

# Comment summary Draft EIR

By Yael Pardess

This not a Water **Reuse** Project. Water will be DIVERTED, cleaned and used free, by a golf course who SHOULD be using RE-USED /RECYCLED water.

Instead, Pasadena is using public funds, that requires them to engage with the community. Instead, they are ignoring the community's request not to destroy an environment, its demands to save this park and restore it naturally. Pasadena is ready to destroy a beautiful mature forest without truly analysis the impact of this loss, without any benefits to LA or the nearby residents. Pasadena plans instead, to further deplete an already depleted river, especially in dry seasons, to water a golf course and irrigate their parks, who should have already been using recycled water and not precious river water.

Stormwater flow that normally replenished the aquifer, is not addressed. We are loosing this precious flow to concrete channels. This project will not store, clean or infiltrate stormwater. Instead- pools are designed for a limited flow, and very limited infiltration. San Pascual pools are artificially designed reservoirs. Stormwater- if allowed in, will be returned to river minimally treated.

In San Rafael- the capacity of water storage or infiltration is even more limited. Most of AS-41, (not a high priority outfall), will not be treated and will flow into the Arroyo. This project may look like a wetland but will not act like a natural wetland.

Both areas will have to ensure that water does not stand still to prevent mosquitos. Treatment proposed (pg 103) may harm amphibians that eat the larva. These creatures are the ecological natural solution for this problem. San Pascual does not have a mosquito issue right now because of its aquatic creatures, ignored or not given their due ecological importance by an inadequate Biological survey (pg 186).

The projects design is problematic on many counts and does not offer a true nature based solution.

The Objectives list includes: water clean up, trail restoration, native habitat restoration, but completely dismiss or ignore the human impacts, the ecological impacts and the historical impacts. The fact are- clean water will only be used by a golf course, the community will bear the impacts, the habitat will be lost, trees will take years to mature to produce the ecological benefits they produce now, the river will dry up, future restoration will not be possible. **The solution to a neglected but beautiful and functioning wetland, is not its destruction, but attention, care, and restoration.**

*topics highlighted in **red**.*

*EIR quotes in **white***

*Comments in **yellow** or **blue***



# Wildlife Corridor

EIR pg 525-527

## Wildlife Movement

Within large open space areas where few or no man-made or naturally occurring physical constraints to wildlife movement are present, wildlife corridors may not yet exist. However, once open space areas

throughout the suburban landscape. Therefore, the survey area is not expected to support a critical regional movement pathway for any local native species.

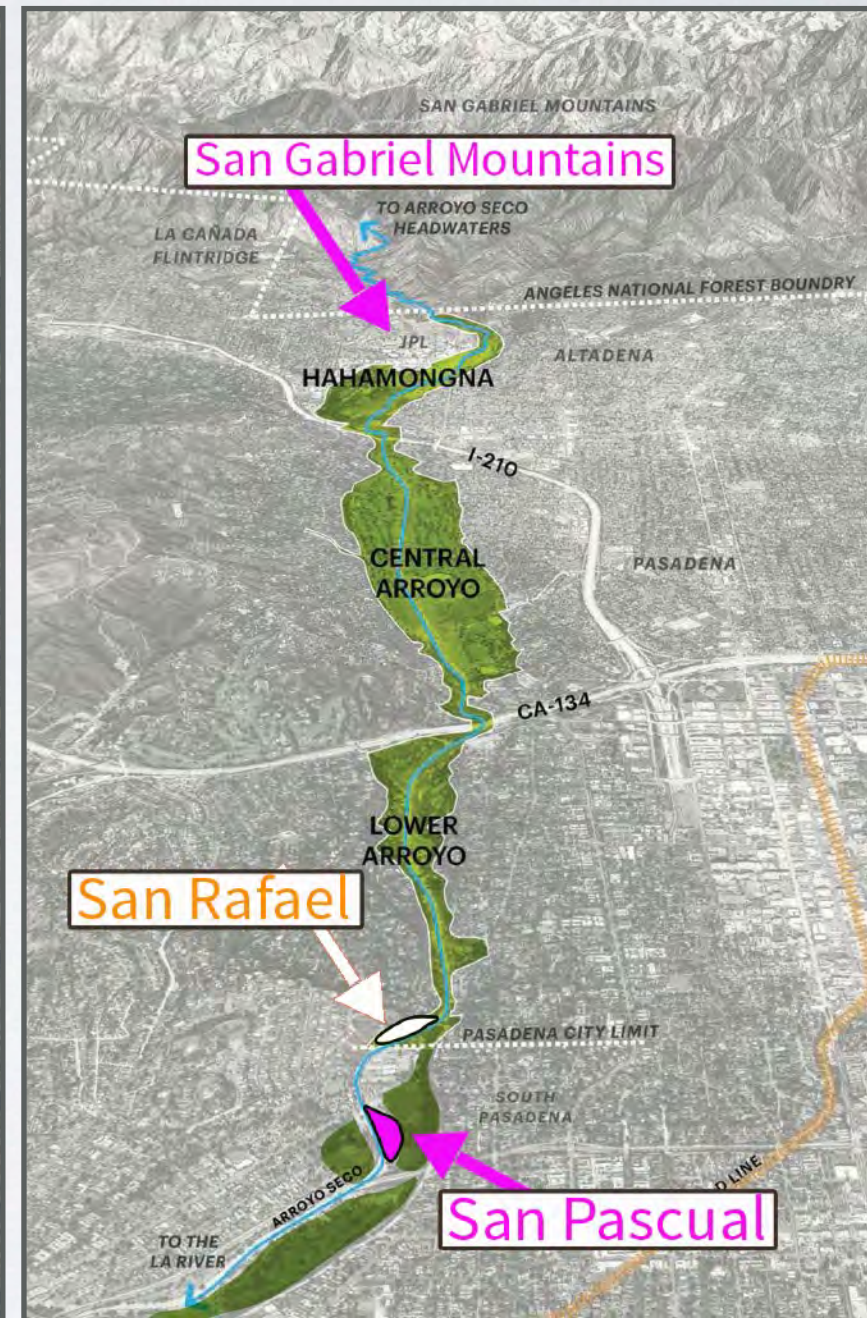
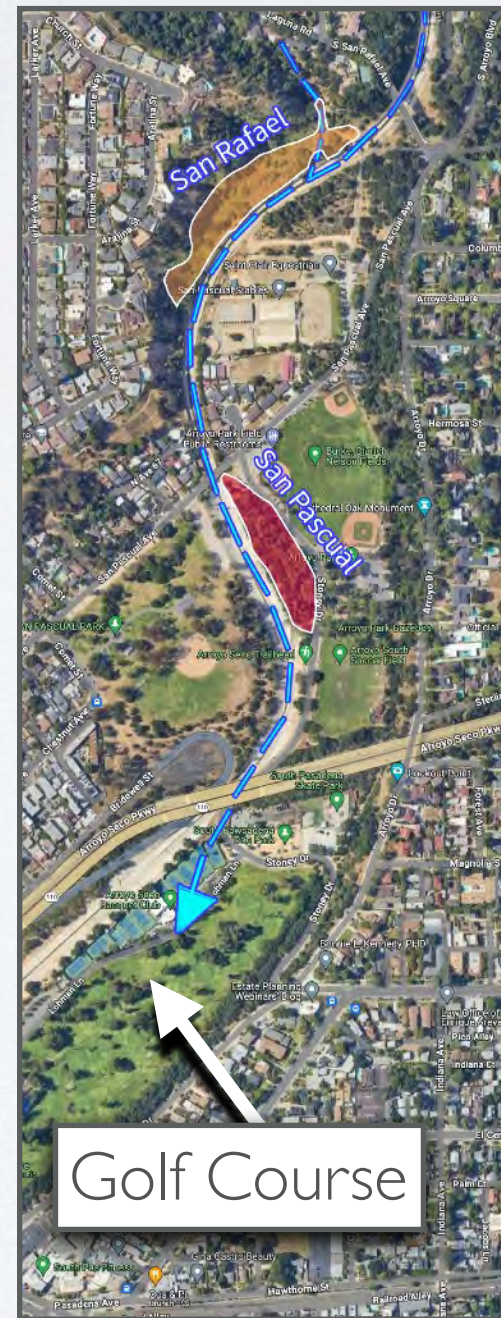
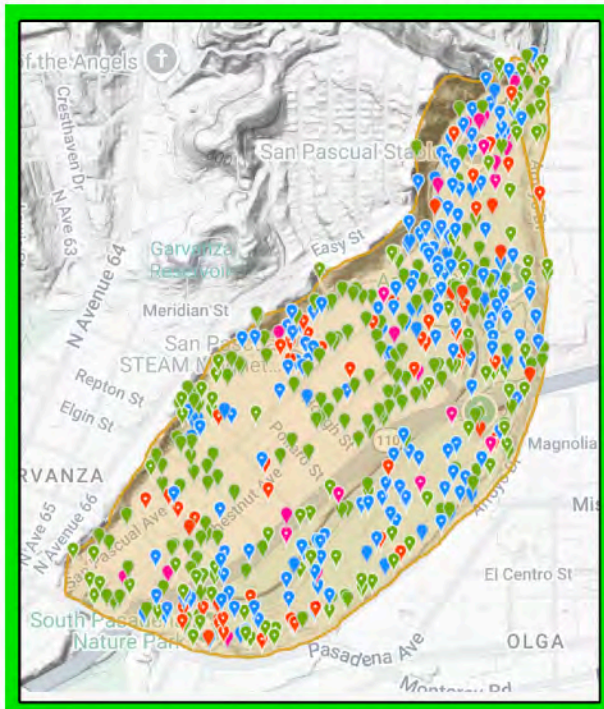
EIR has underestimated the impact this project will have on wildlife movement and life. EIR states it is a disturbed area and therefore impacts will not be significant. EIR has not done an inadequate biological study of the area or observed all the animals that use SP and SR as their habitat. Biological survey has not observed animals we see regularly, like coyotes, bats or fish or the great blue heron. Naturalist members have documented many sightings including crayfish. Observations must happen often, not twice, and at night too.

Both San Pascual and San Rafael parks are part of the  
WILDLIFE CORRIDOR

connecting the San Gabriel mountains and Debs Park.

Destroying two parks for two years of demolition, uprooting trees, increasing noise, and eliminating the water flow, will have a detrimental impact on the wildlife corridor and all the animals that depend on it for their survival.

## INATURALIST OBSERVATIONS





# Impacts resulting from forest destruction

EIR has not adequately and realistically addressed how the massive tree removal will impact the area in terms of wildlife loss, worsening air quality, loss of shade, permanent heat island, dust, and light pollution that will last years. Labeling this impact as non significant is unrealistic and irresponsible.

**No amount of mitigations will replace this habitat.**

- The project intends to remove 86% of the existing trees in the area.
- **130** mature trees including **11** protected Oaks, **6** Sycamores, **6** Elderberries **2** toyons), plus bushes, understory habitat, and smaller trees, which will decimate a local ecosystem.
- This forest reduces heat, noise, and pollution. Even the Palm trees removal will be impactful. They are home for birds and bats.
- It will take 20-50 years for young replacement trees to recapture the benefits of a mature canopy to the community. Some trees are 80-100 years old.





# Impacts resulting from forest destruction

## Summary of tree impacts pg 533- 536

Page 536- “this area does not represent a native woodland community and does not function as high-value habitat. The clustered trees on site occur within a small, isolated urban setting and are composed largely of non-native ornamental palms and other introduced species. As a result, the tree clusters lack the structural and biological characteristics that define native woodland habitat, such as multi-layered canopy development, native forage resources, and a diverse understory. Due to the non-native species composition, absence of native habitat structure, and lack of connectivity to surrounding natural areas, the existing tree clusters support low biological value. Wildlife use in these areas is generally limited to common urban-tolerant species that rely on developed landscapes rather than native plant communities. The presence of non-native palm trees in a cluster does not, on its own, indicate elevated habitat value. Habitat value is based on ecological function, species composition, and landscape context.”

### **Pg 533-Wildlife Movement**

Implementation of the Project components would create a temporary constraint to localized wildlife movement during construction. Local wildlife may avoid the sites during periods of higher than usual noise and activity in general as is expected during site construction. However, given the small size of the sites, most wildlife are expected to utilize a variety of alternative routes through the area with little to no impact on daily routines. Following construction, the Project is not expected to create any additional constraints to wildlife movement and local wildlife are expected to move throughout the Project sites and surrounding areas in a similar manner to existing conditions. Therefore, impacts on temporary and long-term wildlife movement would be considered less than significant

EIR dismisses the value of this mixed forest as a **value habitat**, because of the presence of non native trees.(!)  
EIR mentions a non connectivity issue. The destruction of this park will kill everything that remains alive in this forest. The newly created isolated exposed pond will not be a safe inviting habitat for several years. Animal movement and their variety will be greatly reduced for years and may never re-establish itself.  
For the animals that live in San Pascual- this forest is a value habitat.

map of trees removed clearly shows the devastating impact of the 86% planned tree removal. Pg 655  
How can EIR state that this has no impact? regardless of the type of tree, EIR does not account for the total loss of a habitat that supports a wide variety of wildlife. This forest help combat heat and air pollution. Two years of construction and no water and extreme exposure to sun, will compromise the remaining trees.



# Historic use and water rights

EIR and MND say different things about water used by the Gold Course

## EIR page 65

South Pasadena has had existing infrastructure (including a concrete dike in the Channel) and has diverted dry weather flows<sup>1</sup> from the Arroyo Seco for irrigation of the golf course for many decades. Although the man-made wetlands created by the diversion are non-functioning, the diversion still provides water for irrigating the Golf Course. The harvested water is stored and reused for irrigation of the Golf Course. The Project would retain the historic use of dry weather flow for irrigation at the Golf Course. It should be noted that the amount of water supplied to the Golf Course for irrigation will remain the same pre- and post-construction. This would reduce reliance on potable water for Golf Course irrigation by South Pasadena.

## EIR did not resolve these issues:

- How does Golf course currently irrigates their lawns?
- Are they, or are they not, taking water from the diversion now? And if so how much, how much per year/per month.
- By how much would this use expand as noted in MND?
- What is the source of the water flowing into the Golf Course pond and stream?
- What is the source of the water falling into the Arroyo, from the Golf Course, and why is it more polluted than the water coming out of San Pascual?
- If historic use is the deciding factor, Why isn't the cleanup facility installed only at the golf course instead of San Pascual?
- Why does the exit flow from the Golf Course, into the Arroyo change its output volume from day to day?
- Is storm capture still planned for this project? (See red arrows)

# MND page 18

The combined performance of the two facilities (BMPs) must meet the performance metrics established for the Project in the Safe, Clean Water Program transfer agreement, summarized in Table 1, Safe, Clean Water Program Goals and Targets for the Project.

TABLE 1  
SAFE, CLEAN WATER PROGRAM GOALS AND TARGETS FOR THE PROJECT

| Goal                                                                                                                                          | Summary                                                                                                                                                                                                                                          | Target                          |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------|
| 1. Improve water quality and attainment of water quality requirements.                                                                        | The stormwater capture and treatment facility would provide water quality improvements to address water quality requirements described in the Upper Los Angeles River Enhanced Watershed Management Program.                                     | Runoff Treated (average annual) | 27 af  |
| 2. Increase drought preparedness by capturing more stormwater and/or urban runoff to store, clean, reuse, and/or recharge groundwater basins. | The facility would capture and treat urban runoff and stormwater runoff from the San Rafael Creek and Arroyo Seco Channel.                                                                                                                       | Zinc Reduction                  | 65%    |
| 5. Invest in infrastructure that provides multiple benefits.                                                                                  | This project is a multi-benefit project that improves water quality, provides water supply, and integrates native habitat.                                                                                                                       | N/A                             | N/A    |
| 6. Prioritize nature-based solutions.                                                                                                         | Landscape plans will include additional native trees, shrubs, and grasses to be installed at select spots impacted by the construction throughout the Project sites. The swales will be sized to convey all the flows from the surface drainage. | Landscape Plans                 | 1 each |
| 7. Provide a spectrum of project sizes from neighborhood to regional scales.                                                                  | The Project would construct a regional stormwater capture facility.                                                                                                                                                                              | Design Plans                    | 1 each |

af: acre-feet; N/A not applicable  
Source: Craftwater Engineering, Inc. 2023 (January 10). *Hydrology and Hydraulics Report, San Rafael Treatment Basin Stormwater Capture Project*. Los Angeles, CA: Craftwater Engineering, Inc.

While both the San Rafael and San Pascual sites are separate, they are similar in concept and have been designed to be hydrologically connected. Runoff in San Rafael Creek would be diverted into the San Rafael site and, depending on flows, then be discharged into the Arroyo Seco Channel. This water would flow downstream in the Arroyo Seco Channel and be diverted into the San Pascual site. After exiting the San Pascual BMP, the treated water would flow downstream in the Channel. This water then would go through additional treatment via the proposed water harvester situated approximately one-half mile downstream of the San Pascual outlet in the maintenance yard of South Pasadena's Arroyo Seco Golf Course (Golf Course). South Pasadena has had existing infrastructure (including a concrete dike in the Channel) and water rights to divert dry weather flows<sup>2</sup> from the Arroyo Seco for irrigation of the golf course for many decades; however, the infrastructure has since been abandoned due to pollutants fouling the distribution system. The harvested water would be stored and reused for irrigation of the Golf Course. The Project would expand the historic use of stormwater for irrigation at the Golf Course by reutilizing and expanding the capacity of the existing dike and irrigation system to allow it to capture both dry and wet weather flows. This would reduce reliance on potable water for Golf Course irrigation by South Pasadena.

The major mechanisms by which the Project would achieve the water quality targets are through diversion, runoff/pollutant capture, filtration, recharge, and release. For both sites, to identify the most effective stormwater capture configuration at the Project sites, decision support modeling has been conducted to identify the optimal BMP configuration using a balanced approach that incorporates design storm hydrologic targets as well as long-term water quality considerations. The Los Angeles County Watershed Management Modeling System (WMMS) was used within the Loading Simulation Program C++ (LSPC) to simulate the contaminant loading, runoff volume, and flow rates associated with a long-term, 10-year continuous time

<sup>2</sup> Dry-weather flows are defined as any flows that occur in a period which is at least 24 hours since the last rainfall occurrence.

