

From: Jim Doty
To: Adam Lid
CC: Laura McLennan; Marlys White; Sean Zahedi; Tonya Durrell
Date: 12/3/2008 7:19 AM
Subject: Fwd: Venice Main Final EIR

The following comment pertains to Council File 08-0504 - City Engineer reports, Findings and Statement of Overriding Considerations, Mitigation Monitoring Program and FEIR (SCH No. 2003031001) relative to the Venice Pumping Plant Dual Force Main Sewer.

>>> "Barbara Patman" <barb@patmans.net> 12/2/2008 10:26 PM >>>

We are totally opposed to the proposed Via Marina Route and have not had an adequate opportunity to voice our objections.

This route will negatively impact the infrastructure of the marina and its seawalls. We live in a major area of major liquefaction which would be exacerbated by micro tunneling in the marina landfill. Residential streets cannot support existing traffic and would be rendered totally insufficient for additional traffic caused by construction and detours.

Any failure of the pipeline would cause serious public health issues and would make it difficult to access homes and boats where as a beach route could be quarantined if necessary without affecting day to day access to homes, businesses and properties/boats.

Please select a different route for this project.

Barbara Patman

5415 Via Donte
Marina Del Rey, CA 90292

310-577-2000

December 3, 2008

✓ Mr. Bill Rosendahl, Chairman
Los Angeles City Council Public Works Committee
and
Mr. James E. Doty, Environmental Supervisor II
City of Los Angeles Department of Public Works
via: courier

Date: 12/3/08
Submitted in PW Committee
Council File No: 08-0504
Item No.: 9
Deputy: Adam R. Lid

Re: Venice Pumping Plant Dual Force Main Project – Item 08-0504

Dear Chairman Rosendahl and Mr. Doty:

Thank you for your courtesy in extending the public comment period on the Final EIR for the Venice Dual Force Main. Due to the limited two week time frame, including the long Thanksgiving weekend, a coordinated county/city/community meeting as originally contemplated was not practical, so instead we worked with the Marina del Rey Lessees Association on direct outreach to residents in the Via Marina impact zone. After initial contacts with area residents, We ARE Marina del Rey produced an informational flyer (attached) that the association circulated for posting at each Lessees' discretion, which at least two of them did. We continued to spread the word through personal contacts.

We ARE Marina del Rey supports the aims of this project for both a larger capacity pipeline, and redundancy for safety and to facilitate inspection and repair of the existing main. However, this EIR has not considered several substantive and lesser matters in its assessment of impacts, so the staff recommendation of the Via Marina alternative relies on incomplete, and therefore flawed, conclusions. Two additional attachments include a compilation of citizens' concerns not included in the DEIR or FEIR, and our own detailed discussion of key issues.

We believe that a recirculation of the DEIR is appropriate under the circumstances. At a minimum, we respectfully ask you to give due consideration to these issues before determining your final recommendation to the full City Council.

Thank you for your consideration.

Together,
We ARE Marina del Rey,



Nancy Vernon Marino
Director

Attachments:

- VDFM flyer for Via Marina area posting
- VDFM citizens' concerns
- We ARE MdR concerns/discussion

cc (via USPS):

- California Coastal Commission
- LA County Supervisor Don Knabe
- LA Co. Dept. of Regional Planning/Michael Tripp
- LA Co. Dept. of Beaches & Harbors/Charlotte Miyamoto
- Marina del Rey Lessees Association/Tim Riley

We ARE Marina del Rey

Website: <http://weAREmdr.com>

P.O. Box 9096, Marina del Rey, CA 90295

email: www.weAREmdr.com

Good News!

The Los Angeles City Council Public Works Committee has extended the public comment period on the Venice Dual Force Main Final EIR until Wednesday, December 3, 2008.

