

RESPONSE TO COMMENTS

A Draft IS/MND (SCH: 2018121033) was circulated for a 30-day public review and comment period from December 13, 2018 to January 14, 2019. The Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration was filed with the County of Los Angeles Recorder's Office in Norwalk, submitted to State Clearinghouse, and published in Culver City News on December 13, 2018. The NOI was also emailed to subscribers of the City's GovDelivery system. A digital copy of the proposed IS/MND as well as other documents concerning the project were available for public review on the City's website under City Projects. A hard copy of the IS/MND was available for review by the public at the Engineering Division Counter, City Hall. During the public review period, 6 comment letters were received and provide herein is a copy of each letter received and a response to comments.

Letter Number	Date Received	Agency	Author
1	12/20/2018	Gabrieleno Band of Mission Indians/ Kizh Nation	Gabrieleno Band of Mission Indians/ Kizh Nation
2	01/08/2019	California Department of Toxic Control (DTSC)	Pete Cooke
3	01/09/2019	South Coast Air Quality Management District (SCAQMD)	Lijin Sun, J.D.
4	01/09/2019	California Department of Transportation (Caltrans)	Miya Edmonson
5	01/14/2019	Metropolitan Water District of Southern California	Sean Carlson
6.	1/22/2019	Governor's Office of Planning and Research	Lee Torres

*Letters numbered in the order they were received.

Letter Number: 1
Date Received: December 20, 2018
Commenter/Agency: Gabrieleno Band of Mission Indians/ Kizh Nation

Response to Comment 1-1:

Comment that the Gabrieleno Band of Mission Indians/ Kizh Nation has received the NOI for the proposed project and would like to be consulted if any ground disturbance will be conducted for the proposed project. IS/MND Section 3.4.17, Tribal and Cultural Resources, includes Mitigation Measure TR-1 that requires a Tribal monitor/consultant who is both approved by the Gabrieleno Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities that have the potential to impact tribal cultural resources within the project area. The locations and types of ground disturbing activities to be monitored will be discussed and defined prior to the start of construction activities by mutual agreement with the Project Applicant and the Gabrieleno Band of Mission Indians-Kizh Nation Tribal Government. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources. No issues related to the adequacy of the IS/MND were raised; therefore, no further response is necessary.

Letter Number: 2
Date Received: January 8, 2019
Commenter/Agency: Pete Cooke, California Department of Toxic Control

Response to Comments 2-1:

Mr. Cooke indicated that the document needs to identify and determine whether current or historic uses at the site have resulted in any release of hazardous waste/substances and the document needs to identify any known or potentially contaminated site(s) within the proposed project area. For identified sites, the document needs to evaluate whether conditions at the site pose a threat to human health or the environment.

Hazards and Hazardous Materials were addressed in Section 3.4.8 of the IS/MND. As noted in the IS/MND, according to the California Environmental Protection Agency list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the project area is not located on a hazardous materials site. As noted under existing conditions, the proposed project site is not located at a known hazardous waste disposal site, hazardous substance release site, or landfill; there are no permitted underground storage tank (UST) facilities documented within the project site (California Environmental Protection Agency, 2018; California Environmental Protection Agency, Department of Toxic Substances Control 2018; California State Water Resources Control Board 2018). No drums or hazardous substances were observed on-site based on information reviewed.

In order to provide additional clarification, the *Environmental Records Review, Culver Boulevard Realignment and Stormwater Treatment Project, Culver City, California*. (Tetra Tech January 18, 2019) (ERR) was prepared and is included as Appendix H in the Final IS/MND.

In addition, the following text was added to the response to question “d” in IS/MND Section 3.4.8.

“The ERR included the following:

- *Research and review of pertinent and readily available historical aerial photographs and topographic maps of the site and surrounding area;*
- *Interaction with appropriate regional and state agencies to review available records and permits;*
- *Acquisition and review of a regulatory agency database report; and*
- *Preparation and submittal of this report summarizing the results of the ERR.*

The ERR methods of investigation included:

Topographic Map Review. *Historical topographic maps obtained through Environmental Data Resources, Inc. (EDR) (EDR 2019) were reviewed to evaluate past land use and site development.*

Aerial Photograph Survey. *Historical aerial photographs obtained through EDR were reviewed and incorporated into this report (EDR 2019). This review consisted of examining the photographs for evidence of previous activities that may affect the environmental condition of the site.*

