS Southern Alignment being environmentally superior to the GBIS Northern Alignment and, therefore, must be included in a comparative analysis of the two options.

Section 3.16 – Recreation

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

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

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

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

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

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

Section 3.17 – Transportation and Traffic

Section 3.17.3.2 explains that the peak phase of the construction activity would add up to 114 one-way truck trips per day at each active shaft site on the GBIS project. Although this estimate is equivalent in both alignments, the increased truck traffic has a greater negative impact on the GBIS North Alignment. The GBIS North Alignment includes three unique shaft sites that are adjacent to residential properties. The truck traffic in these areas would be disrupting to those residents.

Of particular concern is the Valley Heart shaft site, which can only be accessed by quiet residential streets. This increase in truck traffic over a three year period would be detrimental to the neighborhood. Much of the GBIS South Alignment, on the other hand, is not adjacent to residential areas and would not create traffic problems to local residents and businesses.

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

Summary and Conclusion

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

environmental impacts (14 Cal. Code Regs. § 15021), the City of Burbank urges the City of Los Angeles to reject the GBIS North Alignment.

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

Sincerely,

Mayor and Council Member signatures

Attachments:

Figure 3.4-9 Update