

Response to Comments and Mitigation Monitoring and Reporting Program

Former Cogen Landfill Gas Extraction System and Monitoring Plan Project Initial Study/Mitigation Negative Declaration

**City of Monterey Park and
County of Los Angeles, California
Project No. C.P. 87188 – SPECS 6984
SCH No. 2017011036**

Prepared for | Los Angeles County Department of Public Works
900 South Fremont Avenue
Alhambra, California 91803-1331

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May 2017



TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
Section 1.0 Introduction	1
Section 2.0 Responses to Comments	3
Section 3.0 Mitigation Monitoring and Reporting Program.....	10

TABLES

<u>Table</u>	<u>Page</u>
1 Mitigation Monitoring and Reporting Program.....	11

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SECTION 1.0 INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA)(*California Public Resources Code* Section 21000 et. seq.) and the State CEQA Guidelines (*California Code of Regulations*, Title 14, Section 15000 et. seq.), the potential environmental effects of the proposed County of Los Angeles (County) Former Cogen Landfill Gas Extraction System and Monitoring Plan Project (Project) have been analyzed in an Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2017011036) dated January 2017.

Section 15074(b) of the State CEQA Guidelines states that, prior to approving a project, the Lead Agency must consider the proposed MND together with any comments received during the public review process. The Lead Agency must adopt the proposed MND only if it finds, on the basis of the whole record before it, that there is no substantial evidence that the project would have a significant effect on the environment and that the MND reflects the Lead Agency's independent judgment and analysis. Section 2.0, Responses to Comments, of this document provides all letters received during the MND public review period and written responses to all comments received.

Section 15074(d) of the State CEQA Guidelines states that, when adopting an MND, the Lead Agency shall also adopt a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to reduce or avoid significant environmental effects. Section 3.0, Mitigation Monitoring and Reporting Program (MMRP), describes the mitigation program to be implemented by the County.

1.1 CEQA AND PUBLIC REVIEW OF THE IS/MND

Upon completion of the MND, the public review was executed in accordance with Sections 15072 and 15073 of the State CEQA Guidelines. In January 2017, a *Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration* was prepared in English and in Spanish, and distributed to the State Office of Planning and Research, State Clearinghouse and Planning Unit (State Clearinghouse); responsible and trustee agencies; organizations and interested parties, including the owners/occupants of all properties within an approximate 500-foot radius of the Project site based on the latest equalized assessment roll; and all parties who requested notice in accordance with CEQA. The NOI was filed with the Los Angeles County Registrar-Recorder/County Clerk in the City of Norwalk, and a summary was published in the Los Angeles Daily News (English) and La Opinión (Spanish). The NOI was distributed for a 30-day public review period from Tuesday, January 17, 2017 through Wednesday, February 15, 2017.

The IS/MND and NOI, or the NOI only, was provided to 16 agencies, including 9 agencies notified via the State Clearinghouse; and to 52 organizations or individuals, including the surrounding property owners and/or occupants. It was also made available for review at the County Department of Public Works' Headquarters (900 South Fremont Avenue, 2nd Floor in Alhambra, California) and at the Anthony Quinn Library, located at 3965 Cesar E. Chavez Avenue in Los Angeles, California, as well as online at ftp://dpwftp.co.la.ca.us/pub/pmd/Cogen_Landfill_Gas_Mitigation_MND/. No comments were received after the comment period. The County's responses to comments contained in these comments are provided in Section 2.0 below.

The County has reviewed all comments received from agencies, organizations and/or individuals to determine whether any substantial new environmental issues have been raised. Based on the evaluation in the IS/MND together with all comments received, the County has determined that no substantial new environmental issues have been raised that have not been adequately addressed in the IS/MND and/or in the Responses to Comments and MMRP. All potential impacts

associated with the proposed Project were found to be less than significant with incorporation of mitigation measures. Therefore, the proposed Project would not result in any significant impacts, and a Mitigated Negative Declaration in accordance with CEQA is the appropriate environmental document for the proposed Project.