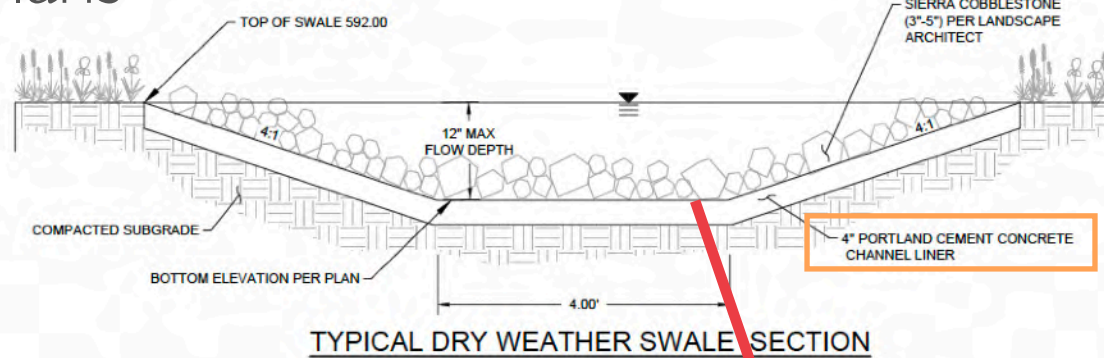


# Wetland recreation

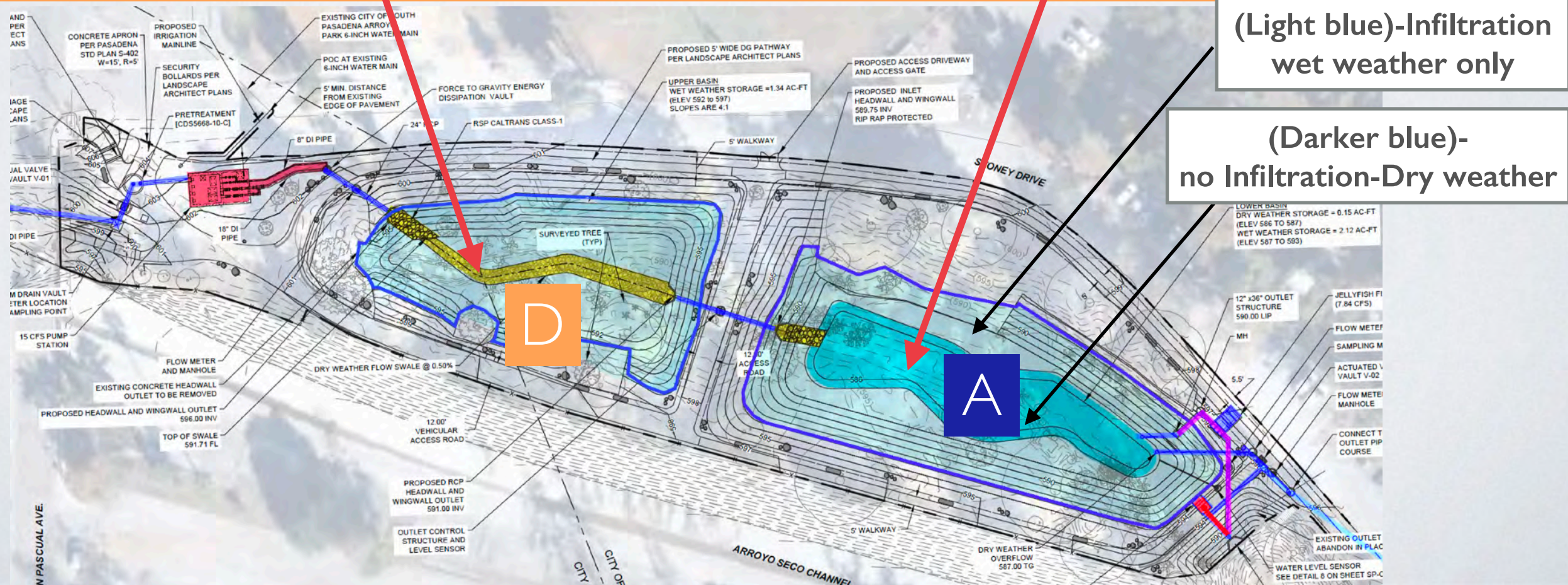
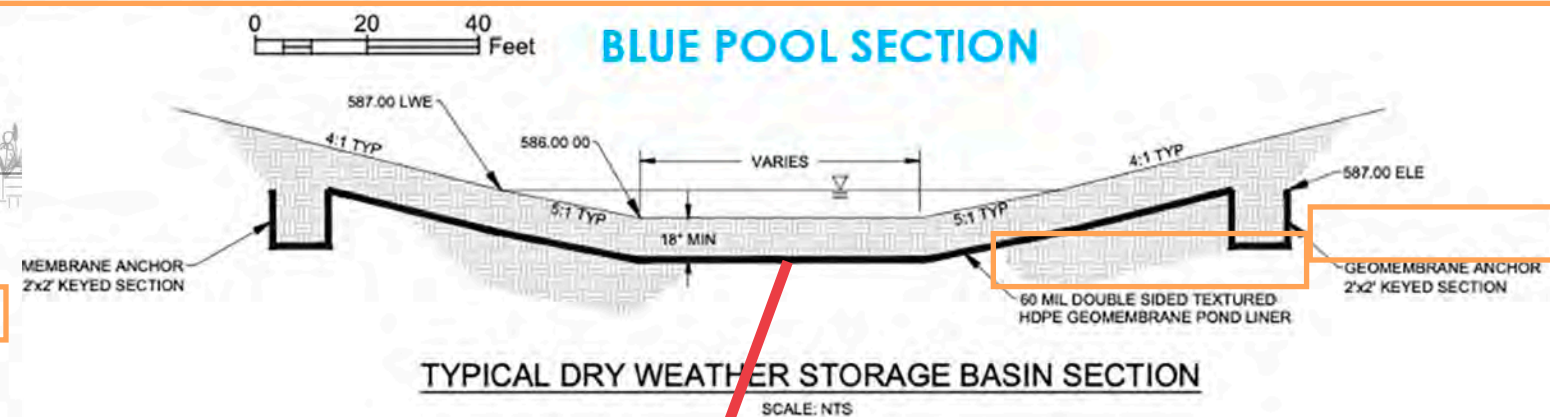
Design proposed is not a wetland recreation- this is a partially impermeable reservoir with doubled lined plastic, (blue(**A**) and yellow areas(**D**))whose sole purpose is to direct and store water from the Arroyo on their way to the Golf Course. Very possibly, most of the year, the water will not rise beyond the yellow and dark blue levels. Landscape will need constant irrigation .This is not a “nature based solution”.The infiltration will occur **only** during or after rain events, when water levels may rise to the light blue level. Plants that are adapted to dryness will get flooded in winter. Plants that are adapted to wetland will need constant irrigation in the long dry season. Currently the stream feeds and infiltrates ALL YEAR ROUND in a steady stream.

# Plans

## YELLOW CHANNEL SECTION



## BLUE POOL SECTION

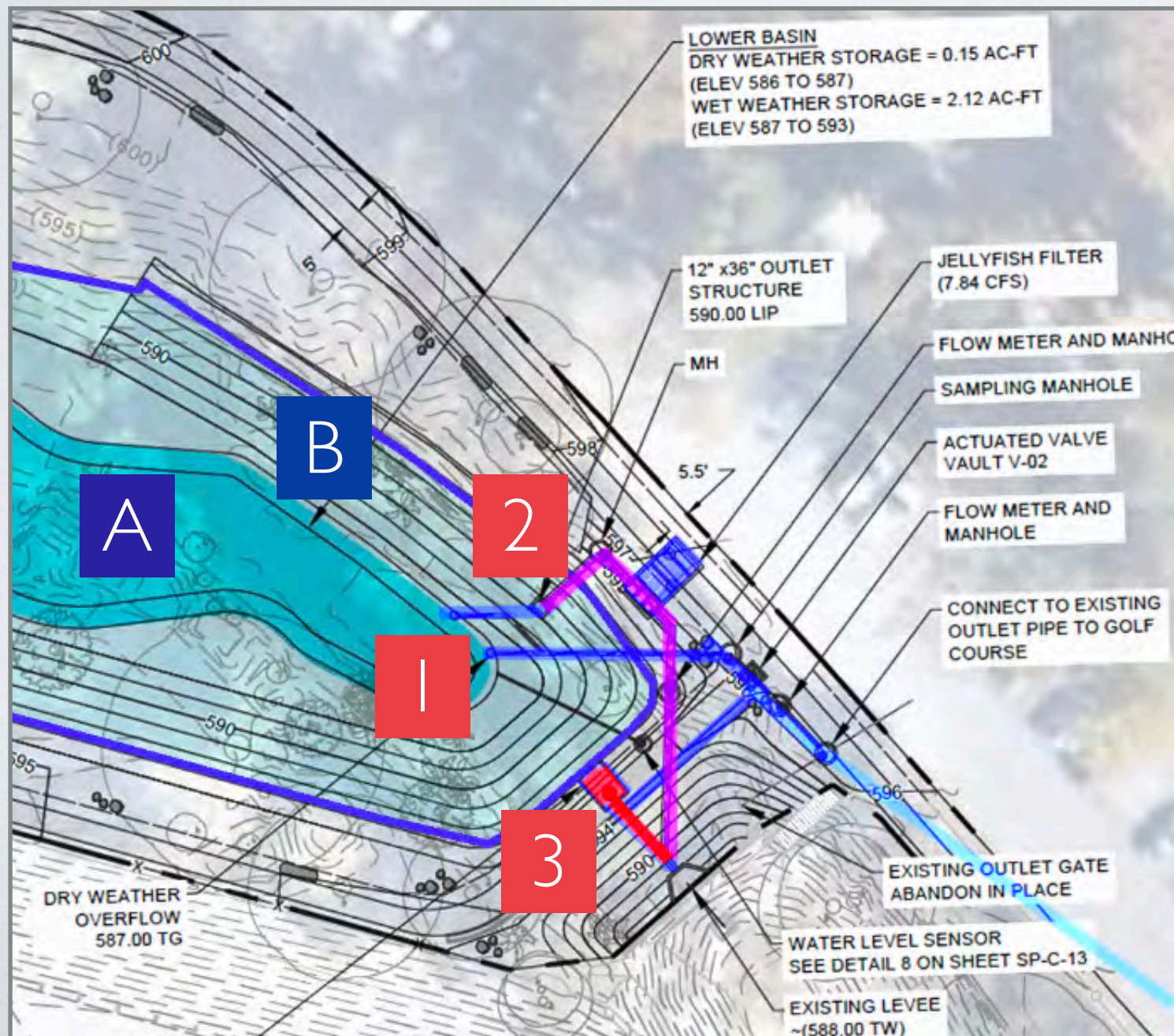




# Dry weather flow only capture

Bottom portion of San Pascual pool shows the various pipes taking water out.

1. Pipes taking waters that reach the blue level (**A**). **Area A has no infiltration.** It is a lined pool. All the water is flowing to the golf course and not returned to the Arroyo.
2. If water levels rise during rain events, this pump(2), will take that overflow from **area B** and either store it or return to Arroyo channel, while still pumping water to the golf course.
3. This pump is located right under path. If water did reach this level, area would flood dangerously. Water may never reach this level. It is unclear what #3 is doing.



Conclusion- most of the year there may be **NO INFILTRATION** in area **B**. All wetland plants that depend on the water, will require irrigation. (See next page) All other plants will require irrigation year round till established and must be monitored to prevent drying.

The South Pasadena Golf Course has not provided data about their past yearly water use from the Arroyo. What will prevent them from taking more and storing more and depleting the Arroyo further?

I am unclear as to how project will address clean up of mud and silt accumulated in pools after years of flooding events and how they will prevent the pool slopes from sliding into the bottom.



# proposed Water usage

MND stated that water diverted to golf course would be **62 AF** a year and total water capture would be **535 AF**.

EIR states that there would be **30 AF** to the Golf course and **32AF** to The Arroyo Park. Totaling **62** either way.

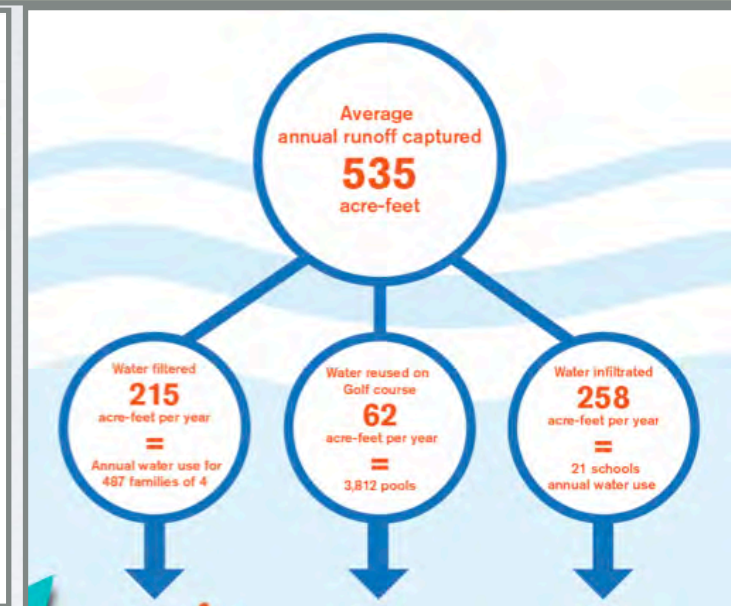
## Irrigation

Project stakeholders provided yearly estimated water demands to irrigate the Arroyo Seco golf course and the nearby Arroyo Park. These values are listed in **Table 3-1**.

**Table 3-1.** Irrigation Demands Potentially Fulfilled by the San Pascual BMP.

| Irrigation Use              | Irrigation Demand (ac-ft/yr) |
|-----------------------------|------------------------------|
| Arroyo Seco Golf Course     | 30                           |
| Arroyo Park                 | 32                           |
| <b>Golf Course and Park</b> | <b>62</b>                    |

Page 728



## **NOP stated in PROJECT SUMMARY:**

*“stormwater management sites would result in an annual average water supply benefit of **320 acre-feet (AF)**. Of this, there would be approximately **258 AF** of groundwater recharge and approximately **30 AF (or less than 10 percent of captured water)** would be captured off-site for irrigation reuse at the golf course to reduce potable water demand..pg 13 and pg 48 VI*

*The Project would provide water quality benefits for multiple jurisdictions within the 5,005-acre drainage area in which the two sites are located pg 12*

- Water quantity diverted for irrigation is **62AF** which are 20% of water diverted not 10%
- is Is it stormwater or dry weather capture?
- Why isn't the Golf course already using grey recycled water like many worldwide golf course



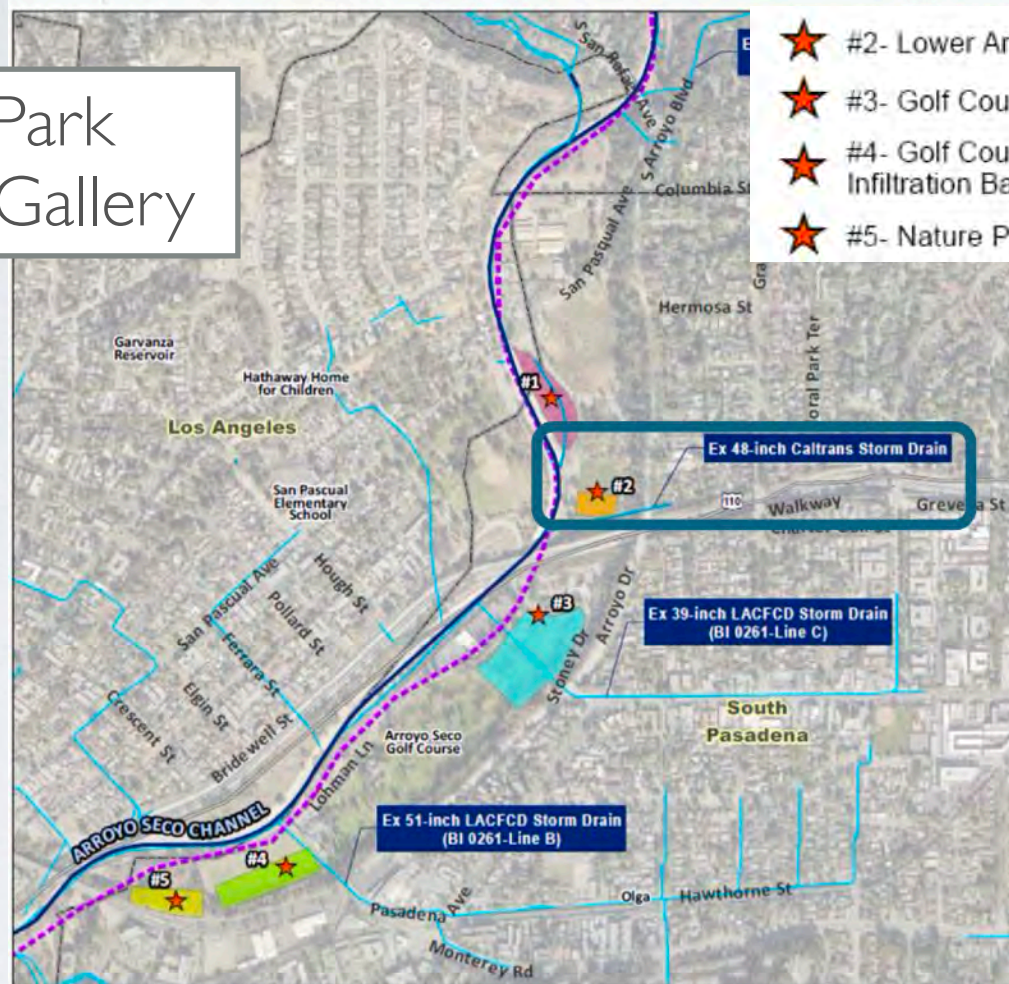
# Accumulative impacts

## Water diverted, stored, or infiltrated in more than 2 projects

San Rafael and San Pascual are not the only projects planned along the Arroyo with water capture, and diversion for irrigation. In a recent Waterboard meeting, one of the board member warned about excessive water withdrawal from the river, to such an extent that it would NOT function as a river anymore. I'd like to stress this point further. Water cleanup is good, but water not returning to river is an over reach by Pasadena and South Pasadena trying to secure future water at the cost of depleting the Arroyo.