Agency Contacts. *During the course of this assessment, the following agencies/organizations were contacted via email, telephone, personal interviews, and/or record searches for information relating to the site:*

- *California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR);*
- *California Environmental Protection Agency (Cal EPA), Department of Toxic Substances Control (DTSC) and*
- *State Water Resources Control Board (SWRCB).*

Regulatory Agency Database and Sanborn Map Search. *EDR maintains comprehensive environmental information databases and historical information, including Sanborn Maps, City Directories, and Building Permits, and specializes in providing such data for use in real estate and environmental documents. EDR performed a search of multiple databases containing specific government records, each within a prescribed search radius of the site. The search radii varied from 0.25 to 1 mile depending on the database. The specific search radii for each database are listed in the EDR report. EDR also reviewed their Sanborn Map and City Directory collection for coverage in the site area (EDR 2019).*

Based on the information presented in the ERR in Appendix H, it was concluded that:

1. *Current or historic uses at the project site have not resulted in any release of hazardous wastes/substances at the project area; and*
2. *There are no known or potentially contaminated sites within the proposed project area, and there are no conditions at the site that pose a threat to human health or the environment.”*

and

“The results of the ERR did not result in any changes to the level of significance. As noted in the draft IS/MND, the project site is not located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. Therefore, no project impact would result.”

Response to Comments 2-2:

Mr. Cooke indicated that the document should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and which government agency will provide appropriate regulatory oversight. If during construction soil contamination is suspected, then construction in the area should stop and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil exists, then the document should identify required investigation or remediation that will be conducted and identify appropriate government agency for oversight.

As noted above, and in the IS/MND Section 3.4.8, the project site is not located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. In order to provide additional clarification, the following was added to Section 3.4.8 of the IS/MND:

“In the unlikely event that evidence for potentially contaminated soil or groundwater is encountered during the execution of the project, additional site investigation and/or remediation

may be required in accordance with the provisions of California Health and Safety Code Chapters 6.7 and 6.75 if it originates from an UST, or California Health and Safety Code Chapters 6.5 and 6.11 if the source of contamination was from a source other than a UST. Construction in the area should stop and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil exists, the DTSC should be notified and provide regulatory oversight. For sites where it is determined that impacted groundwater exists, the Regional Water Quality Control Board, Los Angeles Region (LARWQCB) should be notified and provide regulatory oversight. For sites where both impacted soil and groundwater is encountered, the DTSC and LARWQCB should be notified and provide regulatory oversight. For sites where underground storage tanks (USTs) are involved, the Los Angeles County Fire Department is the State of California as a Certified Unified Program Agency (CUPA) for Culver City and should be notified and provide regulatory oversight for UST removal and abandonment. The scope of any investigation and/or remediation that would be conducted would be dependent on the type and extent of the contamination encountered and associated regulatory agency requirements.”

Letter Number: 3
Date Received: January 9, 2019
Commenter/Agency: Lijin Sun, J.D., South Coast Air Quality Management District

Response to Comment 3-1

Mr. Sun with the SCAQMD provided a summary of the project description and noted that the proposed project's air quality impacts were found to be less than significant in the IS/MND. The daily maximum construction NO_x emissions in 2019 would be 92 pounds per day (lbs/day) which is slightly below SCAQMD's regional air quality significance threshold for NO_x (100lbs/day). Mr. Sun identified that based on the review of the CalEEMod output file the air quality modeling assumed the use of Tier 2 off-road construction equipment. While the impacts were found to be less than significant, the District recommended additional mitigation measures (a-e) in the IS/MND.

As identified in the SCAQMD comment letter, project air quality construction impacts were found to be less than significant. Per CEQA Guidelines Section 15126.4 (3), mitigation measures are not required for effects which are not found to be significant. Thereby, the recommended mitigation measures were not added to the Final IS/MND. However, the City will add these measures (a-e) into the applicable bid documents, purchase orders, and contracts.

Response to Comment 3-2

Mr. Sun notes CEQA Guidelines Section 15074 requirements, requests a written response, and identifies that SCAQMD staff are available if there are any issues or questions. The City will consider the complete environmental record including comments received during the public review process prior to making a decision on the proposed project. All written comments received during the public review period were responded to in writing and included in Appendix I of the Final IS/MND.

