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2008-2009**

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Certified Neighborhood Council  
August 13, 2002

September 25, 2008

Spiro Lazaris

Department of Public Works

Civil Engineering and Architecture Services

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Mr. Lazaris:

*The Mar Vista Community Council approved, on September 25, 2008, the following Comment and Response to the Draft Environmental Impact Report prepared by the City of Santa Monica for its Charnock Well Field Restoration Project:*

The Mar Vista Community Council requested, during the Scoping Review period (which is documented in the Public Record of that process), that an extensive list of questions be addressed and resolved in the proposed Environmental Impact Report for the Charnock Well Field Restoration Project. We are dismayed that the DEIR, in its Executive Summary description of the project, has resulted in essentially no changes to the initial proposed project, a project which was clearly unacceptable to the area residents.

**The MVCC now requests that the City of Santa Monica recognize its responsibility to be responsive to the needs of the community on which it is imposing a great burden in order to satisfy the infrastructure needs of its residents, and requests that the following concerns be addressed by the City of Santa Monica before any approval is given for this DEIR and subsequent proposed Charnock Well Field Restoration Project:**

**1. CONSIDERATION OF ALTERNATIVE SITES IN THE CITY OF SANTA MONICA**

The MVCC requested that “the City of Santa Monica investigate the feasibility of pumping the untreated water from the Charnock Well Field to a more appropriate location in the city of Santa Monica”. The City’s response in the DEIR is, in Section 6.0, “Relocating the treatment components of the project to an alternative site not already part of the water distribution system is considered to be infeasible because it would require that this infrastructure be substantially modified. Similar to the SMWTP alternative, this would require the construction of new and separate water mains that are dedicated to transferring only contaminated groundwater to the alternative treatment site as such water cannot be intermixed into the current drinking water system until decontaminated. In addition, in the event of an accidental release because of breakage of a water main, the contaminated water could then potentially contaminate another of the sub-basins, requiring additional clean-up operations. The feasibility of right of way and other site acquisition is not known with certainty, but would be expected to substantially delay the project due to the increased technical and political complexity of this process. This would not be consistent with the project

objective of restoring the Charnock ground water supply in an expeditious manner.”

**The MVCC believes that the consideration of alternative sites should not be rejected because it might “substantially delay the project due to increased technical and political complexity of this process” The restoration of these Wells has waited for over 12 years. It is imperative that the City of Santa Monica take whatever time is necessary to fulfill their objectives in a way that does not disrupt the environmental quality of those residents immediately impacted by the proposed project. This is even more of an imperative given the fact that those same residents will be receiving no benefit from the proposed project.**

## 2. AESTHETIC ISSUES: VISUAL IMPACTS OF CHARNOCK PROJECT

With regard to the aesthetic issue of visual impacts at the Charnock site, the MVCC is very concerned that the Executive Summary of the DEIR states that the alternative proposals are not “clearly superior to the proposed project with its mitigation measures”, and also states that “For each of these views, the additional or proposed screening, together with the current vegetation, provide over 90% obstruction from residential vantages along the southern property boundary. These mitigated simulation illustrations are for representation only and are not final design. They do however show the type and level of screening that will be provided at the Charnock location to reduce the visual effects of the proposed vessels. Significance After Mitigation. With incorporation of proposed mitigation, impacts associated with visual compatibility would be less than significant. In section 6.8 of the DEIR it states that “The reduced project profile alternative is considered the environmentally preferred alternative of those considered. This alternative would reduce visual impacts but would substantially increase impacts related to geologic and construction impacts. Specifically, construction impacts related to noise, air pollution, and traffic would increase due to the extended construction schedule.”