These projects will impact the restoration of the Arroyo as a living river, and not as a concrete channel with little to no water. There are current discussions and budget allocation to restore The Arroyo. A river without water cannot be restored. The Steelhead trout cannot be restored without ample water.

### Arroyo Park Infiltration Gallery



- ★ #2- Lower Arroyo Park Infiltration Basin
- ★ #3- Golf Course Wetland
- ★ #4- Golf Course Driving Range Infiltration Basin
- ★ #5- Nature Park Wetland

Facility 2 (Arroyo Park Infiltration Basin) is part of a larger project

Facility 1 already funded by SCW



South Pasadena has a plan to turn the S. Pasadena Golf Course into a lush garden with many other upgrades costing them twice as much as the San Rafael and San Pascual sites. Where will the water come from? Why are they not using grey recycled water, as many golf courses around the world are already doing. Why deplete a river when cities worldwide are recognizing the immense value in their rivers and restoring them?



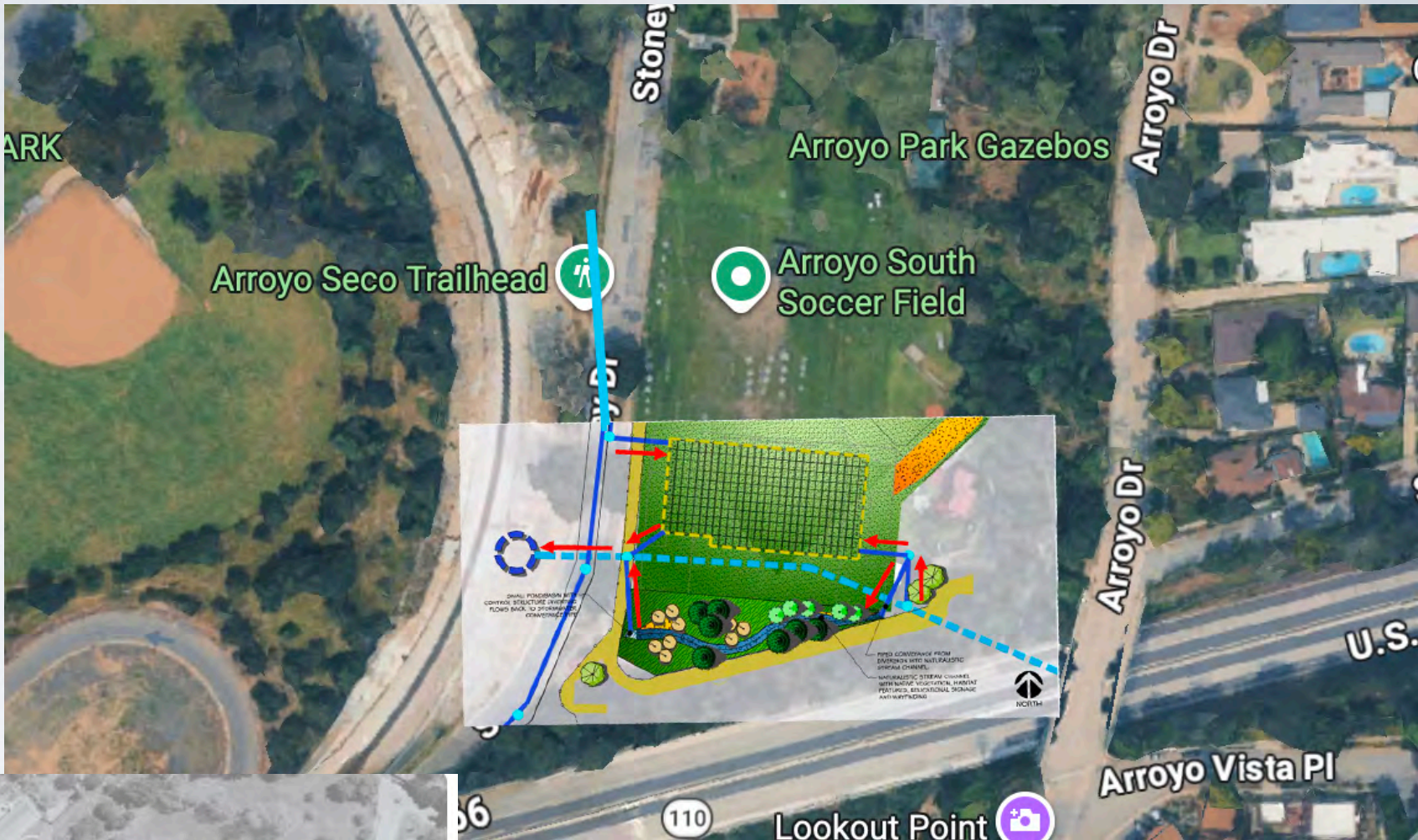




# Other Arroyo projects

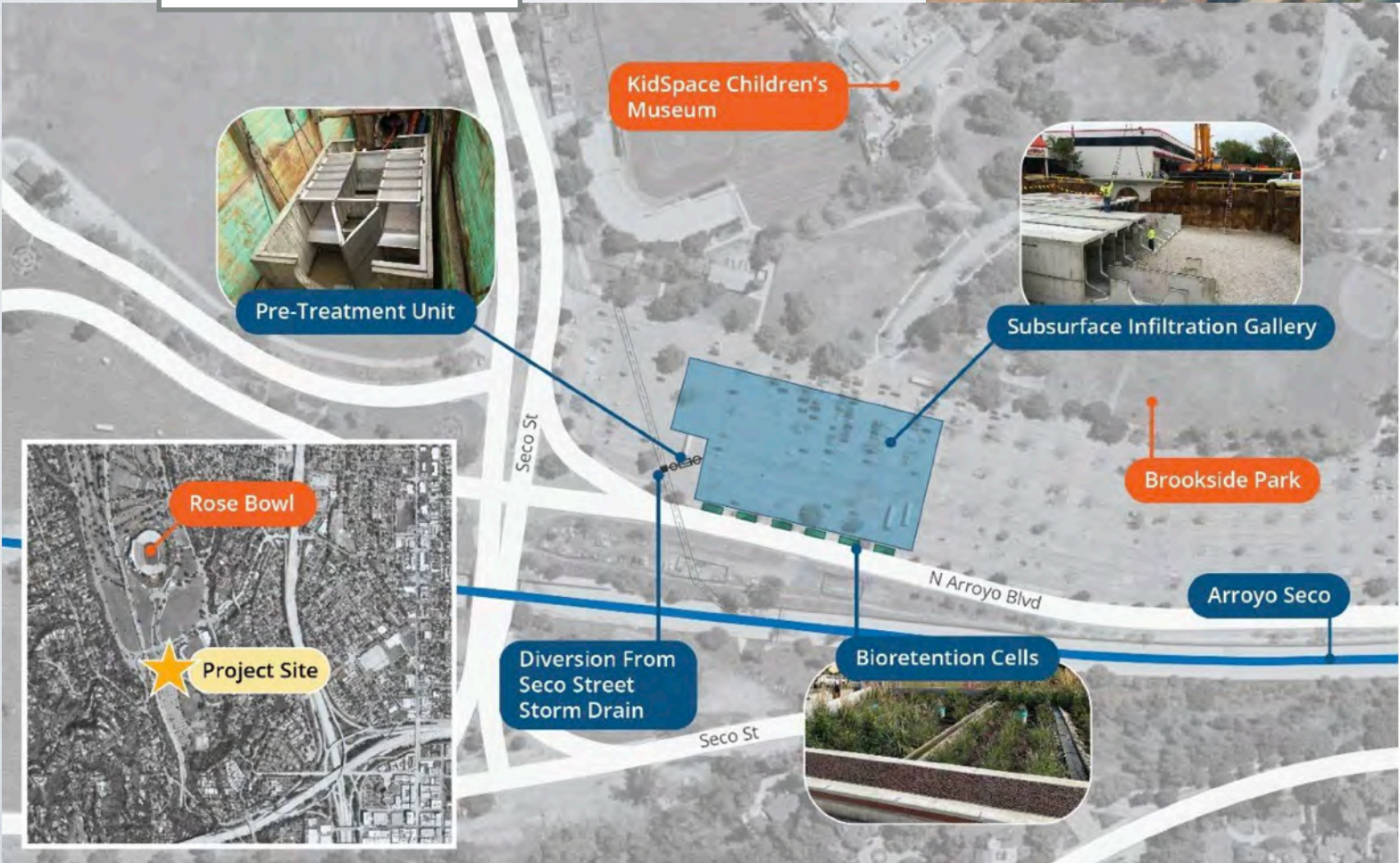
Other projects along the Arroyo will impact its water levels and will create accumulative impacts not considered in EIR

## Brookside



## #2 Arroyo Park

Will use diverted water from S.P.

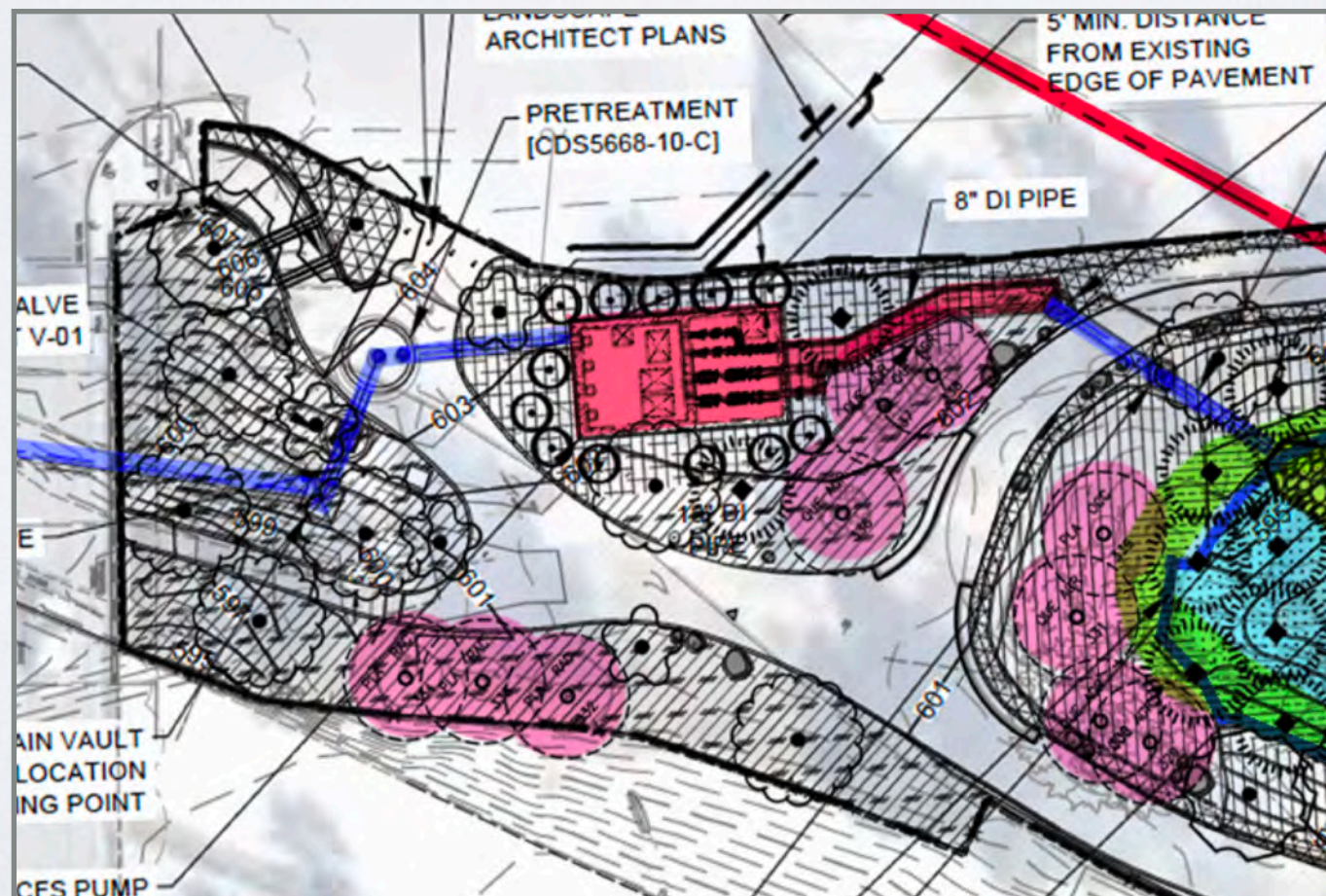




# Maintenance

Public comments requested detailed plans for maintenance for and beyond the 30Y commitments. EIR states that equipment will be visited only once a month. Christina Monde told me it that sediments in machinery will be cleaned every 6 months. How can we ascertain that this machinery- known for its noise and smells- will be noiseless and odorless and well maintained during and beyond 30Y. How can the silt and mud accumulating into the pools be cleaned? Pasadena and South Pasadena have not demonstrated good examples of maintenance for this area, so far. It is neglected, suffered from fires, encampments and trash. South Pasadena has refused to participate in cleanup days, organized by Save San Pascual and CDI4. EIR must provide a comprehensive maintenance plan during and beyond 30Y, including deposit of sediment and trash and overall park maintenance.

Pumps (in red) are located in the LA portion of the park, a public parkland that South Pasadena wants to receive in perpetuity.









# Priority outfalls

Load reduction study from **2016** identified **4** priority Outfalls were identified:

**AS-15, AS-21, AS-41, and ARS-234**

In **2024** a new Load Reduction study did not consider **AS41** as a priority. (See image ULAR LRS)

The project is based on data from **2012**.

**Shouldn't project and funding be based on current data and additional 2026 information?**

*ULAR LRS Adaptation Plan\_Revisions\_2024.05.31 pg 44*

| AOI Number ID                                                                                | Outfall ID | Dry Weather Catchment Priority | Wet Weather Catchment Priority | Segment/Tributary <i>E. coli</i> Load After Outfall Addressed (billion MPN/day) | Structural Projects in Catchment Area (Status)                                                           | Responsible Agencies (Percent of Catchment Area) | Drainage Area (acres) | Original LRS Priority/Outlier |
|----------------------------------------------------------------------------------------------|------------|--------------------------------|--------------------------------|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|--------------------------------------------------|-----------------------|-------------------------------|
| <b>Arroyo Seco: <i>E. coli</i> WLA = 16.4 billion MPN/day; Baseline = 61 billion MPN/day</b> |            |                                |                                |                                                                                 |                                                                                                          |                                                  |                       |                               |
| AS_AOI_2                                                                                     | AS-41      | Low Priority                   | High Priority                  | 13                                                                              | San Rafael Treatment Wetlands (design)<br>Arroyo Seco Golf Course (design)<br>Lower Arroyo Park (design) | Pasadena (98.8%)<br>Los Angeles (1.2%)           | 697.28                | Priority                      |

Additionally, I examined older 2018 data and compared with 2012-13 data. It appears that same outfall Ecoli count, varies greatly from date to date.

QUESTIONS:

- Why was **AS-41** singled out while so many outfalls show a substantial variation from season to season or day to day?
- Was **AS-41** picked up to justify this project?
- Why has **AS-41** changed to a wet weather priority if the project goal is a dry weather project by its design and ability to capture Dry Weather flow only.

**Examining 2 reports- next 2 pages:**

2012- **AS 40** was **370,000!!!** It is on the LA side, just north of San Pascual. And sometimes it is **0**. (!)

2012- **AS 234** was high- **23,000** (west of channel , south of Devil Gate)(2012)

2015- **AS 173** very high **37,000**- to only **74**.

2012- **AS 17** further south of SP **82,000** to **none**.

Why would the research prioritize one outfall versus others, if they all exhibit the same erratic counts?



# Priority outfalls

## From Johnson Lake sampling report 2018 supplying the water to AS-4I

If I read these counts correctly- Ecoli count is mostly UNDER the threshold of 110

Dear Danielle Gonsman :

Enclosed are the results of analyses for samples received 3/16/2018 with the Chain-of-Custody document. The samples were received in good condition, at 4.2 °C and on ice. All analysis met the method criteria except as noted in the case narrative or in the report with data qualifiers.