Letter Number: 4
Date Received: January 9, 2019
Commenter/Agency: Miya Edmonson, California Department of Transportation

Response to Comment 4-1:

Comment that Caltrans has reviewed the MND and does not expect project approval to result in a direct adverse impact to the existing State transportation facilities. An encroachment permit would be needed for any project work on or near the Caltrans Right of Way and lane closures during construction that may impact I-405 need to be reviewed by the Department of Transportation. IS/MND Section 3.4.16, Transportation/Traffic, includes Mitigation Measure TRAF-1 that requires a traffic control plan shall be prepared that includes traffic control measures, haul routes, protocols for notifying emergency providers of temporary lane closures, and coordination with the Transportation Department for any temporary relocation of bus stops. No issues related to the adequacy of the IS/MND were raised; therefore, no further response is necessary.

Letter Number: 5
Date Received: January 14, 2019
Commenter/Agency: Sean Carlson, Metropolitan Water District of Southern California

Response to Comment 5-1:

Comment that Metropolitan owns and operates the Sepulveda Feeder Pipeline and facilities near the proposed project location. Metropolitan is concerned with the potential impacts to the Sepulveda Feeder and associated facilities that may result from the construction and implementation of the proposed project. The District requests that the City coordinate with Metropolitan and ensure that Metropolitan's existing facilities that occur within the project's boundaries are not affected (including District's ability to access, operate and maintain existing facilities) by the proposed project. In order to avoid potential conflicts with Metropolitan's right-of-way, they require that any design plans for any activity in the area of Metropolitan's pipelines or facilities be submitted for review and approval.

The City believes the construction and operation of the proposed project would not negatively impact the Sepulveda Feeder Pipeline and associated facilities and that the proposed project would not affect the District's ability to access, operate, and maintain the existing facilities within the proposed project limits. The design of the proposed project would provide for approximately 2-feet of vertical clearance between the bottom elevation of the proposed storm drain pipes and the top elevation of the Sepulveda Feeder Pipeline. A copy of the design concept is included in the IS/MND Appendix B, Culver Boulevard Stormwater Capture Project Preliminary Design Concept Report.

At the start of proposed project Culver Boulevard Stormwater Treatment component (May 2018), the City's engineering design team requested and received the following information from Metropolitan Water District of Southern California:

- *A letter confirming that Metropolitan's 94-inch-inside-diameter welded steel Sepulveda Feeder pipeline is located on Sepulveda Boulevard and crosses Culver Boulevard within the proposed project area.*
- *A copy of the District's "Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of the Metropolitan Water District of Southern California".*
- *Prints of As-Built Drawing B-54084 and Right-of-Way Map 1800-23 providing plan and profile information relating to the Sepulveda Feeder pipeline.*

The MWD letter provided at that time included the following requests and stipulations:

- *MWD facilities and right-of-way shall be fully shown and identified as Metropolitan's on the project plans.*
- *Due to water quality concerns, the stormwater system proposed within 10-feet from the edge of District pipeline shall include a secondary containment that consists of either continuous steel sleeve or HDPE pipe with fusion-welded joints.*
- *The project plans shall include a general note requiring the Contractor to notify Kevin Johansen of the MWD Water System Operations Group at least two working days prior to starting any work in the vicinity of MWD facilities.*
- *Additional correspondence with MWD relating to the project should be made through Ken Chung of the MWD Substructures Team.*

- *Prints of the preliminary plans be submitted for review and written approval as they pertain to MWD facilities, with all applicable portions of the District's guidelines incorporated into the plans.*

The information provided by MWD was used to guide applicable portions of the design. The City will continue to coordinate with MWD and will submit design plans for activity in the area of Metropolitan's pipelines or facilities for review and approval.

Letter Number: 6
Date Received: January 22, 2019
Commenter/Agency: Lee Torres, Governor's Office of Planning and Research,
State Clearinghouse and Planning Unit

Response to Comment 6-1:

General comment that the City has complied with the State Clearinghouse requirements for draft environmental documents pursuant to the CEQA, provided the State Clearinghouse Number (SCH) for the project (SCH# 2018121033), and provided additional copies of Letter 2 and 4, and Announcement of Change for a New CEQA Database. Response to comments for Letters 2 and 4 are provided above. No issues related to the adequacy of the IS/MND were raised; therefore, no further response is necessary.