**The MVCC believes it is imperative that the City of Santa Monica ask the residents living in the the Charnock Wells area which of these trade-offs they would be willing to make. The question is not what does Santa Monica think is appropriate; the question is what do the Charnock Wells area residents think is appropriate. They must be given the choice whether they will accept the increased construction impacts in order to lessen the long-term visual impacts. If they are willing to put up with the construction impacts related to the reduced project alternatives, then that alternative must be chosen.**

In addition, the DEIR states in section 6.6.2, addressing the “Equipment Housing Alternative”, that “this alternative would change the visual appearance of the project from one of an industrial appearance with visible vessels and tankage to a single rectangular structure. This structure would be approximately 7,050 square feet and 27 feet tall. This structure would encompass an area roughly twice the size of the proposed vessel area and would be about 3 feet taller (to allow proper clearance and building ventilation). This proposed structure would have a greater massing than the project, however, to some this structure would be more visually compatible with the current neighborhood character (as a rectangular building) than the appearance of the proposed project. In addition, design and color features of the stucture could be incorporated to reduce the visual impacts. Because of the greater size of this structure, this alternative is considered to have similar but slightly greater visual impacts compared to the proposed project.”

**This is not the alternative requested by the MVCC. The MVCC requested that “any new construction be visually consistent with the existing residential neighborhood and/or Windward School”. This means the “Equipment Housing Alternative” should be created to look the same as the new buildings being constructed currently at the Windward School. An architect must be hired to create a design that can be presented to the residents so they can make a choice.**

### 3. NOISE ISSUES

**The MVCC believes that any increases in neighborhood noise levels created by operating procedures of the proposed facility are COMPLETELY INAPPROPRIATE. This area is NOT an industrial or commercial zone. This area is a residential neighborhood and school. The mitigations proposed by the City of Santa Monica to compensate for the noise impacts acknowledged by the DEIR may very well be appropriate as mitigation in an industrial area in order to protect workers and visitors, but they are not appropriate for this residential neighborhood. Any mitigation for the increased noise levels MUST reduce the project noise levels to the neighborhood levels that were present prior to the introduction of the facility into the neighborhood.**

The DEIR acknowledges, in Section 4.7 that “Material loading and offloading within the site would cause a significant noise impact to the school facilities and the adjacent residential neighborhood”, and elsewhere “Operation of mobile equipment such as truck transfer pumps and compressors associated with the proposed project would generate noise levels that would periodically be audible to existing residences near the project site. Impacts would be Class II, *significant but mitigable*.”

“The following mitigation is recommended. **N-2(a) Portable Noise Barriers.** Portable noise barriers made from acoustic blankets (minimum STC of 25) at least eight feet in height shall be placed between the noise source on the off-loading trucks and the nearest residences and school buildings. Panels shall overlap and the blanket shall reach to and lie on the ground. The total length of panels shall be no less than 30 feet placed between the source and the receptor, and the panels shall be located no further than 10 feet from the source. The barriers will be designed and implemented such that an hourly Leq of 65 dBA will not be exceeded at the nearest residence.” According to the DEIR, many large trucks will be visiting the site on a monthly basis. And their noise is going to be mitigated by placement of portable noise barriers, and the community must rely on truck drivers and on-site workers to constantly place these barriers properly every time a truck arrives. **The MVCC feels this mitigation is impractical and not likely to be implemented correctly by workers at the site. And the best possible result of this, according to the DEIR is an hourly Leq of 65 dBA! Unfortunately, elsewhere in the DEIR it is acknowledged that at the absolute WORST times of the day, the actual current neighborhood noise levels are “Based on the project location noise measurements, the local CNEL is about 52-55 dBA, which is consistent with residential use and school related activities (traffic, recreational activities, etc).” So the mitigated results will NOT match the location noise measurements taken by the City of Santa Monica prior to the construction of the proposed facility. The MVCC finds this to be COMPLETELY UNACCEPTABLE.**

### 4. WHAT ARE THE IMPACTS ON RESIDENTIAL STREETS OF THE TRUCKS THAT WILL BE TRAVELING TO AND FROM THE PROPOSED FACILITY.