Therefore, this document, combined with the IS/MND, constitutes the Final IS/MND for the proposed Project. This document includes all public comment letters; the County responses; and the State Clearinghouse letter that documents compliance with CEQA review requirements (14 CCR 15074(b)).

The County of Los Angeles Board of Supervisors will consider the proposed IS/MND together with the comments received during the public review process for adoption of the Final IS/MND and approval of the proposed Project.

SECTION 2.0 RESPONSES TO COMMENTS

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

- State of California, Department of Transportation, February 13, 2017.
- South Coast Air Quality Management District, February 9, 2017.
- County of Los Angeles Department of Public Health, February 9, 2017.

The County's responses to all comments are provided below. Each comment letter is provided first and is bracketed in the right margin, sequentially numbered (e.g., DOT-1). Following the bracketed comment letter, the County's responses are presented in corresponding order to provide a matching numbered response on the pages following each comment letter.

DEPARTMENT OF TRANSPORTATION

District 7 – Office of Regional Planning
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-0673
FAX (213) 897-1337
www.dot.ca.gov



*Serious drought.
Help save water!*

February 13, 2017



Mr. Omar Nabahani
County of Los Angeles
900 South Fremont Avenue
Alhambra, CA 91803

RE: Former Cogen Landfill Gas Extraction
System and Monitoring Plan Project
Mitigated Negative Declaration
SCH#2017011036
GTS#07-LA-2017-00555
Vic. LA/ 10/ PM 20.564

DOT

Dear Mr. Nabahani:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project.

The proposed project includes the installation and operation of a landfill gas (LFG) Extraction System, the installation of two new LFG monitoring wells, and subsequent monitoring of LFG emissions. Also, the project may require trenching to connect on-site electrical lines to an off-site utility.

The nearest state facilities to the proposed project is I-10. Caltrans does not expect project approval to result in a direct adverse impact to the existing State transportation facilities.

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

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that project needs to be designed to discharge clean run-off water, and it is not permitted to discharge onto State highway facilities.

If you have any questions or concerns regarding these comments, please contact project coordinator, Frances Lee at (213) 897-0673 or electronically at frances.lee@dot.ca.gov.

Sincerely,

DIANNA WATSON
Branch Chief, Community Planning & LD IGR Review

cc: Scott Morgan, State Clearinghouse

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

STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION (DOT)

February 17, 2016

- DOT-1 The comment's acknowledgement that the proposed Project will not adversely impact Caltrans facilities is appreciated. No revisions to the MND are necessary.
- DOT-2 The Los Angeles County Department of Public Works (LACDPW) would acquire all necessary permits to implement the Project, including a Caltrans transportation permit, if applicable.
- DOT-3 As addressed in Section 4.9, Hydrology and Water Quality, of the MND, storm water runoff during construction would be managed in compliance with the California Green Building Standards Code; the rate and volume of storm water runoff during operation would be essentially unchanged from the existing condition. Also, there would be no discharge of water onto a State highway.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:
onabahani@dpw.lacounty.gov

February 9, 2017

Mr. Omar Nabahani, Project Manager
County of Los Angeles
900 South Fremont Ave., 5th Floor
Alhambra, CA 91803

SCAQMD

**Mitigated Negative Declaration (MND) for the Proposed
Former Cogen Landfill Gas Extraction System and Monitoring Plan Project**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

The Lead Agency proposes to construct a landfill gas extraction system. Since the proposed project includes a landfill gas extraction system, a permit from SCAQMD would be required. Therefore, the SCAQMD is a responsible agency for the proposed project. If there are permitting questions, they can be directed to Engineering and Permitting Staff at (909) 396-3385.

SCAQMD staff is available to work with the Lead Agency to address any other air quality questions that may arise. Please contact Jack Cheng, Air Quality Specialist, CEQA IGR, at (909) 396-2448, if you have any questions regarding these comments.

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Sincerely

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

LS:JC
LAC170118-02
Control Number

South Coast Air Quality Management District (SCAQMD)

February 9, 2019

SCAQMD-1 The comment states that a permit from SCAQMD would be required to operate the Project. The LACDPW would acquire all necessary permits to implement the Project, including a SCAQMD permit, as disclosed on page 3-8 (Table 3-2), page 4-2, and in Section 4.3, Air Quality, of the MND.