Residents in the impact zone of the proposed Via Marina route (one of three proposed routes) were not adequately informed of the project from its inception in 2003. As a result, greater weight is being given to the concerns of other neighborhoods in selecting the preferred route recommendation to the City Council for approval. Some issues that have been overlooked or neglected include:

- ◆ **Construction issues:** Impacts to the Marina del Rey sea wall; subsidence and methane hazards of microtunneling in landfill in a densely populated area; safety issues of the serpentine detour along Via Marina
- ◆ **Environmental issues:** Similar proximities of Via Marina and beach routes to coastal waters (Via Marina is actually *nearer* to Basin A than beach route is to ocean); comparative analysis of containment and cleanup viability (and costs) in the two locations
- ◆ **Operational issues:** Greater impacts to community in the event of a pipeline rupture (approximately 10,000 residents and boat owners in the immediate Via Marina impact zone); greater public health menace because of public need to traverse the spill to access homes and boats vs. the beach route which could be quarantined to minimize danger of disease

There is still time to get your concerns considered in the route selection. Please contact:

James E. Doty

Bureau of Engineering/Dept. of Public Works

Phone: (213) 485-5759

Email: Eng.Environment@lacity.org.

or

Attend the hearing **Wednesday, December 3, 2008** downtown:

Los Angeles City Hall, 200 N. Spring Street, (public entrance on N. Main St.)

The project: VENICE PUMPING PLANT DUAL FORCE MAIN

The City of Los Angeles proposes to construct and operate a new 54" diameter force main sewer, extending about two miles from the existing Venice Pumping Plant (VPP) at 140 Hurricane Street to an existing Coastal Interceptor Sewer junction structure in Playa Del Rey. Three alternate routes are being considered: along the beach, along Pacific Avenue, or along Via Marina north of the main channel; with two alternative routes south of the channel to the juncture. The new force main sewer would be used in tandem with the existing force main sewer to increase sewage conveyance capacity, provide pipeline redundancy, and allow maintenance and repair of the existing main. Construction is tentatively set to start **August 2010**.

Based on current input, City staff are currently recommending the Via Marina alignment described in the EIR. Construction between the Pumping Plant and the Main Channel would be done by microtunneling between pits spaced 800 to 1000 feet apart, requiring closure of two lanes of Via Marina along the entire length of the project during construction, which is projected to last 18-24 months.

For more information and supporting documents, please visit: <http://eng.lacity.org/projects/vpp/>

Venice Pumping Plant Dual Force Main - Item 08-0504

Compilation of Comments from Citizens in Via Marina Alignment Impact Zone:

Construction issues – Via Marina alignment:

- ◆ The location of sewer pipes adjacent to water mains is not permissible. The Via Marina alignment will place at risk the only freshwater source for Marina residents, which runs the length of Via Marina (see We ARE Marina del Rey detailed discussion for details). What is the proximity of the VDFM to the fresh water main? Will it cross the water main at any point? Will location or construction of VDFM interfere with the county's phase II (current) or phase III (future) improvements to its water main? What alternative source of fresh water is available should construction damage this artery?
- ◆ The serpentine path along Via Marina (crossing at least twice from the west side to the east side of the road) indicates numerous underground utility and other problems with this alignment. What are the traffic and access impacts of this switchback course? Will tour buses that use the scenic route along Via Marina to the Main Channel continue to have access? Will any of the median strip need to be removed? Who will be responsible for replacing damaged or destroyed trees and landscaping in the median? Any mature trees destroyed during construction must be replaced with similarly mature trees of the same species to maintain scenic quality of road. Pedestrian safety measures need to be identified and implemented.
- ◆ What are the potential impacts to the Marina del Rey sea wall of vibrations during pit excavations and from micro-tunneling operations—in particular along the Via Marina ends of A and B Basins, and near the main channel crossing points? Has the Army Corps of Engineers assessed these impacts? Who will be responsible for making repairs, and who will pay for them?
- ◆ Other construction in the Marina has dislodged old landfill debris such as refrigerators and automobiles. Is there some way to determine obstructions in the path of the tunnel boring machine (TBM) in landfill areas? If so, how will obstructions be dealt with? If not, what are the physical (i.e., equipment damage/failure) and environmental (i.e., hazardous substance release) exposures if the TBM strikes one of these objects? Safety measures need to be identified and implemented. What are the construction timeline consequences of such a mishap?
- ◆ The EIR states that continuous boring is often necessary, particularly "on long drives through sticky soils." What are the ramifications for the Via Marina alignment, considering the prescribed construction hours? Have core samplings or other studies been done to determine whether intermittent operation is viable along the Via Marina alignment? Will the spacing between pits allow for intermittent boring?
- ◆ Construction hours are too long for a residential area, and need to be scaled back to at least 6 p.m. (various comments included 5 p.m. to 6 p.m.)
- ◆ The location of so many old oil wells underneath the proposed Via Marina alignment (figure 4.3-10) indicates significant hazards for ANY type of excavation along that route. Choosing this route when there are feasible alternatives is entirely inappropriate. The safety and health of the community must have highest priority.

