Molinar, Tess

From: Yu, Beilin
Sent: Wednesday, January 6, 2021 8:26 AM
To: Molinar, Tess
Cc: Rocha, Luis
Subject: FW: comment letter on Arroyo Seco Canyon Project

From: Darren Dowell <dowell.darren@yahoo.com>
Sent: Wednesday, January 06, 2021 8:13 AM
To: Ventura, Elisa <eventura@cityofpasadena.net>; Yu, Beilin <byu@cityofpasadena.net>
Subject: comment letter on Arroyo Seco Canyon Project

2021 January 6
Comment on Arroyo Seco Canyon Project final EIR, dated 2020 December
from: C. Darren Dowell, resident of Pasadena, CA

Thank you for providing the opportunity for further comment into the public record on the proposed Arroyo Seco Canyon Project. I reviewed the final EIR, dated 2020 December, including reponses to my comments on the draft EIR, and find that deficiencies remain in the EIR.

Below, I provide some additional detail on my prior comments and highlight why the ASCP responses (in "Response to Comment Letter No. 10") are insufficient to address the deficiencies:

10-2, 10-5: The EIR continues to omit relevant information about an upcoming change in LAFCD operation of the Devil's Gate Dam, a change which will result in increased aquifer recharge from water which reaches the dam: the holding of water behind the dam through July 1 rather than April which has been past practice. The response says "the City does not have any authority or control over the operations of the Devil's Gate Dam", which is missing the point since the upcoming change in dam operation policy is legally binding on LAFCD and well documented in the Streambed Alteration Agreement for the Devil's Gate Sediment Removal Project, as well as in the settlement of the Arroyo Seco Foundation v. L.A.Co. lawsuit.

10-4: The failure to recognize a cummulative impact of the Devil's Gate Project and ASCP remains. EIR Attachment C attempts to demonstrate a minimal impact of stream diversion on inundation of the basin. However, the discussion misses a key point. There is an important riparian area in the basin for which water delivery from the Arroyo Seco is highly sensitive to upstream water diversion. This area is on the west side of the basin, referred to as the "Mining Pit" in the Devil's Gate Habitat Mitigation Program and areas to the east and south. In the modified configuration of the basin, this is foreseen as the broadest region of contiguous riparian habitat. The maps in EIR Attachment C show that this area is especially sensitive to the amount of water in the Arroyo Seco, showing extensive inundation in wet years and none at all in dry ones. This is due to a treshold effect: a certain water flow is needed in the Arroyo Seco to reach the height which floods the channels and pools in this area. As a result of the Devil's Gate Project lowering the elevation of the Arroyo Seco, and the proposed increased stream diversion in ASCP, there will be more cases intermediate between "wet" and "dry" for which the threshold is not reached. This means there will be more drier years in which this region does not receive water from the Arroyo Seco, or wetter years in which the water supply is cut off earlier in the season. This was not discussed in the EIR.

10-3: Instead of using demonstrated City practice of spreading basin maintenance, in which an abundance of invasive plant species appear in and around the basins each summer, the ASCP uses in their discussion a hypothetical situation in which these invasive species do not appear. Referring to existing maintenance, the response says "the City performs ... periodic weed abatement to control the propagation of non-native plants in and around the basins", but this is not

consistent with observations by myself and others of abundant non-native plants in recent years. The "select native, drought-tolerant plantings around the basins" (while appropriate) will not stop this from happening.

10-9: My prior estimate of <=50% efficiency of detecting nests of secretive species is admittedly not yet based on a scientific analysis, but rather a qualitative sense of the difficulty of identifying active nests of species such as Song Sparrow, Spotted Towhee, California Towhee, Yellow Warbler, and others which will be seasonally present in the ASCP area. The response does not refute my estimate with a study of the efficiency of biological surveys, but just repeats the survey concept. A biological mitigation of potential disturbance of nests based on timing project work outside nesting season is nearly certain to work, while a mitigation based on surveys during nesting season has uncertain outcome depending in part on the skills of a few biologists.

10-12: I believe the response is acknowledging that some of the project biological surveys were not performed in suitable conditions for assessing the presence of coastal whiptail.

Thank you for your attention to these comments and noted deficiencies.

Sincerely,

Dr. C. Darren Dowell
Pasadena, CA