### Sample Results

Sample: Site-2-2018-03, Alias: Upstream Lake  
8C16053-01 (Water)

Sampled: 03/16/18 10:45 by Client

| Analyte                     | Result                                 | MRL                             | Units     | Dil | Analyzed                       | Qualifier |
|-----------------------------|----------------------------------------|---------------------------------|-----------|-----|--------------------------------|-----------|
| Method: SM 9221F<br>E. coli | Batch ID: W8D0782<br>Instr: Inst<br>78 | Prepared: 03/16/18 14:14<br>1.8 | MPN/100ml | 1   | Analyst: kvm<br>03/31/18 14:55 |           |

Sample: Site-3-2018-03, Alias: Upstream SD System  
8C16053-02 (Water)

Sampled: 03/16/18 10:50 by Client

| Analyte                     | Result                                 | MRL                             | Units     | Dil | Analyzed                       | Qualifier |
|-----------------------------|----------------------------------------|---------------------------------|-----------|-----|--------------------------------|-----------|
| Method: SM 9221F<br>E. coli | Batch ID: W8D0782<br>Instr: Inst<br>79 | Prepared: 03/16/18 14:14<br>1.8 | MPN/100ml | 1   | Analyst: kvm<br>04/14/18 16:02 |           |

Sample: Site-4-2018-03, Alias: San Raphael Creek  
8C16053-03 (Water)

Sampled: 03/16/18 11:15 by Client

| Analyte                     | Result                                  | MRL                             | Units     | Dil | Analyzed                       | Qualifier |
|-----------------------------|-----------------------------------------|---------------------------------|-----------|-----|--------------------------------|-----------|
| Method: SM 9221F<br>E. coli | Batch ID: W8D0782<br>Instr: Inst<br>200 | Prepared: 03/16/18 14:14<br>1.8 | MPN/100ml | 1   | Analyst: kvm<br>03/31/18 14:55 |           |

Sample: Site-5-2018-03, Alias: Long Beach  
8C16053-04 (Water)

Sampled: 03/16/18 10:55 by Client

| Analyte                     | Result                                 | MRL                             | Units     | Dil | Analyzed                       | Qualifier |
|-----------------------------|----------------------------------------|---------------------------------|-----------|-----|--------------------------------|-----------|
| Method: SM 9221F<br>E. coli | Batch ID: W8D0782<br>Instr: Inst<br>79 | Prepared: 03/16/18 14:14<br>1.8 | MPN/100ml | 1   | Analyst: kvm<br>04/14/18 16:02 |           |



# Priority outfalls

“**Attachment B - Compiled Outfall Data**” sent by Christina Monde shows an erratic count for almost all outfalls, not just AS-41. It proves that all outfalls should be treated at the source. Singling out one outfall, or a few, with old data from 2013 does not give this project much validity.

|        |            |                  |       |         |      |
|--------|------------|------------------|-------|---------|------|
| Event5 | 2/5/2013   | Red-E5-00        | AS-39 | 74      | 0.01 |
| Event6 | 3/19/2013  | Red-E6-03        | AS-39 | 3,700   | 0.01 |
| Event1 | 9/13/2012  | Red-E1-05        | AS-40 | 370,000 | 0.00 |
| Event2 | 9/26/2012  | Red-E2-None-07   | AS-40 | None    | None |
| Event3 | 10/10/2012 | Red-E3-None-03   | AS-40 | None    | None |
| Event4 | 11/28/2012 | Red-E4-None-04   | AS-40 | None    | None |
| Event5 | 2/5/2013   | Red-E5-07        | AS-40 | 910     | 0.00 |
| Event6 | 3/19/2013  | Red-E6-02        | AS-40 | 31      | 0.00 |
| Event1 | 9/13/2012  | Red-E1-04        | AS-41 | 6,500   | 0.18 |
| Event2 | 9/26/2012  | Red-E2-08        | AS-41 | 370     | 0.43 |
| Event3 | 10/10/2012 | Red-E3-02        | AS-41 | 3,300   | 0.21 |
| Event4 | 11/28/2012 | Red-E4-05        | AS-41 | 740     | 0.36 |
| Event5 | 2/5/2013   | Red-E5-08        | AS-41 | 63      | 0.03 |
| Event6 | 3/19/2013  | Red-E6-01        | AS-41 | 20      | 0.56 |
| Event1 | 9/13/2012  | None             | AS-A  | None    | None |
| Event2 | 9/26/2012  | Green-E2-04      | AS-A  | 35,000  | 0.00 |
| Event3 | 10/10/2012 | Green-E3-None-02 | AS-A  | None    | None |
| Event6 | 3/19/2013  | Green-E6-None-10 | AS-A  | None    | None |
| Event2 | 9/26/2012  | Green-E2-None-11 | AS-B  | None    | None |



# Infiltration and water usage

## **EIR claims there will be greater infiltration at SP in new design.**

*“However, the treatment wetlands have been designed to optimize infiltration and would facilitate a greater amount of on-site infiltration than in the existing condition” pg 48*

This is doubtful. No study has been done to verify this. A natural constant stream such as we have now, provides year round infiltration. Has it been quantified? A lined pool with wet-weather-only-infiltration will provide very limited infiltration. We also do not know if proposed infiltration will penetrate the aquifer or flow laterally as written in the geology report page 837.

EIR also states : *Implementation of the Project would not result in the need for water, pg 48*

This seems incorrect. EIR acknowledges they will use water to do dust suppression and irrigation. (Top pg 48 and 96) they will all need to water all plants for at least 3 years till established. I want to highlight that wetland area plants may need constant if water levels are low.

## **More questions:**

- What are the water quantities that will be used during and after construction? It doesnt seem like a small Insignificant amount.
- Who will use the captured water besides the Golf Course?
- Has Pasadena reducing its water quantity to the Golf Course from 62 AF to 30AF?



# Green waste

*EIR pg 48: There would be less than significant impacts, and no mitigation is required. This topic will not be carried forward as a section in this EIR.*

“The project will generate **3000 CY**” (=81,000 CF) of green waste. **For BOTH projects**

Estimate- **900 tons** <https://calculator.academy/waste-weight-calculator/>

**= emitting 562.5 tons of CO2** <https://wastebits.com/co2-calc>

Basically a **55'x65'x22'** cube of green material.(plus/minus)

This quantity seems too little. San Pascual park alone is **180** feet at its widest and **550** feet long.

Most trees are **20-50** feet H.

Calculating this conservatively- 100'x400'x20', I get 800,000 CF= **29,629CY**.

Even if divided by **3 or 4** to compensate for space between trees and omit some saved trees, we still get **7000 to 9,000 CY** of green waste= **2100-3000 tons = 1313 to 1875 Tons of CO2**.

**Even if I erred in calculation and it should be divided by 5, it is almost 6000CY!!!**

Even at its declared volume, **562 tons of CO2 emissions is significant**, as it will contribute to climate change and its associated impacts on the environment and human health. Reducing such emissions is crucial to mitigate global warming effects. I would expect the EIR to provide an honest evaluation of all the impacts from this destruction, but like many impacts- it is disregarded.



# Threshold of Significance

# Green House Gases

**Threshold 3.5a Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Conclusion:As such, the Project would have a less than cumulatively considerable impact with respect to GHG emissions.

DEIR quantifies the environmental impact and reaches the conclusion that the GHG emission are under the threshold of 3000MTCO<sub>2</sub> e/yr, being *only 7.92*, but in actuality **12.41**.

Pg 273-This is what EIR says about CO<sub>2</sub> emission from project:

**TABLE 3.5-7  
PROJECT GHG EMISSIONS**

| Source                                  | Total MTCO <sub>2</sub> e/yr |
|-----------------------------------------|------------------------------|
| Amortized Annual Construction Emissions | 12.41                        |
| Carbon Sequestration (Average Annual)   | -4.49                        |
| Net Total Project Emissions             | 7.92                         |

According to google

**7.92 MTCO<sub>2</sub>e/yr** (megatonnes of CO<sub>2</sub> equivalent per year) represents a significant amount of greenhouse gas emissions, equivalent to approximately 7,920,000 metric tonnes of CO<sub>2</sub> emissions annually.

It seems **very significant**. Lets not forget that the carbon sequestration will not be really impactful for years, till young trees grow and can produce same benefits as mature trees currently do



# Hauling quantities

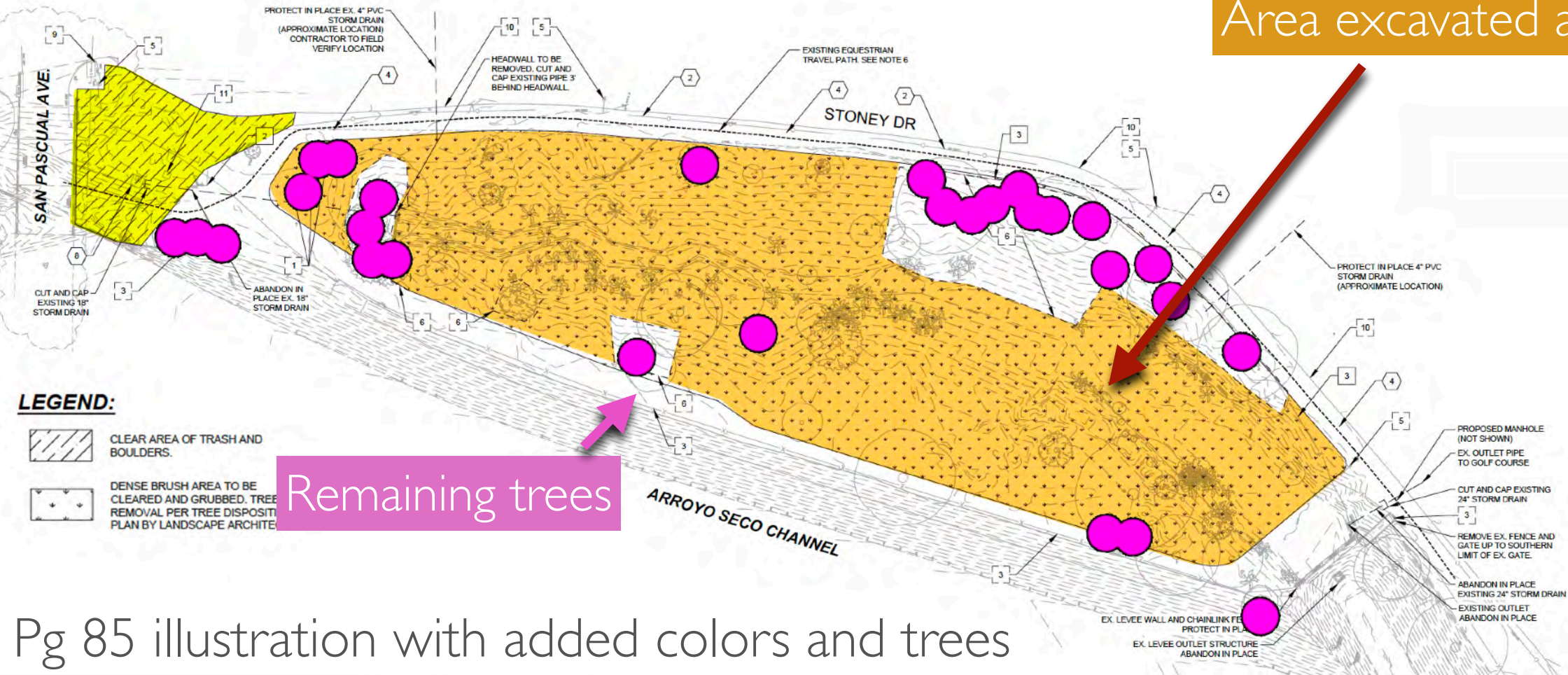
“Construction of the Project would generate an estimated **600 cy of demolition debris**, **3,000 cy of green waste**, and **6,000 cy of excavated soil.**” Pg 48 V I

“we anticipate that excavations for the project will vary from approximately **2 to 15 feet in depth**” pg 839(up to 2 floors) and recommended up to **30 feet**. Geological survey pg 843

This is not insignificant. No mitigations can repair the tearing apart of this land, forest, the dust, chemicals and air pollution that will become airborne, the noise and utter destruction.



Area excavated and dug up



## LEGEND:

- CLEAR AREA OF TRASH AND BOULDERS.
- DENSE BRUSH AREA TO BE CLEARED AND GRUBBED. TREE REMOVAL PER TREE DISPOSITION PLAN BY LANDSCAPE ARCHITECT

Remaining trees

Pg 85 illustration with added colors and trees



# Geology report

After description of various soil layers, and the existence of an active fault line, Geology report recommends measures on how to address possible incidents caused by the nature of the area's soil composition, and how they could impeded process. I find it concerning that report warns several times against unexpected earth movement, seepage, or instability of excavation and surrounding areas. These factors will be known only once they start digging, and recommend certain measures that are not reassuring.

**Page 841-They recommend removing an additional 5 feet deeper than footprint of foundation, in order to replace existing soil with compacted soil.**

**Pg 843- Deepest excavation and shoring recommended- 30' to support surrounding land and structures, from moving, or caving.**

**This is possibly lower or at level with the Arroyo channel.**

**It would be beneficial for EIR to show a detail section and plan of the proposed pool.**

## QUESTIONS

- How will filtration work with newly compacted soil?
- How will plants survive on this compacted engineered environment?
- How can project adjust soils and hydration for a large variety of plants?
- How will they avoid hurting soil and roots of remaining trees with these explicit recommendations?

## EIR

Pg 835 -The site is in a seismically active area, as is the majority of southern California, and the potential for strong ground motion in the project area is considered significant during the design life of the proposed project.

Pg 837 and 840 -As discussed, very soft to soft, saturated soils are anticipated along the bottom of the existing wetland that may not be able to support heavy equipment. Mudcats or other light track-mounted equipment should be anticipated to work on the wetland bottom.

Pg 839 -We anticipate that temporary excavations in wet soils will not be stable at inclinations steeper than approximately 3 to 1 (horizontal to vertical). Seepage should be anticipated from excavations in the wetland bottom sediments and in excavations that approach or exceed the depth of the younger alluvium and bedrock contact



# Drainage and infiltration

## Threshold 3.6C Altering drainage patterns- “less than significant - no mitigation needed”.

the new project will not allow infiltration during most of the dry months. this is a change from the current situation with year round infiltration. As water rises, during rains, and pools fill up, to the max, I am concerned about the pressure on the nearby concrete channel that is already showing signs of aging. Currently there is water seeping out from eye holes and cracks. Has that issue been examined? What steps is project planing to remedy this to prevent damages.



Waters coming out of walls

Cracks along SP side



San Pascual





# Drainage and infiltration

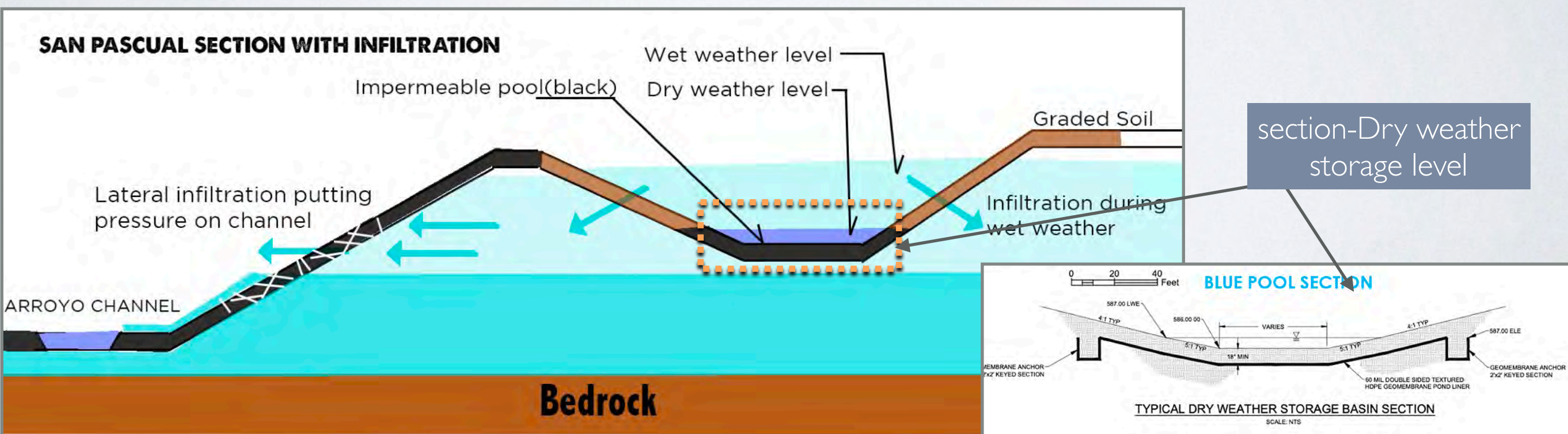
Page 837&849

“The perched groundwater encountered at the contact between the younger alluvium and bedrock in borings B-1A, B-2A, and P-4A suggests that the site bedrock will significantly reduce the effectiveness of on-site stormwater infiltration. It is anticipated that the general fine-grained and dense nature of the bedrock will impede the downward infiltration of water. It is our opinion that the stormwater will infiltrate through the younger alluvial deposits and migrate laterally along the bedrock/alluvial contact.”

Pg 849- we anticipate that stormwater will mound/perch on top of the bedrock encountered at depths of approximately 9 to 14 feet across the majority of the site (29 feet at the southernmost end at boring B-3A). It is anticipated that infiltrated stormwater will move laterally along this contact. We recommend that the bottoms of the wetland be further evaluated during construction.

Pg 849- Based on our evaluation, the potential for hydro-collapse settlement associated with infiltration is generally low due to the proposed depth of infiltration. However, we generally recommend a setback of 15 feet or more between settlement sensitive structures and proposed infiltration areas.

EIR needs to show this diagram. What structures are they referring to? If water accumulates under the pool but cannot move vertically- only laterally- where will it go? Will it create a strong pressure forcing an existing structure out in order to release the water?



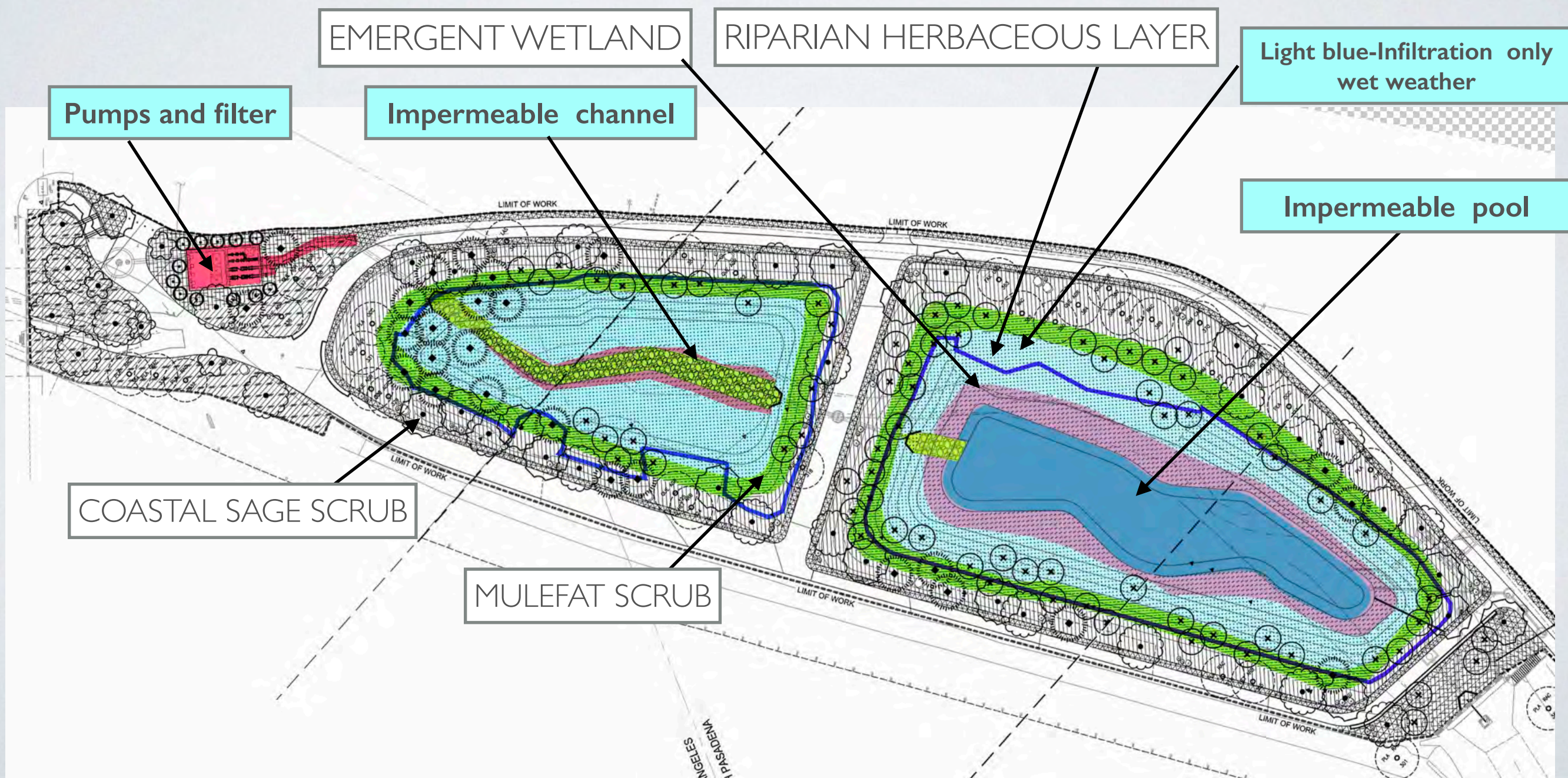


# Replanting plan and irrigation needs

Proposal does not offer a solution with natural infiltration all year round, or allows the plant to feed off the stream naturally. Most of the year, water will be confined to lined impermeable pool(dark Blue) and yellow channel, and will not reach the wetland area. Plants can help clean the water. They will not be able to perform this task during most months. What is the purpose of recreating an artificial pool that will not function as a true wetland?