This question was posed by the MVCC during the Scoping period, and has not be satisfactorily addressed. According to descriptions in the DEIR, trucks will be visiting the facility many times a month. Given the pictures provided in the DEIR of the trucks, they clearly exceed the 6000 lb. weight limit currently imposed on residential streets in the City of Los Angeles. **The MVCC requests that, if the project is implemented as proposed, that a route be created from Sawtelle onto the Santa Monica property, that completely avoids any of the residential neighborhood streets such as Westminster, Charnock, Corinth, Purdue, and Butler.**

### 5. HAZARDS AND HAZARDOUS MATERIALS

The Executive Summary of the DEIR states that “A Hazards and Operability (HAZOP) study will be prepared by the City and approved by the California Department of Public Health (DPH) prior to the

issuance of the projects permit to operate. The HAZOP study will identify potential safety hazards and evaluate potential operational problems in characterizing potential consequences to the surrounding communities in the event of a release of a hazardous material. This document will be prepared in accordance with the evaluation process described in State of California Department of Public Health (DPH) Policy Memorandum 97-005 for the Direct Domestic Use of Extremely Impaired Sources of Drinking Water, issued on 5 November 1997. The HAZOP involves a detailed review of the design of an engineered system to evaluate the safety and operability of the system's components under varying operational parameters. This study will further evaluate the storage, use and transportation of hazardous materials at the project location. All recommendations and measures identified in this study shall be implemented. The DPH will keep the HAZOP report as part of the permit application file, and will make reference to it in the water supply permit. Anticipated measures include proper identification of storage hazardous materials, implementation of proper spill prevention and countermeasures, emergency response procedures, and other design measures that are necessary to eliminate or minimize to the greatest extent feasible any potential hazards associated with the new facilities and their operations. In addition, the HAZOP study focuses on how a plant or facility will respond to deviations from normal operation. This report will be prepared by the design engineers and approved by a professional engineer.”

**The MVCC must reiterate its original concerns: The promise to produce, in the future, a HAZOP study, is essentially saying that the City of Santa Monica doesn't really know all of the problems that might arise, and the City is, in essence, saying, 'trust us, we'll figure it out once the facility is built'. The MVCC must know ahead of time what the risks might be, and have decision-makers evaluating the appropriateness of this project based on a knowledge of those risks. In addition, the MVCC must ask again that any study of these hazards include studying the specific effects of any of these materials on school-aged children. What are the health risks of exposure to concentrated levels of MtBE, TBA, TCE and 1,1-DCE, sodium hypochlorite, , aqueous ammonia and hydrochloric acid?**

## 6. CURRENT CONDITION AND STRUCTURAL INTEGRITY OF THE PIPES AND INFRASTRUCTURE

The MVCC is concerned about the current condition and structural integrity of the pipes and infrastructure connecting the Charnock Facility to Santa Monica, and the impact of repairs and remediation on this infrastructure. Although the DEIR notes the need for inspection of the pumps before they are put back on line, **the MVCC believes there should also be inspection of the infrastructure under Los Angeles streets, between the pumps at the Charnock site and the water treatment plant on Wilshire Blvd. Some of these pipes have been in use since the 1930's, and any reactivation of a plumbing system that has been shut down for many years must have a plan for verifying the integrity of the pipes that they hope will supply the primary source of drinking water for the city. And of great importance, what will be the impact of any repairs on Los Angeles city streets.**

## 7. WATER RIGHTS AND USAGE

The DEIR states that “The Santa Monica Basin, including the Charnock Basin, has not been adjudicated and is not formally managed. The primary producer in the basin is the city of Santa Monica. Water rights to the basin are determined by the “first in time, first in right” doctrine whereby the City's operation since the 1920's gives it such rights. In addition, the California Public Utilities Commission approved in 2002 the transfer of limited water rights held by the Southern California Water Company to the Charnock Basin to the City of Santa Monica”.

**The MVCC is not convinced that the City of Santa Monica is given the rights it claims, and requests that the City of Los Angeles, the DWP, and the City of Santa Monica discuss the creation of a watersharing mechanism for the water basins of which the Charnock Basin is a part.**

The water plumes of the basin go southward, probably as far as the Ballona Wetlands. What are the depths of the water basins and how far do they really go? When was this last studied and what has changed in 12 years? And how might lowering the water level facilitate the migration of harmful gases such as methane, hydrogen sulfide, and BTEX gases to Mar Vista?

Thank You,

A handwritten signature in black ink, appearing to read 'Rob Kadota', with a large, stylized flourish at the end.

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