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

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Fourth District

Kathryn Barger
Fifth District

February 9, 2017

Omar Nabahani, PE, CCM, LEED AP
Project Management - Division II
LA County Department of Public Works

**RE: NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION
FORMER COGEN LANDFILL GAS EXTRACTION SYSTEM AND MONITORING
PLAN PROJECT COUNTY-OWNED PORTION COGEN LANDFILL
MONTEREY PARK CALIFORNIA SWIS No. 19-AA-0581**

DPH


Dear Mr. Nabahani:

The Solid Waste Management Program, acting as the Los Angeles County Local Enforcement Agency (LEA), received notice of the Project described above on January 18, 2017. The LEA thanks the Lead Agency for including the LEA in this discussion and appreciates the opportunity to make comments on this important document. The LEA concurs with the findings in the document and has no comments to submit at this time.

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If there are any questions in regards to this letter please contact the LEA at (626) 430-5540.

Sincerely,


Daniel J. Shelley, REHS
Los Angeles County LEA

Electronic copies:
Pete Oda, LA County LEA
Dorcas Hanson-Lugo, LA County LEA
Dawn Plantz, CalRecycle

County of Los Angeles Department of Public Health (DPH)

February 9, 2019

DPH-1 The comment's acknowledgement that the DPH concurs with the findings of the MND is appreciated. No revisions to the MND are necessary.

SECTION 3.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of CEQA and Section 15097 of the State CEQA Guidelines require a public agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) for assessing and ensuring the implementation of required mitigation measures applied to proposed projects. Specific reporting and/or monitoring requirements that will be enforced during Project implementation shall be adopted simultaneously with final Project approval by the responsible decision making body.

The MMRP for the Former Cogen Landfill Gas Extraction System and Monitoring Plan Project consists of Mitigation Measures (MMs) that are required to reduce or avoid significant environmental effects associated with Project implementation. The MMs for the Project are listed in the first column in Table 1 below, with the timing for implementation in the second column, the agency or party with primary responsibility for implementation in the third column, and the agency or party with responsibility for monitoring compliance in the last column. Compliance monitoring of the MMRP would primarily be the responsibility of the LACDPW.

**TABLE 1
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Timing	Responsible Party	Monitoring Party
Biological Resources			
<p>MM BIO-1: The Project shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act (MBTA) and <i>California Fish and Game Code</i> with methods approved by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) to protect active bird/raptor nests. If possible, construction activities shall occur during the non-breeding season for nesting birds and nesting raptors to avoid impacts to nesting birds and raptors. If the Project requires that construction activities be initiated during the breeding season for nesting birds (March 1–September 30) and nesting raptors (February 1–June 30), a pre-construction survey for nesting birds and/or raptors shall be conducted by a qualified Biologist within 3 days prior to any construction activities within the Project site and immediately surrounding area (i.e., within 50 feet for nesting birds and within 500 feet for nesting raptors). If the Biologist does not find any active nests in or immediately adjacent to the Project site, the construction work shall be allowed to proceed and no further mitigation is required.</p> <p>If the Biologist finds an active nest in or immediately adjacent to the planned construction site and determines that the nest may be impacted or breeding activities substantially disrupted due to planned construction activities, the Biologist shall delineate an appropriate buffer zone around the nest depending on the sensitivity of the species and the nature of the construction activity. Any nest found during survey efforts shall be mapped on the construction plans. The active nest shall be protected until nesting activity has ended. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by a qualified Biologist: (1) construction limits shall be established within a buffer around any occupied nest (the buffer shall be 25–100 feet for nesting birds and 300–500 feet for nesting raptors), unless otherwise determined by a qualified Biologist and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by a qualified Biologist. Encroachment into the buffer area around a known nest shall only be allowed if the Biologist determines that the proposed activity would not disturb the nest occupants. Construction in a buffer area can proceed when the qualified Biologist has determined that fledglings have left the nest or the nest has failed.</p>	<p>Within 3 days of any construction activity and during construction, depending on findings of pre-construction survey.</p>	<p>Contractor</p>	<p>Los Angeles County Department of Public Works</p>
Cultural Resources			
<p>MM CUL-1: Should potential archaeological resources be found during ground-disturbing activities for the Project, drilling activity shall be temporarily halted and a qualified Archaeologist shall be hired to first determine whether the resource is a “Tribal Cultural Resource” pursuant to Section 21074 of the California Public Resources Code, a “unique archaeological resource” pursuant to Section 21083.2(g) of the California Public Resources Code, or a buried “historical resource” pursuant to Section 15064.5(a) of the California Environmental Quality Act (CEQA) Guidelines. If the potential resources is determined not be significant by the Archaeologist pursuant to the above-referenced sections, working on the monitoring well would resume. If the archaeological resource is determined to be a “Tribal Cultural Resource”, “unique archaeological resource”, or a “historical resource”, the Archaeologist shall formulate a mitigation plan in consultation with the County that satisfies the requirements of the above-referenced sections. Upon approval of the mitigation plan by the County, the Project shall be implemented in compliance with the mitigation plan. If the Archaeologist determines that the archaeological resource is not a “Tribal Cultural Resource”, “unique archaeological resource”, or “historical resource”, for those resources that are 45 years old or more, s/he may record the site and submit the recordation form to the California Historic Resources Information System at the South Central Coastal Information Center at California State University, Fullerton.</p>	<p>During drilling of the proposed monitoring wells.</p>	<p>Contractor</p>	<p>Los Angeles County Department of Public Works</p>