I am concerned that ample irrigation will be required most of the year for the **wetland** plants, and that high water levels, if allowed, will submerge plants in higher elevations that are not adapted to too much water- it will kill them.

Page 850- 12.12 Landscaping  
Project landscaping should consist of drought tolerant plants. Landscape irrigation should be kept to a level just sufficient to maintain plant vigor. Overwatering should not be permitted.

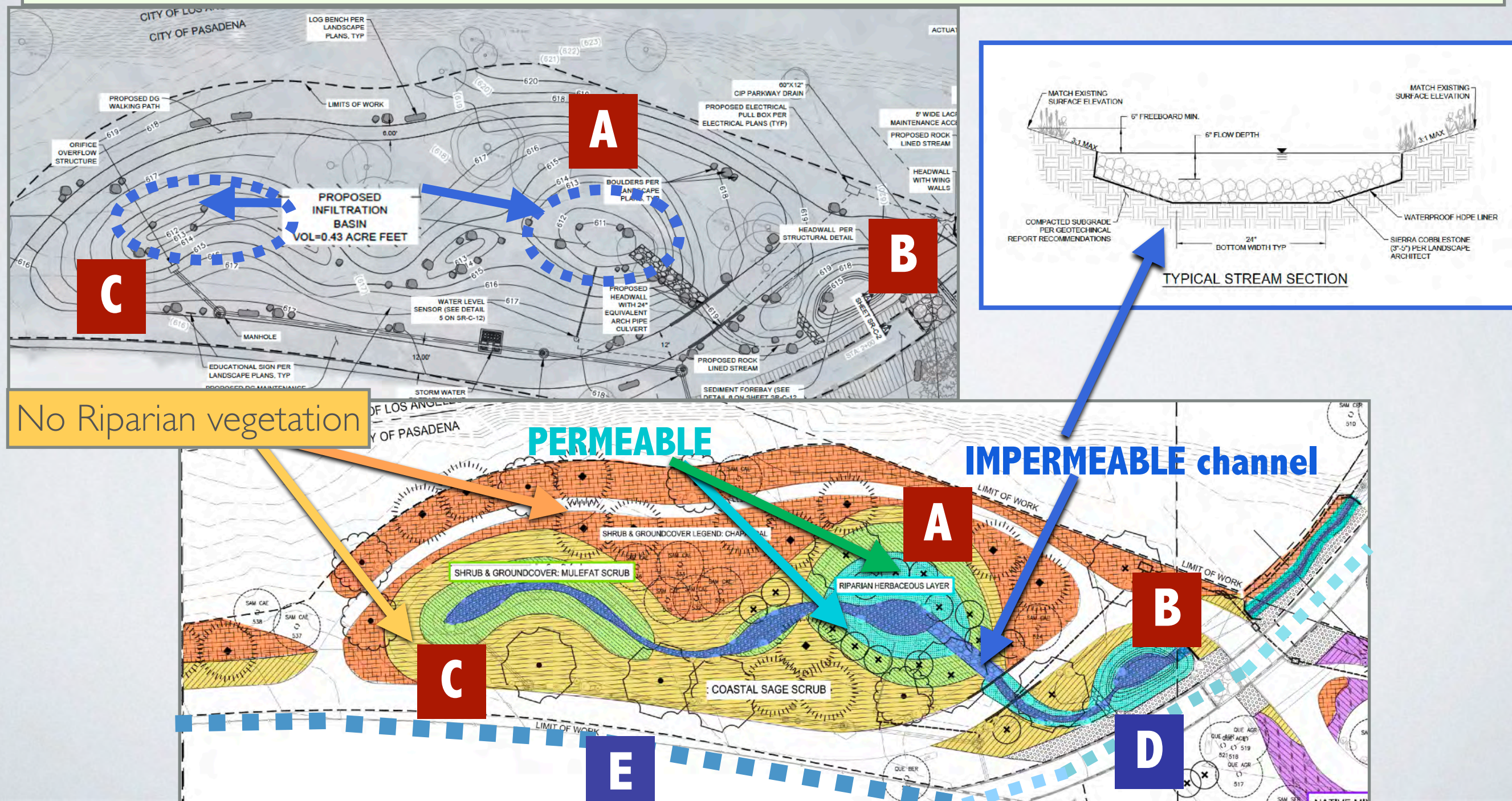




## San Rafael Replanting, design & Infiltration amount

According to this plan a very small portion of the area in SR will have infiltration in it. The pools that appear to allow infiltration are the two small turquoise colored pools (**A,B**), and the areas in green planted with Mulefat scrub (**C**), adapted to dry and wet soil. These may have some infiltration depending on how much water will flow. All other areas, have vegetation that is not riparian, and will not fare well if soil is too moist. Infiltration description and quantity, Pg 75 is vague and appears to be very small. During storms, most excess water will flow into the Arroyo without being cleaned.

Why isn't the design incorporating more pools infiltration? Why so much \$ spent for so little cleanup? Why isn't SR removing AS4 I (**D**) concrete channel and let ALL the water into a better designed wetland, by removing the concrete portion of the Arroyo, (**E**) as it was historically. This would create a better biodiversity and environment while cleaning water naturally, and replenishing the aquifer.

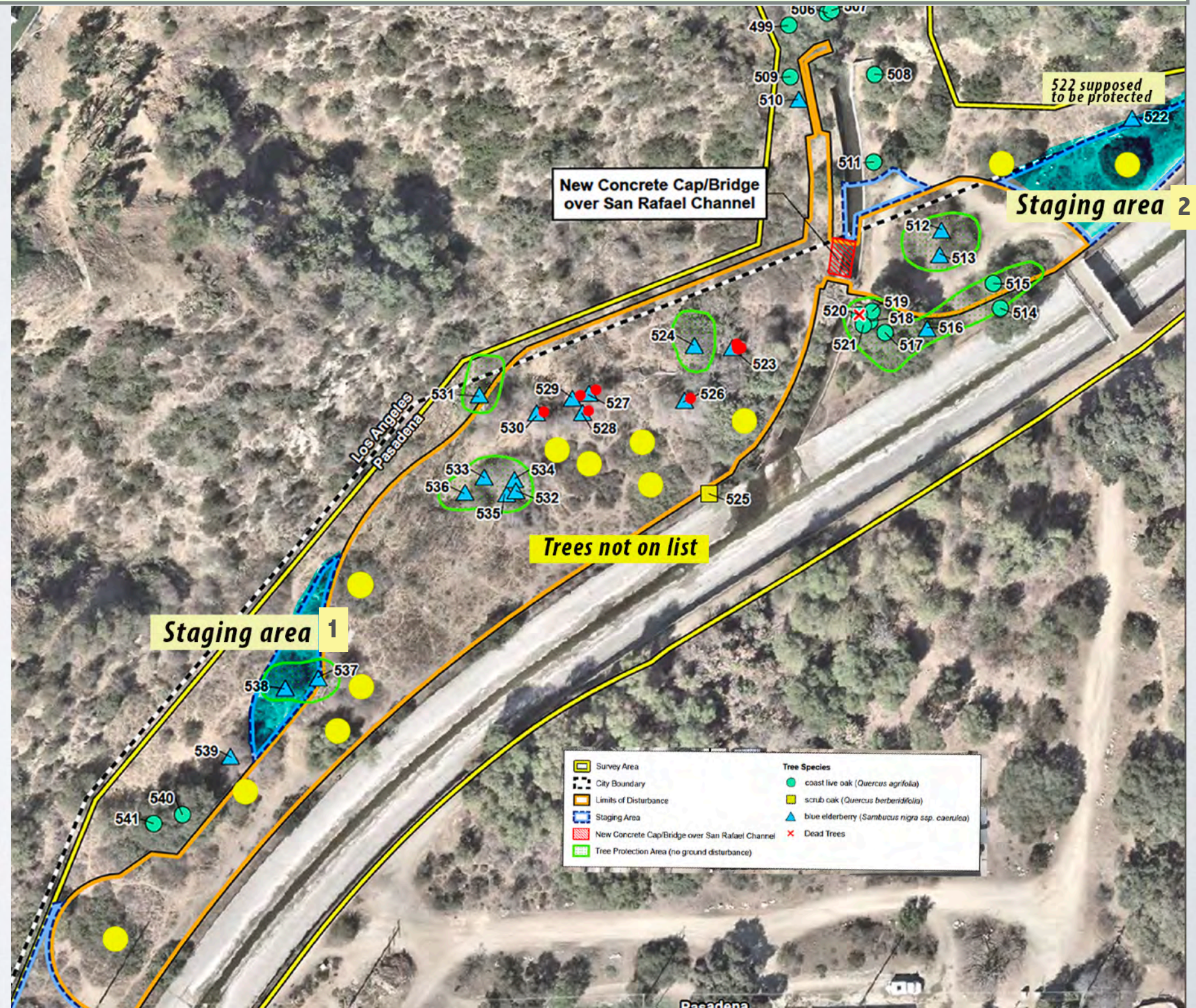
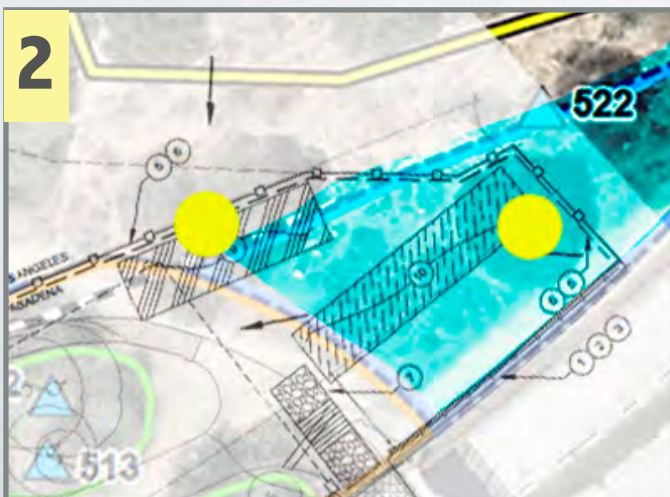
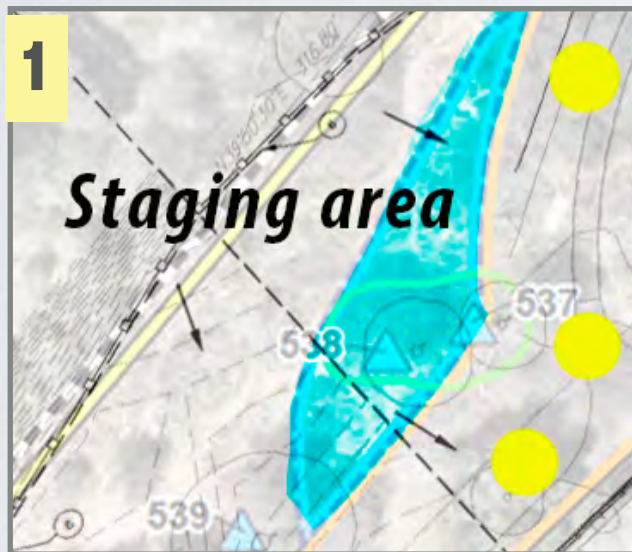




# San Rafael

According to this plan there are trees and large bushes not included in the tree report. Just like San Pascual, Laurel Sumacs and other native trees are not included in the count, giving a false impression that less trees and brushes are removed. Construction plan shows a large area scrubbed and excavated to create the design. According to DEIR maps SR is an Elderberry/Laurel Sumac habitat. All trees are valuable and should be included in report and replanted. Additionally the two staging areas include Elderberries to be protected, (538,537) but I wonder how exactly project plans to protect them.

**Yellow** dots are  
unidentified plants TBR  
**Red** dots are trees TBR





# Trees issues

## Trees count discrepancies

Project total trees counted **201** (page 663 V2)

Project total tree list **246** (from 301 to 547)

How do you explain the **35** missing trees?

Tree List on page 663 says **130** will be removed in SP out of **157** trees

$157 - 130 = \mathbf{27 \text{ trees left}}$

Planting plan (page 93-93 VI) shows **30** trees left (pink dots).

However **3** of these are dead per tree list (pg 666 V2).

Hence **27** trees remaining (plus one missing #326) = **28 trees saved?**

**28**(live trees) + **130** removed = **158 counted**

Tree report says **17** trees died.

**157** trees counted 2026 + **17** trees dead = **174 total count**

MND counted **166** tree only

**166 - 17** dead = **149** trees left?

How did you reach **157**?

**37** protected trees TBR + **82** Palm trees TBR = **119**.

We are missing **11** extra trees removed. They have **17** dead trees not counted, not 11

How did they come up with the **#130** TBR in SP?

**75** significant and protected trees TBR + **82** Palms TBR = **157** (OK)

Tree map on page 655 shows **16** dead trees

Tree list on page 666 lists **17** dead trees

Additionally tree **326** is supposed to be protected as per list on pg 663.

It does not show up on replanting plan as such



Please explain these discrepancies



EIR does not explain why replanting ratios are either excessive or insufficient and answer these questions

**TABLE 3.3-5  
COMPARISON OF EXISTING PROTECTED/SIGNIFICANT TREES  
AND PROPOSED TREES AT THE SAN PASCUAL SITE**

| Tree Species                                                                                                                                          | Quantity Existing | Quantity Removed | Quantity Proposed to be Planted |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------|---------------------------------|
| carob<br><i>Ceratonia siliqua</i>                                                                                                                     | 2                 | 2                | 0                               |
| Shamel ash<br><i>Fraxinus uhdei</i>                                                                                                                   | 1                 | 1                | 0                               |
| toyon<br><i>Heteromeles arbutifolia</i>                                                                                                               | 4                 | 2                | 12                              |
| western sycamore<br><i>Platanus racemosa</i>                                                                                                          | 16                | 6                | 17                              |
| coast live oak<br><i>Quercus agrifolia</i>                                                                                                            | 23                | 11               | 24                              |
| black willow<br><i>Salix gooddingii</i>                                                                                                               | 11                | 2                | 0                               |
| arroyo willow<br><i>Salix lasiolepis</i>                                                                                                              | 1                 | 1                | 72                              |
| blue elderberry<br><i>Sambucus nigra ssp. caerulea</i>                                                                                                | 11                | 6                | 26                              |
| Brazilian pepper<br><i>Schinus terebinthifolia</i>                                                                                                    | 5                 | 5                | 0                               |
| Chinese elm<br><i>Ulmus parviflora</i>                                                                                                                | 1                 | 1                | 0                               |
| western redbud<br><i>Cercis occidentalis</i>                                                                                                          | 0                 | 0                | 4                               |
| <b>Totals</b>                                                                                                                                         | <b>75</b>         | <b>37</b>        | <b>155</b>                      |
| Please note: non-native species that are removed will not be replaced in kind. Removal of non-natives are offset via establishment of native species. |                   |                  |                                 |

- Los Angeles City Councilmember Kevin De Leon suggested a minimum of 4:1 ratio for all protected trees removed. Why not use this ratio for the Sycamores and Oaks?
- Why are no Black Willows being replanted? It is native to CA and important in riparian habitats
- Why not conserve some Mexican Palms to save the bats population?
- Why are they not replanting Black Walnuts?
- Why are **72** Arroyo Willows replacing **1** removed , instead of adding larger shade trees? MND had **62** willows. Now it is **72**



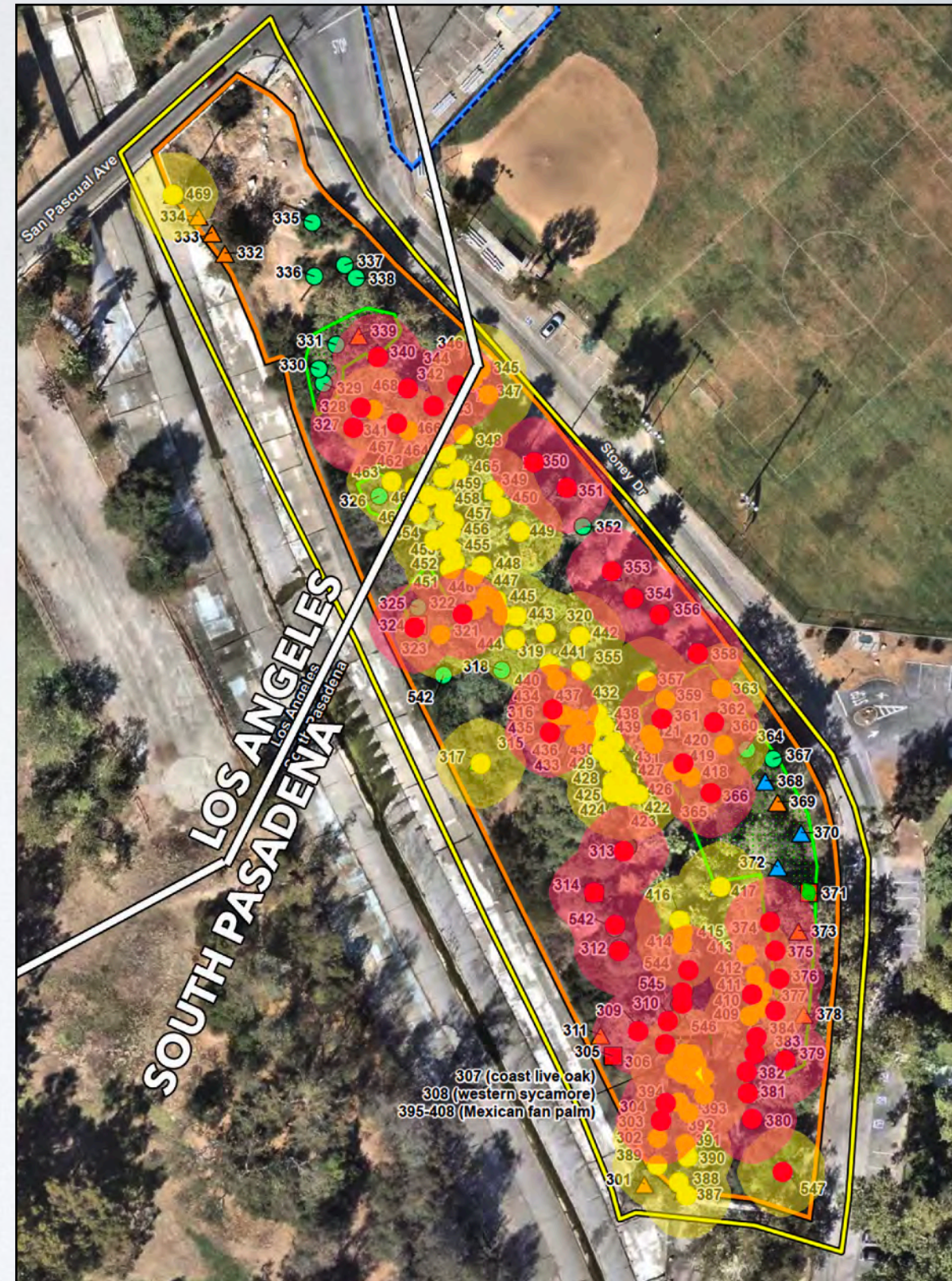
Pasadena intends to cut down over 130 mature trees for this project, which will have a permanent and negative impact on the whole valley and all wildlife that depends on it.

