

From: Jonathan Frame

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Subject: Recirculation of the Devil's Gate Sediment Removal and Management Project Final Environmental Impact Report (EIR)

If I understand the recirculated portions of the Final EIR correctly, Los Angeles County Department of Public Works (the County) is: 1) now committing to using diesel trucks that meet the EPA's 2010 standards for air pollution causing a "less than significant impact", 2) now ensuring that "not less than" 1:1 habitat will be mitigated for because "neither a higher mitigation ratio nor other Mitigation Measures would be necessary to reduce impacts to below level of significance" and 3) the County is now addressing cumulative impacts that will be created as a result of the other projects taking place in the basin.

This sediment removal project has been the subject of passionate debate among stakeholders of the Hahamongna Watershed Park and surrounding areas. There has been incredible effort from a great variety of groups, individuals and public officials to provide guidance and support to The County on managing this project in a manner that minimizes impacts the health and wellbeing of school children, wildlife, habitat, home owners, and many more. This recirculated portion of the Final EIR is an example of the County doing the absolute minimum required to pass the sediment removal project through the regulation process. **The three areas of revision made in this recirculation were requested hundreds of times by stakeholders from the beginning of the public's involvement in the program.** The fact that the County waited until the Court has ordered the inclusion of these aspects of the project is a testament to the County's complete disregard for the people and environment of which this project will affect.

Assuming the assessment that the current capacity in the reservoir behind the Devil's Gate Dam is too low and has "significantly increased the risk of serious flooding from subsequent storms" is correct, then **in the County's mismanagement of the planning and environmental review for this project, they are failing to provide flood protection downstream of the dam.** As a result of the County's unwillingness to work with stakeholders to create a suitable ongoing sediment removal program for the reservoir, the project once described as an emergency has been delayed by several years. These past years were not only potentially dangerous from the increased flood risk, but also could have been used for sediment removal. Furthermore, I am sure that this planning failure has also resulted in the wasting of public funds that should otherwise be used to provide flood protection, water conservation, recreation and aesthetic enhancement, as per the mission of the Flood Control District. Public funds paid for by the very stakeholders fighting for their health and wellbeing through this environmental review process.

Although this recirculation addresses key inadequacies of the Environmental Impact Report, it does not solve the most important problems: 1) the County has not convinced the stakeholders that the magnitude and timing of the sediment removal is necessary, and if it is then 2) the County is planning a project that will have significant environmental consequences and the level of mitigation is completely unsatisfactory to the stakeholders. I advise the County to work cooperatively, and in fair compensation, with the local stakeholders, public officials and technical experts (à la, the Pasadena Sediment Working Group) in the future of this and other sediment management projects.

Thank you for the opportunity to comment on this recirculation.