**TABLE 1
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Timing	Responsible Party	Monitoring Party
<p>MM CUL-2: Should potential paleontological resources be found during ground-disturbing activities for the Project, drilling activity shall be temporarily halted and a qualified Paleontologist will be hired to evaluate the resource. If the potential resources is determined not be significant by the Paleontologist pursuant to the above-referenced sections, working on the monitoring well would resume. If the resource is found to be significant, the Paleontologist shall determine appropriate actions, in cooperation with the County, for further exploration and/or salvage. A Disposition of the Recovered Paleontological Resources and Mitigation Report shall be prepared by the qualified Paleontologist and submitted to the County. Any recovered fossils shall be deposited in an accredited institution or museum, such as the Natural History Museum of Los Angeles County.</p>	<p>During drilling of the proposed monitoring wells.</p>	<p>Contractor</p>	<p>Los Angeles County Department of Public Works</p>
<p>Noise</p>			
<p>MM NOI-1: When drilling at the CMW-1 monitoring well location, the County shall require the drilling contractor to install a noise barrier to the height of the engine compartment of the auger plus two feet for drilling occurring proximate to the residence west of the CMW-1 location on Rollins Drive. This sound barrier shall have a minimum density of 4 pounds per square foot or a sound transmission class of 20 decibels or greater. The sound barrier shall cover the width of the drilling rig plus a minimum of a four foot side panel. The configuration of the overall sound barrier will be similar to the letter C, and be placed between the residence and the drill rig. Additionally, not less than 30 calendar days prior to drilling, the County shall notify the resident(s) of the home immediately west of the CMW-1 location of the date and hours of the planned drilling, and that the drilling will be a noise-generating operation that may also produce perceptible vibration. The County shall use U.S. Postal Service Certified Mail or an overnight delivery service to obtain proof of delivery to the above-specified home without requiring a signature. If the schedule for the CMW-1 drilling changes subsequent to notifying the resident(s) and obtaining confirmation of notification delivery, County shall repeat the notification procedure once the drilling activity is rescheduled. If the rescheduled date is less than 30 calendar days in the future, the notification shall be delivered as soon as feasible.</p>	<p>Notification timing: not less than 30 calendar days prior to drilling.</p> <p>Noise reduction timing: during all operation of the drill rig on Rollins Drive.</p>	<p>Contractor</p>	<p>Los Angeles County Department of Public Works</p>