- This diagram shows all the **130** trees removed out the counted\* **157** trees in San Pascual. Only **27** trees will remain.
- **11** protected Oaks, **6** Sycamores, **6** Elderberries **2** toyons), plus bushes, understory habitat, and smaller trees, which will decimate a local ecosystem
- With over **86%** of all the trees destroyed, the chance of survival of the remaining **14%** is questionable despite the best mitigations.

- bubble indicates a protected tree to be removed
- bubble indicates a non-protected tree to be removed
- Many of the tree canopies are larger than bubble size.

\* **There are 40+ uncounted protected smaller trees, native trees such as Holly Cherry, Laurel Sumacs. (dark areas on this map)**

Source: EIR volume 2 pg 655, 662, 663, 666-675





# Trees issues

- removed protected trees
- Removed non protected
- Removed dead trees(not specified)
- Trees saved

I highlighted some discrepancies that affect counts and maps.

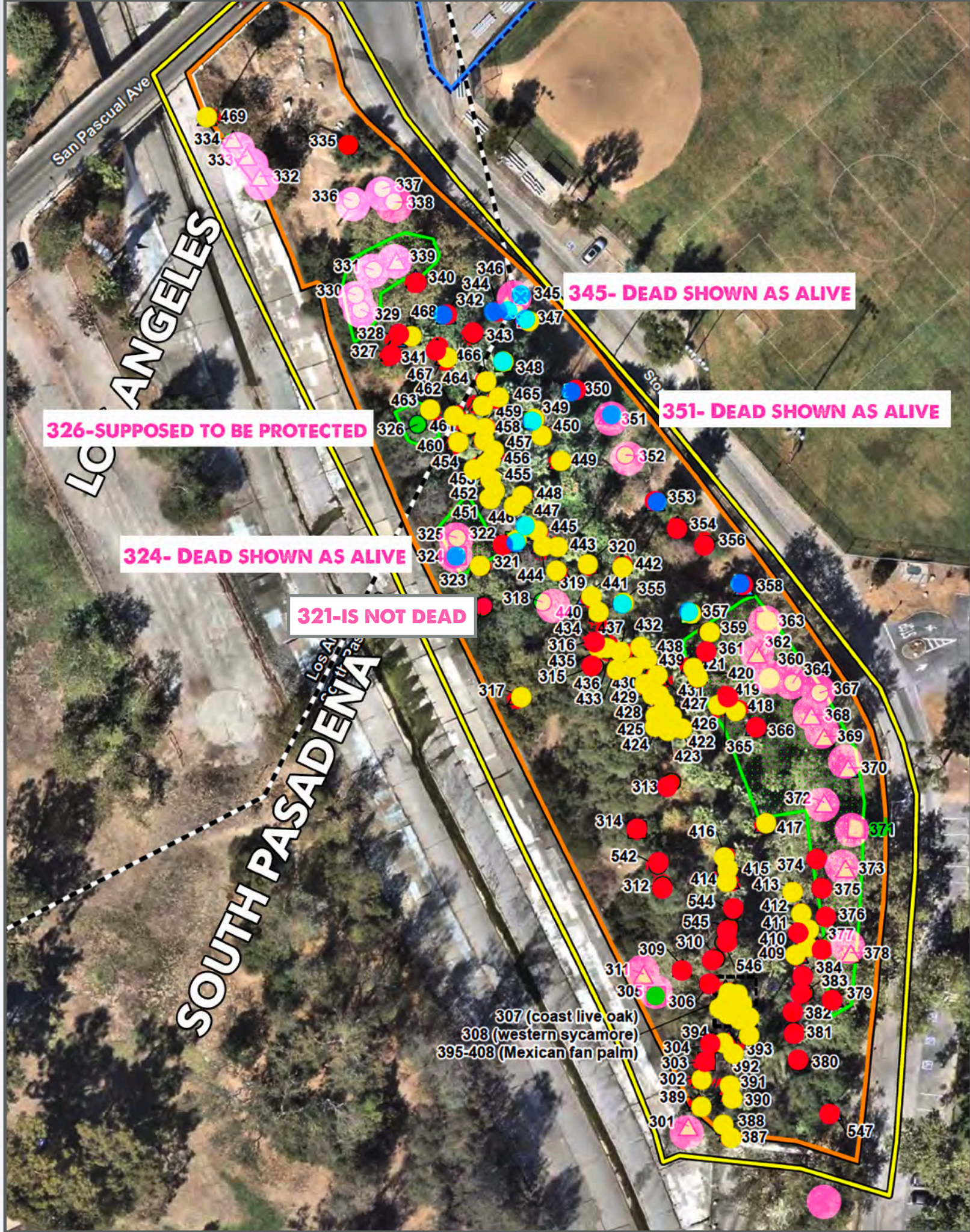
**324,345,351** - listed as dead trees (pg 366 V2)  
But listed as alive on replanting plan (pg 92 V1)

**321**-Shamel Ash is not dead.

**326** supposed to be protected, does not show on replanting plan

This highlighted map clearly shows the devastating impact of the 86% planned tree removal .

How can EIR state that this has no impact? regardless of the type of tree, EIR does not account for the total loss of a habitat that supports a wide variety of wildlife. This forest help combat heat and air pollution. Two years of construction and no water and extreme exposure to sun, will compromise the remaining trees.

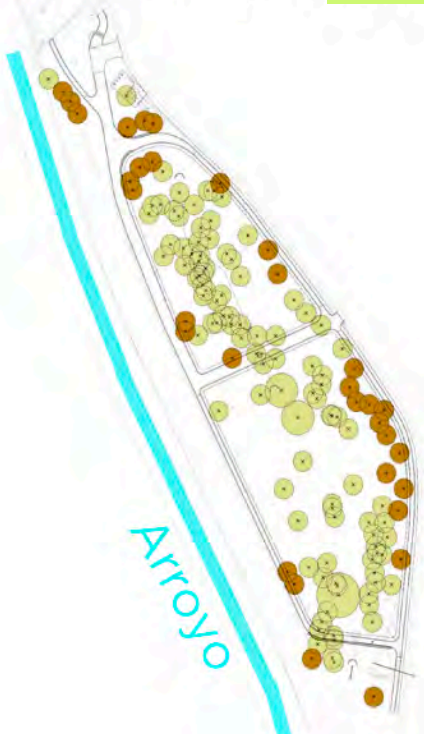




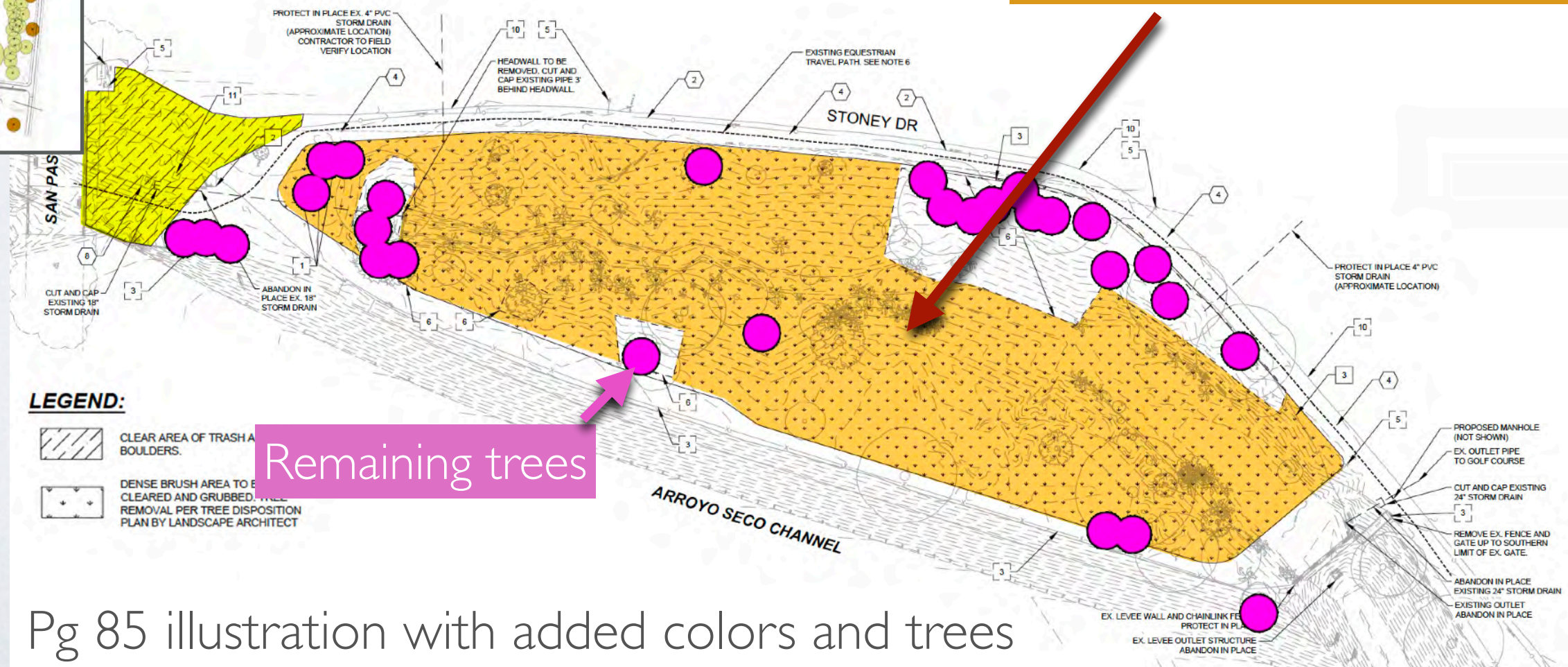
# Trees issues Survival of lone trees

These lone trees will be left exposed and detached from other trees and the water source that fed them. They will not survive 2 years of construction in spite of “mitigations” (fencing and observations) DEIR does not consider this significant.

|                         |     |
|-------------------------|-----|
| Existing Tree to Remain | 27  |
| Existing Tree to Remove | 130 |



Area excavated and dug up



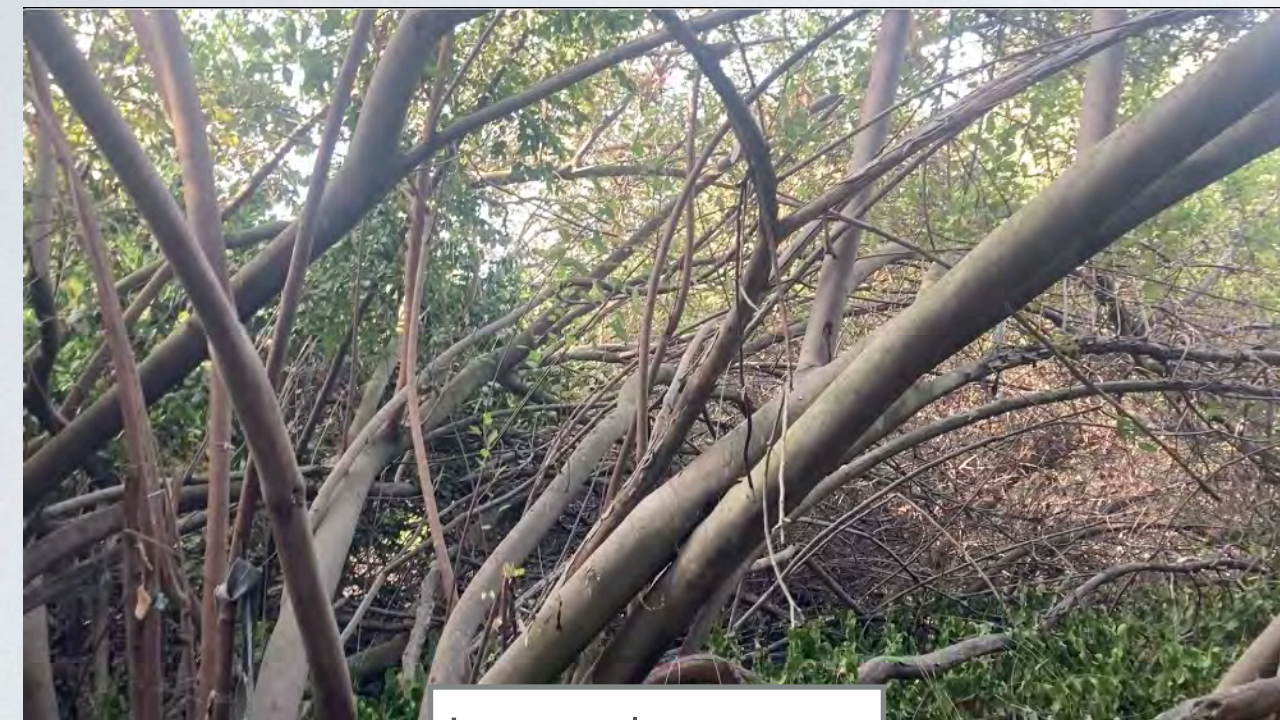


# Trees issues

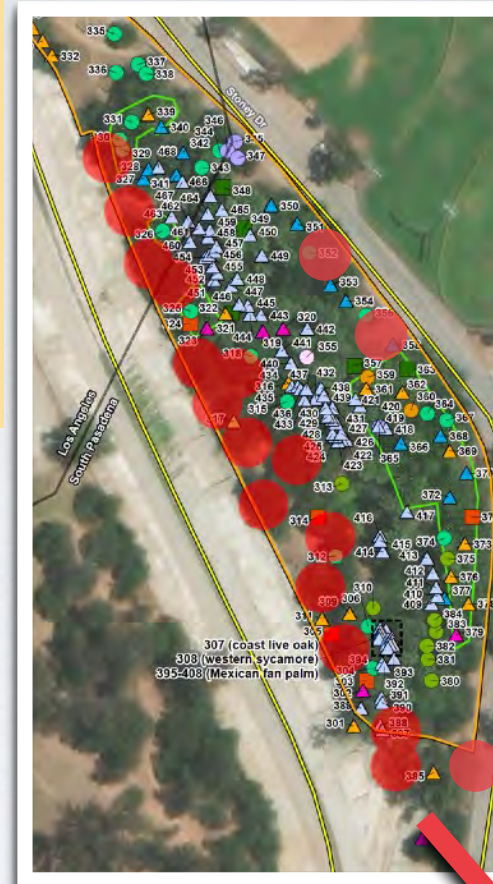
San Pascual habitat category not shown

Red dots are Laurel sumacs and Elderberries

**EIR does not include** at least 2 dozens Laurel Sumacs & Holly leaf/Catalina Cherries that will be removed, and smaller protected trees like Toyons and Oaks creating a dense as habitat and understory for the local wildlife.  
EIR fails to specify the disturbed Elderberry Sumac area in SP but is recognizing their presence in SR.



Laurel sumac





# DESIGN and ALTERNATIVES

EIR offered several alternatives because the public asked for them. The two selected are basically a “copy and paste” of San Pascual plans and are even worse options deemed to be rejected eventually.

EIR offered **alternative locations** but did not offer an **alternative solution** as we requested. Design did not change since 2022 in spite of community's requests for a true nature based solution.

Both projects are similarly designed, with an impermeable pool in the center. Infiltration is made possible only during rains. Both Alternatives will direct the water to the Golf Course.

***The most striking negative impact for both, is the removal of the water currently flowing in San Pascual Park across the channel. San Pascual will eventually dry off. Animals that rely on the stream will die. This type of water diversion away from an established recognized wetland will be contested by CA fish and Wildlife as it consist of Stream Alteration.***

**Alternative 1** will cause the removal of a baseball field and sports field area.

**Alternative 2** will cause the removal of many trees.

Many of us requested nature preservation and not environmental destruction. One such request was to restore the existing park with a careful surgical approach rather than destroying it. We requested removal of invasive plants, preserve the tall palm trees, remove the young ones, fix the trail, remove old fences, place educational signs, clean, maintain, protect what is there and functioning. Protect the scared site. None of this was offered, except destruction.

EIR only offered to do nothing which is not what we requested. San Pascual and San Rafael have been purposefully neglected for years. We do not want the neglect. We asked for a restorative alternative. We received none.