Operational issues – Via Marina alignment:

- ◆ If the pumping plant cannot shut off the pump for a single force main, the consequences of a catastrophic event during the existing main shutdown would be far more dire in the Via Marina alignment than either of the other two alignments.
- ◆ The county has water mains along the full length of Via Marina, serving the entire western residential zone of the Marina? This alignment needlessly introduces an ongoing threat to the community's sole water supply from contamination that would otherwise not. Is the city aware that the county is currently working on phase two of a three-phase construction project to upgrade these water mains?
- ◆ Have all the individual projects that the county contemplates for the unincorporated jurisdiction of the Marina been disclosed? Will the existence of this pipeline, and the serpentine nature of its

installation, interfere with future infrastructure improvements in the Marina? Will the city mitigate any of the anticipated additional costs of future maintenance and repairs to county infrastructure elements along Via Marina and Marquesas Way? (see We ARE Marina del Rey detailed discussion).

- ◆ There are approximately 10,000 residents and boat owners in the Via Marina immediate impact zone. What are the relative impacts in the event of a pipeline rupture in this project alignment? Specifically, this EIR fails to consider the public health impacts of a pipeline rupture in the event of a large earthquake for any project alternative. The Via Marina and Pacific Avenue alignments are the poorest choices because residents and boat owners would have to traverse the spill to access their homes or boats, while the beach route could be quarantined to minimize danger of direct exposure and disease. Contamination in the event of a spill would be more problematic to remediate along Via Marina or Pacific Avenue project alternatives than the beach alternative. Potential of long-term contamination risks to humans, pets and wildlife needs to be considered as well.

Construction and/or operational issues – project alternative comparisons:

- ◆ Has an independent geologist assessed the environmental and physical hazards of dewatering and micro-tunneling through landfill as compared with sandy soils? Why is "Wet tunneling" mentioned but not presented as a project option? What are the comparative impacts in each project alignment of a sinkhole like the one that occurred on Hollywood Blvd. during Metrolink construction? What is the potential harm to residents, motorists and property of subsidence, landslides or sinkholes along each alignment? What are the environmental hazards of compaction grouting, including impacts to vegetation and wildlife, and runoff water quality?
- ◆ Can micro-tunneling be used for the beach alternative to reduce the potential impacts to the least terms? Why is the cost of this mentioned, when cost is not analyzed in EIR? The cost would appear to be similar or slightly less than the Via Marina alternative, and provide the best conditions during construction and over the anticipated life of the new main.
- ◆ Beach and Pacific Avenue alternatives minimize exposure at Main Channel crossing.
- ◆ The beach route is preferable because risks to humans are minimized and potential impacts to coastal waters is no greater than the Via Marina alignment.
- ◆ Why was the identified "environmentally superior alternative" rejected out-of-hand? Alternative 4 of the mined-tunnel project alignments (Section 6.3), proceeding mostly underneath the bed of the canal, is the best recommendation. It is by far the shortest route, has the fewest immitigable impacts and least overall impact to area residents and the environment.
- ◆ Proposed monitoring for methane gas is inadequate for micro-tunneling, because the TBM could strike a pocket of methane that has not vented to the surface. What are the relative risks and the potential impact to residents and motorists of an unanticipated methane encounter in each of the alignment alternatives?

