Peter Kalmus
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Gail Farber, Director
County of Los Angeles Department of Public Works Water Resource Division
Attention: Reservoir Cleanouts Program
P.O. Box 1460
Alhambra, California 91802-1460
CC: Mark Petrella
CC: Keith Lilley

Comments on Devil's Gate DEIR
January 21, 2014

Dear Ms. Farber,

The DEIR proposes to excavate and remove 2.9 million cubic yards of sediment behind the Devil's Gate Dam, over an area of 120 acres, over the next 5 years, and deposit it about 20 miles away in Azusa and Irwindale. The means of removal are dump trucks, operated at the rate of about one every minute, 9 hours per day, six days a week.

After reading the DEIR, I have several questions which I feel are critical to address conclusively before moving forward on this proposal. I respectfully submit that the DEIR is inadequate, at this point, for the project to proceed, and must be reconsidered even at the level of its objectives. I give some few of my reasons below.

An additional potential impact in the aesthetics category is the post-project, permanently denuded maintenance phase. This impact would be very significant to me, and probably to many other members of the community, but it is not included in Table ES-1. How can the post-project visual impact be mitigated, i.e. how can the post project look like a natural wetland landscape (i.e. a willow forest) and not a trashed and / or denuded field as indicated in the post-project visualizations in the DEIR? To my aesthetic sense, the aesthetic degradation depicted in the DEIR is truly significant, even shocking. These visualizations were a prime motivator for my taking the time to write this comment.

An additional potential impact in the air quality category is the CO_2 released by the loading of sediment and the transport of sediment, and is not included in Table ES-1. How much CO_2 will be released by this project? How much impact will this released CO_2 have on the climate? How much impact will maintenance activities have on the climate? I do not feel that a thorough EIR can plausibly exclude this impact, and I'm frankly surprised it was excluded.

How much is the all-cause mortality of nearby residents, school children, workers, and recreational visitors estimated to increase due to e.g. significant diesel exhaust including particulate matter? This can be estimated. I feel that it is irresponsible and immoral to subject the above-mentioned stakeholders to this risk without a comprehensive and state-of-the-art estimate of increase in all-cause mortality. I suspect that such a study, carried out by experts, will find that the average number of days of life lost to vicinity stakeholders will be very significant. In addition, a morbidity study must also be carried out. I am not sure what the legal implications are for a project that will probably shorten the lifespans of those in the vicinity, especially when it appears that there is a viable alternative that would not have this impact, but I feel that at the very least the results of these studies should be mailed to every stakeholder, e.g. all business, schools, and residents in the radius of increased mortality or morbidity (if any). These stakeholders should be given the chance to understand that this project might lower their lifespan, and they should be given time to seek legal advice if they desire. In the event of serious health issues caused by this project, who would be liable for damages?

I am not convinced that the impact of habitat destruction for the 5 special status species mentioned in Table ES-1 will be "less than significant." It doesn't matter how many qualified biologists are on the scene; if the habitat is destroyed, these species will have one less place to live. I am not a biologist, but I do suspect that if you destroy this habitat, these animals will end up dying; again, this would be independent of whether or not a qualified biologist is present when the habitat is destroyed. What metric was used to determine that the nearly complete destruction of this unique habitat will be "less than significant"? This metric is not defined in the DEIR.

What has the rate of sediment removal from FAST been in the past? Was this the maximum possible FAST rate? What could be done to increase the rate of sediment removal through FAST events?

The DEIR does not make a convincing case as to why the project needs to be completed in 5 years. What is the quantitative risk of flooding, based on the site history and sediment flow models? What downstream sites would be at risk? In the case of floods, what would be the cost of damage? How much flooding would be required before the cost of damage exceeded the cost of this project, and what is the statistical probability of that level of flooding over various timescales, including a longer possible project timescale of 20 years, or 30 years?

What is the justification for needing to remove 2 DDE?

Has an alternative of removing the minimum sediment to maintain 1 DDE, and using FAST thereafter, been considered? If not, I would like to see this considered carefully. What would be the minimum safe removal amount (if followed by a steady maintenance plan) based on sediment models? I do not the the DEIR adequately addresses these questions.

The current plan will have a very significant impact on my family's recreation. We use the willow forest for recreation and education approximately once every two weeks. These recreation and education opportunities will vanish completely and permanently if this project is carried out.

My understanding is that sluicing or FAST has worked successfully in the past at this site at removing large amounts of sediment, but I do not see this history addressed carefully in the DEIR. Compared to the DEIR proposal

it is essentially free. What is the reason that sluicing or FAST is not the primary means for removing sediment at this time?

The DEIR trucking proposal will cost $100 million. Is there a cheaper alternative than trucking that will still get the job done? Will sluicing and or FAST as primary removal strategy, with some trucking as as secondary strategy if needed (and at a lower volume than sluicing) also get the job done?

Do all stakeholders agree on the stated objectives? Is there an alternate set of objectives which will allow for the sustainable management of the dam and the safety of downstream structures, while not requiring the massive removal and trucking outlined in this proposal? I am not convinced that these objectives are the one true set of objectives, and the rest of the DEIR follows from them. It is very easy to eliminate alternative proposals by simply picking objectives that point to the one desired proposal. I would like to see a much more careful justification for these objectives in the DEIR.

Who stands to profit from the DEIR proposal? How have any benefiting parties been involved in the process of lobbying for the proposed project, drafting the DEIR, or any other participation in this process? Can the DEIR please address this and demonstrate that there has been no such participation by parties who stand to benefit financially?

Is there an alternative that can allow for most of the habitat to remain, while still allowing the dam to function over the long term? The denuded terrain is a big impact in my opinion. It will look terrible. Every time I ride to JPL in the morning, and ride home at night, I will wince.

How much carbon dioxide would the proposed project release into the atmosphere? Has the climate impact of this project, and the continued necessary maintenance, been adequately considered? What would the climate impact of a sluicing- or FAST-based approach be? Would the latter approach emit less CO2?

I'm not convinced that the DEIR has adequately examined the possibility of sluicing or FAST as the primary method of sediment removal. I would like to see a state-of-the-art appraisal of sluicing, its potential and its limitations, based on recent scientific studies. In the case that some questions on the potential and limitations of sluicing cannot be answered based on the current scientific studies, I would like to see further scientific research done before we rush to spend $100 million on a project that is understudied and may well prove to be a terrible mistake, in the sense that habitat is destroyed that need not have been destroyed, and in the sense that a huge sum of money was spent that need not have been spent, and in the sense that people in the vicinity are subjected to increased mortality and morbidity.

Sincerely,
Peter Kalmus