A true wetland would offer infiltration all year round so that it is a fully functional self sustaining habitat that does not rely on irrigations, technical maintenance for pipes and pumps and where wildlife can truly thrive. The wetland would clean the water naturally in connection with OTHER restored or recreated wetlands along the Arroyo, and recharge the aquifer. **It would LOOK and BE natural.** SP and its 2 alternatives are ugly and artificially designed with their straight middle path and fenced surround path. San Rafael has a better natural design. Other projects along the LA river are better designed.

We do not want reservoirs. We expressed this requirement several times. Project remained the same since 2022.

***What you proposed is a costly artificial pool whose sole purpose is to provide water to a golf course. It will clean only dry weather flow, negatively impact the Arroyo during dry season. Storm capture will be occasional, and most of it will flow back into the Arroyo with minimal cleaning of trash and debris only. So what is really achieved here beside supplying free water to a golf course???***



# ALTERNATIVES

The 2 ALTERNATIVES options examined in EIR are not really viable. One will eliminate too many trees and a sacred ground. The other will eliminate a baseball field.

Those that are rejected by Pasadena could have worked if Pasadena was willing to take a better look and put a different goal, such as nature restoration and water infiltration and not watering a golf course for free. .

Here is a short analysis of the rejected options:

## Rejected- Parking lot

EIR says area (in red) is too small-1/2 an acre.

Even if doubled to one acre-still not big enough for their need.

I examined this claim. I placed the Brookfield project on top of parking lot for size comparison to show what can be achieved on a one acre plus/minus size project.

It is achievable, and would not harm nature, with the exception of very few trees, but this is LA land and they have no land rights and have not reached out to LA or the community to discuss...



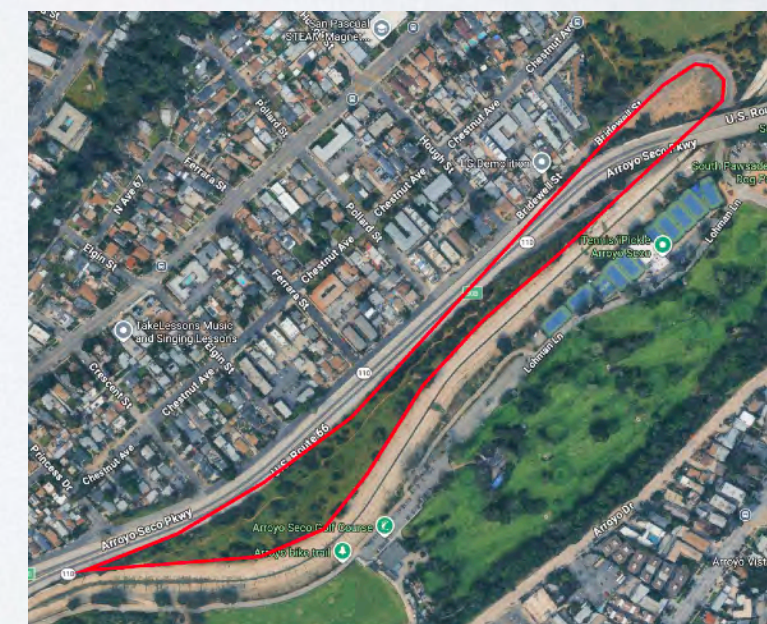
## Rejected- Bridewell

Positives- vacant lot, 5 acres. not in use, with fewer trees, at very close proximity to the golf course

Area could benefit from native restoration.

Pasadena excuses:

homeless population. No existing diversion, too costly.





## Rejected - Arroyo Seco Channel Naturalization

This is what the community and thousands of letters requested. EIR says too expensive, too complex, too long and in other jurisdictions; They are under deadlines; The Arroyo is LA jurisdiction; Not feasible now.

EIR says ***current project will not preclude future restoration effort.*** We claim that it most certainly will. By taking water from the river and solidifying permanent concrete unnatural structures, San Pascual and San Rafael would not be part of any future river true restoration.





# Tribal Cultural Resources

EIR has not addressed the possible loss of cultural or historical resources, human remains or other historical artifacts. DEIR states:

Threshold 3.4c: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

**Less than Significant Impact.** There are no known human remains on the sites. The Project sites are not part of a formal cemetery and are not known to have been used for burial of historic or prehistoric human remains.

These conclusion are simply wrong. This historical massacre area has been recognized as a sacred burial site by the Kizh Nation and by internal Pasadena communications. EIR has not demonstrated the true negative impacts that the site excavation can have on historical, prehistorical or archeological artifacts.

- How can the public and the Kizh nation be assured that all measures are taken to prevent remains destruction?
- What will happen if many bodies are discovered?
- Is excavation going to be stopped? And for how long?

If such artifacts are found- project must stops and re assess impact, and Kizh tribes representative assists and consult. The Kizh Nation have not approved the project. It is their ancestral land. CEQA AB52 must be addressed by fully avoiding this site as per the Kizh request..

## MND conclusions

### 2.18 TRIBAL CULTURAL RESOURCES

|                                                                                                                                                                                                                                                                                                                                                                              | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| Would the project:                                                                                                                                                                                                                                                                                                                                                           |                                |                                       |                              |                                     |
| a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: |                                |                                       |                              |                                     |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?                                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

|                                                                                                                 | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| Would the project:                                                                                              |                                |                                       |                              |                                     |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

|                                                                                                                      | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact                |
|----------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|--------------------------|
| Would the project:                                                                                                   |                                |                                       |                              |                          |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>   | <input type="checkbox"/>     | <input type="checkbox"/> |

|                                                                                      | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact        | No Impact                |
|--------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| Would the project:                                                                   |                                |                                       |                                     |                          |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



# Environmental effects on human beings

DEIR is not addressing the impact that toxic air contaminants released by trucks, or by the excavation, can have on the nearby community and is dismissing the full impact this project will have on human beings living in the area in terms of life disruption, augmented heat island, augmented noise, dust, hauling, traffic, light pollution, augmented asthma incident and impact on the nearby school.

The noise factor is very poorly addressed. Multiple trucks and machinery beeping constantly for months on end and emitting fumes are going to be a major impact on the area and its population. The elimination of a “lung” that purifies the nearby I 10 fwy fumes, this projects **actively** will worsen the health of the nearby valley residents.

Green house gas emission (comments on DEIR pg 18-19)

Using “green washing” terminology and language to describe this project does not make the project truly green. These pools are artificially designed and their construction will do more harm than good on the “well being” of the humans nearby. There is no biodiversity benefits if project will destroy an existing biodiverse habitat and will impact future restoration of a river and its trouts

Air Quality- pg 133. DEIR recognizes the risks and describes in many pages, tables, calculation and standards, that are probably meant to distract and confuse from the main conclusion that project will cause air pollution during construction or as a result of removing so many trees. DEIR concludes after 40 pages, that impacts are insignificant and mitigations are not required. All I can say is- Seriously? I invite the project managers and designers to live in the valley during the 2 years construction and “not be impacted”.

# MND conclusions

|                                                                                                                            | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact                           |
|----------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| Would the project:                                                                                                         |                                |                                       |                              |                                     |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

A project of such destructive proportions cannot conclude it has no adverse effect on human beings

# DEIR conclusions

DEIR Pg 64-According to the United Nations Environmental Assembly, nature-based solutions (NbS) are“actions aimed at protecting, conserving, restoring, and sustainably managing natural or modified terrestrial, freshwater, coastal, and marine ecosystems, **which address social**, economic and environmental challenges effectively and adaptively, while simultaneously **providing human well-being, ecosystem services, resilience and biodiversity benefits**”. They play a crucial role in achieving sustainable development by enhancing biodiversity, improving water quality, reducing pollution, combating desertification, and restoring degraded land and soil (UN Environment Program 2024).

DEIR pg 171- Construction Source Emissions and Operational Source Emission impacts: No significant impacts related to Air Quality would occur, and no mitigation is required



How is Pasadena planning to address Garfias spring water flowing into the San Pascual stream in two locations.

DEIR is not addressing it in spite of the fact that it was requested by Save San Pascual Park Coalition letter in scoping comments pg 201 and other public letters.

What will happen to the fresh water?

How will it be incorporated into the project?



5. Provide for native habitat, educational opportunities, and diverse vegetation to the existing spaces encouraging habitat for wildlife. Different plant life emphasizing native vegetation can be planted in the drier infiltration basin sections than the treatment wetlands. These will protect, enhance, and restore habitat, green space, and usable space.

The native habitat already exists. It is neglected and needs restoration. The project will eliminate it. It will take years for animals to return if ever. The new design at SP does not provide an inviting safe habitat for animals. It too exposed and surrounded by people on all sides. This is not RESTORATION.

7. At San Pascual site, remove invasive Mexican Fan Palms, which are a fire hazard and unauthorized recreational uses (i.e., BMX bike trail, undefined trails). Reestablish inoperable wetlands and address ponding issue at south end of site where trash accumulates, algae grows and creates an unhealthy vector issue.

The water that come out of San Pascual has been tested for Ecoli in 2023 and the count is dramatically less than the South Pasadena Golf Course. The wetland is doing its work!  
The trash and fire hazard is caused by NEGLECT on the part of South Pasadena who let this gem deteriorate for years and did not stop the BMX group from digging their path.  
The pool in south portion has creatures like ducks, crayfish and small fish that thrive there.  
The ponding was intentional. There is a concrete wall holding the water, which normally should be returned to the Arroyo, but is being pumped by South Pasadena probably for the Golf Course. If it was polluted, they would not have used it.

9. Improve public access and use.

10. Rehabilitate the existing trail along the Arroyo Seco.

The future trail will not allow public access near the water as it does now. It will hold people and horse on a shared 5 foot wide path. This is highly irregular. Trails must be separated for safety, or at least 8 feet W. See regulations: <https://www.fs.usda.gov/t-d/pubs/htmlpubs/htm07232816/page06.htm>  
Additionally, there will be no places in the shade to rest and observe nature as it is currently.

11. Plant additional native plants and trees for both sites to increase existing tree count to reduce heat island effect. Native trees that are part of the post-construction landscape plan will contribute to increased tree count and shade for the area.

By removing 136 trees - Pasadena will create a substantial heat bubble that will last years. Shade and cooling and air purification will be lost. It will take 25-50 years too recapture the mature canopy we have now



12. Contribute towards flood retention capabilities of the whole storm drain system by enhancing the detention capabilities of the system. The volume detention contributes to flood management, and because this project site is in the upland areas of the greater watershed, it offers distributed volume control that is needed across the watershed to mitigate flooding from the largest rain events.

Both park will retain a relatively small amount of water during storms. Their diversion capacity and storage volume is too low to truly address sudden flood in the channel, or clean storm water. It is built to capture dry weather primarily



## The summary of thresholds of significance Tables ES I

I dispute the assessment of the EIR. Each threshold explored has been rendered insignificant by the authors without any justification. A habitat fully destroyed, 2 years of disturbance, and no impact? Important to state strongly that their cumulative impact is VERY significant.

EIR briefly brushes over Cumulative Impact pg 104 and does not really address the issue because there will not be other nearby projects. However- Pasadena is working on several other water reuse and capture.projects to store or clean water from the river resulting a considerable amount of water removed from the Arroyo, impacting its health and future restoration.

## “Effects not found to be significant” pg 37

d) Result in the loss of forest land or conversion of forest land to non-forest use?

I dispute the assessment of the EIR. The loss of this forest may not constitute a “forest Land” as defined in code 4526, but it is a forest that will be converted to a different use.  
It is a very significant change



Addressing these items on next page

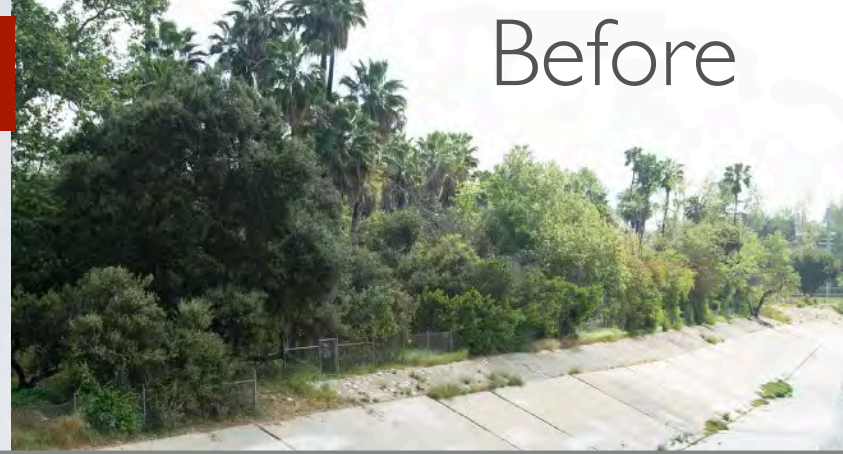
**TABLE ES-1  
SUMMARY OF THRESHOLDS OF SIGNIFICANCE, PROJECT IMPACTS, MITIGATION,  
AND LEVEL OF SIGNIFICANCE AFTER MITIGATION**

| Thresholds of Significance                                                                                                                                                                                                                                                                                                                                                                                        | Level of Significance Before Mitigation | Mitigation Measures (MMs)            | Level of Significance After Mitigation |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------|----------------------------------------|
| <b>Section 3.1 – Aesthetics</b>                                                                                                                                                                                                                                                                                                                                                                                   |                                         |                                      |                                        |
| <b>Threshold 3.1a:</b> Would the project have a substantial adverse effect on a scenic vista?                                                                                                                                                                                                                                                                                                                     | Less Than Significant Impact            | No mitigation measures are required  | Less Than Significant Impact           |
| <b>Threshold 3.1b:</b> Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?                                                                                                                                                                                                                    | No Impact                               | No mitigation measures are required  | No Impact                              |
| <b>Threshold 3.1c:</b> In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | Less Than Significant Impact            | No mitigation measures are required  | Less Than Significant Impact           |
| <b>Threshold 3.1d:</b> Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                                                                                                                                                                                                                                       | No Impact                               | No mitigation measures are required  | No Impact                              |
| <b>Section 3.2– Air Quality</b>                                                                                                                                                                                                                                                                                                                                                                                   |                                         |                                      |                                        |
| <b>Threshold 3.2a:</b> Would the project conflict with or obstruct implementation of the applicable air quality plan?                                                                                                                                                                                                                                                                                             | Less Than Significant Impact            | No mitigation measures are required. | Less Than Significant Impact           |
| <b>Threshold 3.2b:</b> Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?                                                                                                                                                                        | Less Than Significant Impact            | No mitigation measures are required. | Less Than Significant Impact           |
| <b>Threshold 3.2c:</b> Would the project expose sensitive receptors to substantial pollutant concentrations?                                                                                                                                                                                                                                                                                                      | Less Than Significant Impact            | No mitigation measures are required. | Less Than Significant Impact           |
| <b>Threshold 3.2d:</b> Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?                                                                                                                                                                                                                                                           | Less Than Significant Impact            | No mitigation measures are required. | Less Than Significant Impact           |
| <b>Section 3.3 – Biological Resources</b>                                                                                                                                                                                                                                                                                                                                                                         |                                         |                                      |                                        |
| <b>Threshold 3.3a:</b> Would the project Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.?                                                           | No Impact                               | No mitigation measures are required  | No Impact                              |



# Thresholds of Significance

Before



After



**Section 3.1** Removing 130 plus tall trees and rendering this land into an open pit will dramatically change the scenic vista and expose the neighborhood to the glaring lights from the sports fields!

**Section 3.2** With almost 90 years of Arroyo flow in San Pascual, the odds are that some pollutants have accumulated in the soils. The current wetland is actually performing cleanup. Removing this soils could expose the area to unknown airborne substances. EIR has failed to investigate that. A 2023 water test show Ecoli level of 110-510 which is significantly lower than the S. Pasadena Golf course at 24K to 200K or the Rose Bowl at 920K!

**Section 3.3, 3.3B** Biological survey was inadequate and failed to detect fish in the stream, a great blue heron, raptors, coyotes, bats and more. The EIR must consider the impact on all species of wildlife that resides in this forest and stream, not just sensitive ones. A realistic evaluation of this destruction is missing from EIR



A few of the many birds and animals that live or nest in San Pascual Park (From left to right):  
Blue Heron, Oak Titmouse, Blue Swedish Mallard, Nuttall's Woodpecker, Cooper hawk  
Hooded Oriole, King bird, Western blue bird, Red Dragon Fly, pond slider and small fish, fresh water clams



# Thresholds of Significance

**3.3b-e:** EIR is not realistic. **Fencing** or observation will not protect 27 lone protected remaining trees or birds nests. Construction will impact roots drip line and will take away their water supply. Construction will not stop because of a nest on a lone exposed tree. The park is not big enough to have 250-300-500 feet of protective fencing distance. The noise and proximity will chase away or kill all remaining animals and impact all remaining trees.

TABLE ES-1  
SUMMARY OF THRESHOLDS OF SIGNIFICANCE, PROJECT IMPACTS, MITIGATION,  
AND LEVEL OF SIGNIFICANCE AFTER MITIGATION

| Thresholds of Significance                                                                                                                                                                                                                                                               | Level of Significance Before Mitigation | Mitigation Measures (MMs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Level of Significance After Mitigation                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <b>Threshold 3.3b:</b> Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | Less Than Significant Impact            | <b>MM BIO-1 Trees.</b> All trees to be preserved on-site during the construction process shall have the following measures implemented: <ul style="list-style-type: none"><li>• Prior to initiation of construction activities, protective fencing shall be placed around the critical root zone (five feet outside the outer canopy) of all trees that are in the Project construction area and are intended to remain in place. No ground disturbance or storage of construction materials should occur within the critical root zone during construction.</li><li>• A Certified Arborist shall be retained to monitor construction activities of any ground disturbance planned within or adjacent to the critical root zone for any tree to be preserved during construction.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Less Than Significant Impact                              |
| <b>Threshold 3.3c:</b> Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?                       | Less Than Significant Impact            | No mitigation measures are required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Less Than Significant Impact                              |
| <b>Threshold 3.3d:</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.                                   | Potentially Significant Impact          | <b>MM BIO-2 Nesting Birds/Raptors.</b> 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> . To avoid impacts on active nests for common and special status birds and raptors, no vegetation removal or ground-disturbing activities shall occur during avian breeding season which generally runs from February 1 through September 15 (as early as January 1 for some raptors). The applicant shall schedule vegetation clearing during the non-breeding season (i.e., September 16 to December 31) to the extent feasible. If Project timing requires that vegetation clearing occur between February 1 and September 15, the applicant or its designee shall retain a qualified Biologist to conduct a pre-construction survey for nesting birds and raptors. The pre-construction survey shall be conducted by a qualified Biologist within three days prior to vegetation clearing. The pre-construction nesting bird survey area shall include the Project impact area (i.e., disturbance footprint) plus a 250-foot buffer to search for nesting birds and a 500-foot buffer to search for nesting raptors. If no active nests are found, no further mitigation would be required.<br><br>If an active nest is located in the pre-construction nesting bird survey area, the Biologist shall delineate an appropriate buffer to protect the nest based on the sensitivity of the species. A 300-foot no disturbance buffer shall be used around each active bird nest. A protective buffer of 500 feet shall be used to protect nesting raptors. A Biologist may make adjustments to the buffer size based on site topography, existing disturbance, sensitivity of the | Less than Significant Impact with Mitigation Incorporated |

**Threshold 3.3e:** interference with tree preservation policy ordinance





# Thresholds of Significance

EIR has fully brushed off all the individual thresholds, and proclaims that mitigations alone can reduce them to non significant. Prior MND concluded the same. We disputed it back then and I am disputing it now. These conclusions are serving the developer and not the environment or the community.