issues – project alternative:

- ◆ Environmental issue: Similar proximity of Via Marina route and beach route to coastal waters (Via Marina is actually closer to Basin A than beach route is to ocean)
- ◆

Venice Pumping Plant Dual Force Main – Item 08-0504
We ARE Marina del Rey issues and discussion

We ARE Marina del Rey supports the environmentally superior alternative project alternative identified in the FEIR as alternative 4 of the mined-tunnel project alignments. Our second choice would be the micro-tunneled beach alignment alternative, which would have the least overall impact on the community and wildlife during construction, is demonstrably a safe location for the project, and is furthermore supported by our neighbors in that project impact zone.

Discussion of the Venice Dual Force Main FEIR/construction hours

Section 4.1.2 page 4-1:

[describing the micro-tunneling construction method] "Tunneling can proceed intermittently; although, it is often necessary to proceed continuously, particularly on long drives through sticky soils, to prevent the pipe from getting stuck short of the receiving pit. Tunnel advance rates are typically between 30 and 50 feet per 8-hour work shift, depending on soil conditions and pipe size.

FEIR Volume II, page ES-29:

"All construction activities shall be limited to the hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday."

The above hours of operation, should this project go forward along the proposed Via Marina alignment, are unreasonable and represent a significant additional burden. Using the maximum city code allowance for construction hours for this project, portions of which are 12 feet or less from residents' homes, shows complete lack of regard for the people who would suffer these impacts without compensation. The possibility of 24-hour operation has not been adequately assessed, and would have extreme adverse effects on residents (particularly young children and pets), making this project alignment inappropriate. Hours of operation should be limited to Monday to Friday from 8am to 5pm. Project costs should be re-evaluated to include limited construction hours.

Discussion of the Venice Dual Force Main FEIR/responses to public concerns

Section 11.5, pages 11-100 and 11-101:

"ALGN-1: Preferred Alignment – Beach

In conclusion, the analysis provided in the EIR provides a detailed description of the impacts of alternatives, including the beach alignment. No additional analysis or research is necessary regarding impacts due to the beach alignment to the project area." [emphasis added]

ALGN-2: Preferred Alignment – Non-beach

In conclusion, the analysis provided in the EIR provides a detailed description potential impacts from all alternatives, including non-beach alignments. No additional analysis or research is necessary regarding impacts of this alternative to the project." [emphasis added]

The primary impact that has not been analyzed is the biased characterization of each project alternative's relative proximity to coastal waters. The "inland" location of the Via Marina

alternative is inland only from the beach—it is NOT inland of coastal waters. Likewise with the Pacific Avenue alternative. The segment of the Via Marina route between Marquesas Way and Tahiti Way is approximately the same distance from coastal waters (B Basin) as the beach alignment is to the ocean. The segment between Tahiti Way and Bora Bora Way is much nearer to coastal waters (A Basin). In addition, the crossing underneath the Main Channel is considerably longer because it does so at an angle, increasing the exposure of Main Channel waters (and navigation thereon) to pipeline failure impacts. Accordingly, the assumption that the beach merits protection from potential environmental impacts while the Marina is of little consequence to those same impacts is an invalid premise for these analyses.

Any spill on Via Marina would run directly into Marina waters and thence to the open ocean, imperiling the health and property of 10,000+ residents and boaters in this impact zone as it does so. A catastrophic event along any alignment would imperil the health of the entire community, so the relative risk and impacts for each alignment need to be assessed for least-risk and lowest-impact determinations.

The beach alignment has proven to be a reliably safe location, having withstood several catastrophic events over more than 50 years of operation. A catastrophic event during the shutdown of the existing main would place a greater number of residents directly in harm's way along the Via Marina alignment than the Pacific Avenue or beach alternatives. A discharge along the beach can be more readily quarantined, during both the discharge and any cleanup required to remediate contaminated sand. One cannot replace contaminated developed land as readily as open sand, and the cost to ensure that contaminated areas would not pose a continuing health threat to residents and visitors, must be considered. Assessment of the environmental consequences of a discharge occurrence under Via Marina would therefore be appropriate to identify potential impacts and feasibility of remediation. Prolonged odor impacts of unremediated land on area residents and tourism should be included in the analysis.

Section 11.5, pages 11-100 and 11-116:

EIR-3 piecemeal CEQA analysis

...One commentor has suggested that the proposed project is part of a larger project, the continued development of 3-4 story residential development in Venice. This new development is consistent with the General Plan for the area. The General Plan has been subject to previous environmental review, prior to its adoption. The environmental effects of the 3-4 story residential development now occurring in the Venice area were analyzed the General Plan EIR. Thus, the Venice Force Main Project does not represent piecemeal CEQA analysis of the larger General Plan build-out.

There is no functional general plan for the unincorporated Marina del Rey, let alone one that has been subjected to previous environmental review. Our general plan is the Land Use Plan (LUP) of the Marina del Rey Local Coastal Program (LCP). It does not have a corresponding EIR, having relied solely on the Coastal Commission certification process for analysis of environmental effects. The county is not adhering to this certified LCP--including the LUP--in its pursuit of countless redevelopment bounties that shift the burden of lower-return land uses (e.g., hospitals, schools, churches, gas stations, funeral homes, etc.) on surrounding communities. The county has signed binding contracts for many projects that are inconsistent with both our general and specific plans, including at least two that abut the proposed Via

Marina project alternative. Its piecemeal pursuit of these projects (including piecemeal amendments to the LCP) obscures environmental impacts. It does this despite community objections as well as the strongest Coastal Commission recommendation to the contrary on January 9, 2008—which the Commissioners reiterated on October 15, 2008: Because of this, it is a faulty assumption that this project does not represent piecemeal CEQA analysis of the larger General Plan build-out, as pertains to this Via Marina alternative.

Indeed, the commentor's assertion is valid, even if his supporting argument is not. We were not previously aware that the Venice Pumping Plant also collects wastewater from the unincorporated Marina, since the county has been replacing its sewer pipes here and there (again, in a piecemeal fashion), increasing their capacities, without mention of this project. Has the county apprised the city of its sewer upgrades in the Via Marina/Marquesas Way vicinity? The county's "update" to Table 1.7-1 in its letter of opposition to the VDFM of November 19, 2008, omitted this. It also neglected to mention the Bay Club renovation on Tahiti Way, or development plans for Parcels 95, IR, 20/remainder, OT, 27, 33 or NR—all in the VDFM impact area—in that revision (we may have overlooked an item or two in this compilation). Did the county department of Public Works inform you of its construction schedule for proposed improvements to the water main along Via Marina?

Has the county apprised the city of its comprehensive redevelopment plan for the unincorporated jurisdiction of Marina del Rey? If so, will you please share it with us—we have been trying for several years to get the county to do this, and any assistance you can give us in this regard will be greatly appreciated. It is obvious that all of these development impacts have not been given any consideration in your NOP, DEIR or FEIR.

Finally, We ARE Marina del Rey is alarmed to note that the city failed even to include significant comments made by the Los Angeles County Department of Beaches and Harbors in its NOP and the DEIR in June 2005. Why was their letter excluded from these documents?

In conclusion, We ARE Marina del Rey urges your department to re-open the DEIR process and re-circulate the DEIR with updated information regarding the revised hours of construction operation along the proposed Via Marina alignment and the effects these changes may have on the outcome of the process.