## **Threshold 3.5A Green house gas emissions- “less than significant - no mitigation needed”.**

Here is what science says: *cutting down a forest releases greenhouse gases into the atmosphere, primarily carbon dioxide, as trees that absorb carbon are removed and the carbon stored in their wood is released. Deforestation is responsible for about 12-20% of global greenhouse gas emissions.* Additionally- a land depleted of trees for more than two years, will augment CO2 and pollutants in the area drastically and affect the health of all residents. See estimated CO2 emissions page 17

## **Threshold 3.6B decrease of ground water supply- “no impact”**

the current stream infiltrate the grounds and nourishes the trees. Eliminating this water source during the construction will reduce the water in the ground.

Additional Impacts dismissed in DEIR

**Elimination of the current stream** - all fish and amphibians will die

**Light pollution**- eliminating the tall mature trees will throw light pollution from the sports fields into the nearby homes.

**Noise pollution**- eliminating the tall mature trees will eliminated the buffer these trees create from the freeway noise and sports field activities. Impact dismissed page 346.

This impact is for animals is dismissed pg 210.

Pg 346- Removal of trees on the San Pascual site is not expected to result in a noticeable change in noise at the residential areas along the north side of San Pascual Avenue. According to the Caltrans Technical Noise Supplement, it is uncommon for trees and vegetation to result in a noticeable reduction in noise. A vegetative strip must be very dense and wide for there to be any meaningful shielding effect (Caltrans 2013). Similarly, receptors located a greater distance from the San Pascual site would not perceive a noticeable change in noise levels resulting from tree removals. This is because the existing ambient noise in those areas is primarily due to multiple sources from all directions, including distant and local vehicular traffic as well as park and trail activities. These activities are mostly not shielded by the trees to be removed. There would be less than significant impacts related to operation of the Project, and no mitigation is required.



# Thresholds of Significance

**Threshold 4.4B Archeological artifacts-** I have serious doubts about the ability of heavy equipment workers to perceive objects of value while they uproot and destroy the trees and start digging. There will be so much disturbed ground that having a serious look at small objects or bones is not going to occur. What will project do if items or ancient structures are found? These mitigations are meaningless.

**Threshold 3.8A Noise impact- Significant- less than significant with mitigation.**

no amount of mitigation will reduce months of noise generated from a construction site. Curtains, metal walls or concrete wall need to be tall and sturdy to block noises of cutting 50 feet tall trees. I don't see how project would build such a concrete wall. It is not a realistic mitigation. The valley will be impacted.

**Accumulative impacts 3.6.7** the impact of overlapping projects- Dismissed pg 305-6

**Not included in the EIR impact list**

**Very significant impact on all park users, hikers and surrounding community.**

the noise dust and heat bubble created by this project will impact all park users. Many will avoid using sports field due to noise, dust, possible contaminants disturbed and becoming airborne. Children in nearby school will be impacted for almost two years. Underserved community will bear the health consequences from this project. A fact highlighted in many letters. Rocio Rivas's School Board of LA Unified Vice President. Her excellent letter was sent to SCW. Included in next 2 pages.



December 15, 2025

Safe Clean Water  
Watershed Area Steering Committee  
Upper Los Angeles River  
[SafeCleanWaterLA@pw.lacounty.gov](mailto:SafeCleanWaterLA@pw.lacounty.gov)

Dear Members of the Upper Los Angeles River Watershed Area Steering Committee:

**Re: Opposition to the Arroyo Seco Water Reuse Project**

As the Los Angeles Unified School District Board Member representing District 2, I write to express my strong and unequivocal opposition to the Arroyo Seco Water Reuse Project. This \$10 million proposal will directly impact San Pascual Steam Magnet Elementary School students, their families, and nearby residents —constituents who have shared their objections with me.

This project poses serious health risks for nearby residents, particularly vulnerable children and seniors. It undermines established environmental restoration goals, relies on outdated or insufficient data, threatens existing wetlands and wildlife habitats, and would impose costly, long-term maintenance burdens. I urge the rejection of this proposal in favor of a true nature-based alternative that restores water quality while protecting both residents and local ecosystems.

**Critical Concerns**

**1. Unauthorized Appropriation of Los Angeles Parkland**

Half an acre of San Pascual Park – land used daily by Los Angeles residents for recreation – would be leased for 30 years to Pasadena and South Pasadena, granting them effective control of the site in perpetuity. Los Angeles is already one of the most park-poor cities in the nation and cannot afford further loss of accessible open space. Furthermore, Los Angeles Charter Section 594 explicitly states: "All lands heretofore or hereafter set apart or dedicated as a public park shall forever remain for the use of the public inviolate..." I strongly urge that this land transfer be denied.

**2. Environmental Justice Violations and Public Health Impacts**

The valley surrounding San Pascual Park is highly susceptible to heat islands and heavy air pollution due to its proximity to the 110 Freeway. Removing the existing forested wetland and tree canopy will disproportionately harm residents -62% of whom are linguistically isolated and many of whom live in multi-family housing without access to private green space. Most residents are located within a quarter mile of the 110 freeway and depend on the park for

shade, recreation, and respite from urban heat. Long-term health impacts from increased heat island effects, shade loss, and aggravated air quality will fall hardest on vulnerable populations, including children, seniors, and low-income families. Additionally, the placement of a pump station and water treatment facilities raises serious concerns about noise, odor, and air quality violations.

**3. Harmful and Prolonged Construction Impacts**

Two years of construction will subject the community to excessive noise, pollution, dust, and heavy traffic. This will disrupt the daily life for residents, wildlife populations, and the recreational and ecological wildlife corridor connecting Pasadena, South Pasadena, and Los Angeles.

**4. Rejection of True Nature-Based Solutions**

The proposal relies on industrial-scale pumps, pipes, and filtration infrastructure rather than working with natural hydrology. It would destroy existing wetlands and wildlife habitats while obstructing future Arroyo Seco restoration efforts. A genuine nature-based restoration approach would reestablish native vegetation, enhance filtration, and improve water quality naturally aligning with regional restoration plans instead of undermining them.

**5. Outdated and Missing Water Quality Data and Questionable Water Rights**

The project relies on data from 2012, despite the availability of 2023 data showing extremely high E. coli levels originating south of the Rose Bowl parking lots (920,000 MPN/100mL) and the South Pasadena Golf Course (200,000 MPN/100mL). These contamination levels are more than 400 times higher than those at San Pascual site, yet this \$10 million project focuses on this area.

This raises fundamental questions that remain unanswered:

- How can the project claim effectiveness through midstream treatment when the source of pollution continues downstream from areas like the South Pasadena Golf Course?
- Why not treat pollution at the source, which would be both cheaper and more effective?
- How can the project claim TMDL compliance without current water quality data?

Further, the project plans to capture 535 acre-feet of Arroyo water annually, with none infiltrated at the San Pascual site. The South Pasadena Golf Course would receive 62 acre-feet of filtered water annually for irrigation, yet no state-recorded water rights have been established for this transfer.

**6. Destruction of Wetland and Riparian Habitat and Downstream Ecological Damage**

The project would remove 136 of 166 trees, including protected species, putting the remaining trees at risk. This represents a complete loss of functioning riparian woodland and wildlife habitat. Restored plantings would take decades to recover ecological function and provide the cooling shade that currently benefits the community. An ecologically guided, gradual removal of invasive species would be far preferable to clear-cutting.

In addition, diverting 60% of Arroyo water will significantly reduce flow in the Arroyo Seco Channel, harming fish, birds, and other wildlife. The project ignores habitat protection and restoration goals for the larger watershed.



### **7. Conflict with Arroyo Seco Restoration Vision**

This project undermines decades of planning and millions of dollars in studies promoting nature-based restoration. It directly contradicts current regional efforts, including those supported by Los Angeles County leadership.

### **8. Unsustainable Maintenance Requirements and Fiscal Irresponsibility**

The proposed complex mechanical systems will require costly ongoing maintenance and frequent repairs. In addition, South Pasadena and Pasadena have historically failed to provide adequate maintenance for native landscapes. Lack of proper maintenance combined with earth disturbance will likely worsen invasive species problems rather than solve them.

### **9. Lack of Tribal Consultation (AB 52 Violation)**

The project has ignored formal consultation requests from the Gabrieleno Kizh Tribal Authority, despite the site's significance as an Indigenous village and burial ground known as "Little Hahamongna." This represents both a legal violation and a failure to honor sacred, historically significant land.

### **10. Inadequate Public Outreach (Title 2 and 7 Violations)**

Public notices were sent only in English, and meetings were held outside Los Angeles often during working hours, effectively excluding 65% of non-English-speaking San Pascual Valley residents. This violates Measure W's requirements for equity and inclusion in watershed planning. To date, the EIR process has allowed minimal public involvement with insufficient review time, silencing the community most impacted by the project.

### **Conclusion**

The Arroyo Seco Water Reuse Project is environmentally destructive, legally unsound, culturally insensitive, and fiscally irresponsible. Rather than replacing the Arroyo Seco's natural systems, we should be restoring them – aligning with climate resilience, environmental justice, and public health priorities.

I strongly urge the City of Los Angeles to oppose this project and call on Pasadena and South Pasadena to join in developing a sustainable, nature-based alternative that serves both our communities and our shared watershed equitably.

Sincerely,



Rocío Rivas, Ph.D.  
Board Vice President



# Impact on local birds

## Impacts on nesting and birds- dismissed with unrealistic “mitigations”

Pg 539-541 - EIR states they will avoid activities during nesting seasons. Feb 1-Sep 15 and do brush clearing Sept to Dec. I find it highly unrealistic. If tree removals occur within that window, nests will be fenced at a 250 feet-500 feet radius, depending on bird, around trees. Fencing at 100-500 feet will extend beyond the park! It is unrealistic to promise that project will either stop activities or that birds will stay in a loud catastrophe area. Same with all mitigations offered to protect bats.

- The mitigation # is not mentioned.
- Impact is not mentioned.
- Biological expert to find nests 3 days only before a massive operation is scheduled?
- No construction from January to Sept?
- Will work stop if nests are found?
- What ensures us that construction will not happen during nesting season. Jan/Feb to Sep?
- Will recommendation 3 then be implemented?
- The EIR offers very loose assurances for the avoidance of construction during this long period.

**MND** Mitigation name is specified. Impact is less than significant(!)

### Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) protects migratory birds and their nests and eggs, both common and special status. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (50 *Code of Federal Regulations* [CFR] §10.13, as amended). Birds have the potential to nest in the vegetation in the survey area, and their nests may be impacted by the Project. In addition to the MBTA, Sections 3503 and 3503.5 of the *California Fish and Game Code* protect nesting migratory birds and raptors. Impacts to nesting birds, both on and adjacent to the Project site, would be considered a significant impact prior to mitigation. Therefore, if Project construction, on either site, is initiated during the typical breeding season for nesting birds (i.e., February 1 to September 15) and nesting raptors (i.e., as early as January 1 for some raptors to June 30), MM BIO-3 requires a pre-construction nesting bird/raptor survey to ensure compliance with the MBTA and describes the process for protecting any active nests identified while construction is ongoing. If construction activities are initiated during the non-breeding season, implementation of MM BIO-3 would not be required and there would be no potential impact to nesting birds and raptors. With implementation of MM BIO-4, potential impacts to nesting migratory birds and raptors during their breeding seasons due to Project construction would be reduced to a less than significant level.

## EIR Pages 539-541

In addition, Sections 3503 and 3503.5 of the California Fish and Game Code protect nesting migratory birds and raptors. Impacts to nesting birds, both on and adjacent to the Project site, would be considered a significant impact prior to mitigation. For purposes of this BRA, the potential for “incidental take” is considered a significant impact. Therefore, if Project construction, on either site, is initiated during the typical breeding season for nesting birds (i.e., February 1 to September 15) and nesting raptors (i.e., as early as January 1 for some raptors to June 30), Recommendation 3 requires a pre-construction nesting bird/raptor survey to ensure compliance with the MBTA and the Fish and Game Code, and describes the process for protecting any active nests identified while construction is ongoing. If construction activities are initiated during the non-breeding season, implementation of Recommendation 3 would not be required and there would be no potential impact to nesting birds and raptors.

The applicant shall schedule vegetation clearing during the non-breeding season (i.e., September 16 to December 31) to the extent feasible. If Project timing requires that vegetation clearing occur between

February 1 and September 15, the applicant or its designee shall retain a qualified Biologist to conduct a pre-construction survey for nesting birds and raptors. The pre-construction survey shall be conducted by a qualified Biologist within three days prior to vegetation clearing. The pre-construction nesting bird survey area shall include the Project impact area (i.e., disturbance footprint) plus a 250-foot buffer to search for nesting birds and a 500-foot buffer to search for nesting raptors. If no active nests are found, no further mitigation would be required.



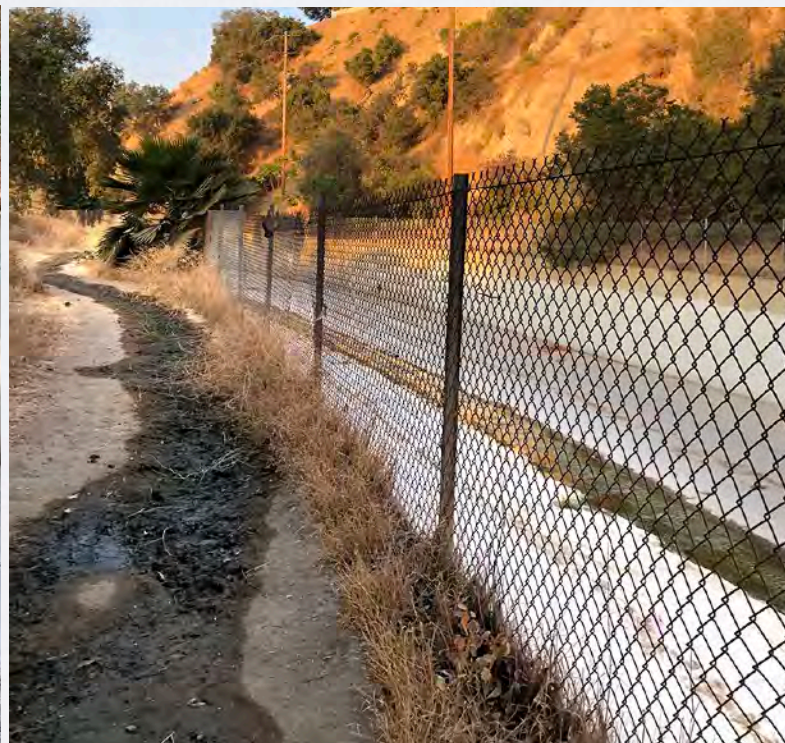
# Pollution from known sources

Not addressed

In our many comments, many have requested EIR and project to address the issue of KNOWN sources of pollution. San Pascual horse stables is letting horse runoff go into the river. We know of the extremely high pollution coming from Annandale, Brookside and South Pasadena Golf Courses, and the Rose Bowl. What logic is there behind cleaning a dry weather flow halfway between the highest polluting sources, and not addressing these sources **before** they enter the river? San Pascual and San Rafael are the least polluted water areas. AS 41 was declared a "low priority" outfall in 2024. The water coming out of SP has very low E-coli levels.



Foam indicating pollution



Horse stable runoff



Dark muck and trash flowing into the River from outfall 342-20



# Roosting bats

Removal of 83 Palm trees will impact the loss the habitat for birds and bats

**Page 54** is a CDFW specification of how to handle bats which EIR has not specified as the measure they would take. EIR **page 534, 549**, repeats MND's summary, but does not mention the significance of the impact. EIR Mitigation outlines only how to remove a tree and let bats escape... This is insufficient



MND text only repeated partially in EIR

**Roosting Bats**

Several bat species may forage throughout the Project sites and roost in mature trees or under bridges. However, large roosting colonies have not been documented on or near the Project sites and are not expected to occur. Impacts on individual roosting bats or small colonies (i.e., less than ten individuals) are a potential constraint on development. Indirect impacts on individual roosting bats or small colonies may occur with Project implementation and may result in bats avoiding the site temporarily. Therefore, the Project would implement MM BIO-4, which requires a two-step tree removal process to be implemented to prevent bat mortality. With implementation of MM BIO-4, potential impacts to roosting bats would be reduced to a less than significant level.

|                                                                                                                                     | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact                |
|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------|------------------------------|--------------------------|
| Would the project:                                                                                                                  |                                |                                       |                              |                          |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>   | <input type="checkbox"/>     | <input type="checkbox"/> |





60% of the total water captured - over **100 million gallon of water** (258 AF + 62 AF) - will be held or diverted annually.

- Do Pasadena and South Pasadena have the rights to this water?
- How will the amount of water diverted to the Golf Course be monitored?
- Will they take same amounts in dry years?
- Can the project take more than what is stated in DEIR?
- What will happen to the Arroyo Seco ecology downstream in drought years? DEIR does not study any cumulative impacts for the area as a result of this water removal and other projects.
- How will the accumulation of sediments and chemicals be removed from the lined reservoir?
- Why isn't the project using RECENT contamination reports of the Arroyo Seco?