

1.6 RESPONSES TO COMMENTS FROM INDIVIDUALS

Fifty five letters from individuals were received during the comment period. This section contains copies of comments received and responses to these comments. Each comment is numbered in the margin of the comment letter, and the responses to all of the comments follow. The comments are referenced numerically by letter (starting at number 12) and comment number; the comment letters are numbered in sequential order. For example, the first comment in Letter 12 (Timothy A. Aiken) is 12-1.

COMMENT LETTER 12: TIMOTHY AIKEN, RANCHO SIERRA GOLF COURSE, NOVEMBER 17, 2003

Comment 12-1

The comment opposes the use of land within the Eastern Agricultural Area for irrigation with treated effluent. The comment states that the project would adversely impact the value of the neighborhood and specifically the golf course. The Final EIR in Impact 4.1-4 on page 4-23 notes that the golf course could be eliminated as a result of the project. Impact 4.13-1 of the Final EIR assesses the displacement of residences resulting from conversion to agriculture. Displaced property owners would be compensated at fair market value and displaced resident, when applicable, would be given relocation assistance. The Final EIR concludes that although displacement of residences in the area would constitute an impact of the project, it would not displace substantial numbers of people to be considered a significant impact of the project. The Final EIR also concludes that loss of one golf course would not constitute a regionally significant impact to recreation facilities in the Antelope Valley. Since the proposed project would increase agriculture activities within a County-designated Agriculture Opportunity Area, the project would not significantly alter the character of the region. See Eastern Agricultural Area Master Response and Public Health Master Response.

COMMENT LETTER 13: LEE DEAN ALLEN SR., NOVEMBER 10, 2003

Comment 13-1

The comment opposes the project and states that it would destroy wildlife. The Final EIR explains the need for the project in Section 1.4 and evaluates four alternatives to minimize potential effects. Section 4.4 evaluates the project's potential effects to wildlife. The Final EIR commits District No. 14 to numerous mitigation measures that would minimize impacts to wildlife, including providing compensation lands for high quality habitats eliminated by the project.

Comment 13-2

The comment states that the project would cause financial and medical harm to the people in the area. Displaced businesses and residents would be compensated at fair market value and appropriate relocation assistance will be paid. Since the proposed project would increase agricultural activities within a County-designated Agriculture Opportunity Area, the project would not significantly alter the character of the region. See Eastern Agricultural Area Master Response and Public Health Master Response.

Comment 13-3

The comment states that the project is too close to the Eastside Elementary School. The Eastside Elementary School is located over one mile south of the closest potential reuse area. The use of disinfected tertiary effluent for irrigation would not pose a public health impact to the school or closer land uses. See Public Health Master Response.

Comment 13-4

The comment states that the project would result in health problems. The Final EIR discusses potential public health impacts and concludes that the project would not result in impacts to public health. See Public Health Master Response.

Comment 13-5

The comment states that the project will impact quality of drinking water wells in the area. Application of irrigation water would not be allowed within 100 feet of drinking water wells. See Public Health Master Response and Groundwater Protection Master Response.

Comment 13-6

The comment states that airborne toxins will create public health impacts. See Public Health Master Response.

Comment 13-7

The comment states that the project is adversely impacting residents since the future value of their properties is uncertain. Project planning often results in uncertainty. However, such planning is legally required by CEQA.

Comment 13-8

The comment states that the project is wrong and requests that it be changed. The Final EIR explains the need for the project in Section 1.4 and evaluates four alternatives to minimize potential effects. District No. 14 has developed the LWRP 2020 Plan to accommodate projected waste water flows with the least impact to the region while complying with Regional Water Quality Control Board, Lahontan Region (RWQCB-LR) requirements. No other alternatives would meet the project objectives.

COMMENT LETTER 14: MARIANNE ALLEN, NOVEMBER 12, 2003

Comment 14-1

The comment expresses unwillingness to leave their property. Displaced property owners will be compensated at fair market value and appropriate relocation costs paid. District No. 14 will attempt to acquire the necessary land from willing sellers. However, in order to acquire the necessary acreage required to implement the agriculture portion of the project, District No. 14 may need to exercise its power of eminent domain. As noted on page 3-18 of the Final EIR, use of eminent domain would be a last resort if no other options are available to District No. 14. The Final EIR acknowledges that use of eminent domain authority could result in the displacement of residences currently residing in the area.

Comment 14-2

The comment states that drinking wells would be contaminated and hay would not be usable by livestock. Application of recycled water would not be allowed within 100 feet of drinking water wells. Use of recycled water would not affect livestock that consume the fodder crops. Recycled water is used throughout the State of California and other places to irrigate fodder crops. The recommended project entails producing disinfected tertiary. See Public Health Master Response and Groundwater Protection Master Response.

Comment 14-3

The comment expresses concern over airborne toxins. The Final EIR discusses public health impacts in Section 4.13. The project would comply with California Department of Health Services regulations for recycled water use. See Public Health Master Response.

Comment 14-4

The comment expresses opposition to being removed from property. District No. 14 will attempt to acquire property from willing sellers. The Final EIR explains the need for the project on page 1-3. Chapter 5 evaluates project alternatives. District No. 14 will compensate property owners at fair market value. See Eastern Agricultural Area Master Response.

COMMENT LETTER 15: T. ALPAY, OCTOBER 12, 2003

Comment 15-1

The comment states that the area closer to the LWRP at 50th Street East would require less displacement of residents. As noted in Chapter 5 of the Final EIR, this area was found to contain soils not suitable for agriculture. See Eastern Agricultural Area Master Response.

Comment 15-2

The comment expresses opposition to the project and to being displaced from property. See Eastern Agricultural Area Master Response.

COMMENT LETTER 16: WALTER BIERYLA AND KATHY BIERYLA, OCTOBER 31, 2003

Comment 16-1

The comment discusses the value of a property. Recycled water has been used in various locations for many years without decreasing property values. See Eastern Agricultural Area Master Response.

Comment 16-2

The comment states that use of recycled wastewater would affect health of animals and people and would decrease property values. Recycled water has been used in various locations for many years without decreasing property values. See Public Health Master Response. See Property Acquisition Master Response.

COMMENT LETTER 17: ERLAN CALVERT, NOVEMBER 13, 2003

Comment 17-1

The comment disapproves of removing residents and expresses concern over groundwater quality impacts. District No. 14 will attempt to acquire land from willing sellers. See Groundwater Protection Master Response.

Comment 17-2

The comment states that the photographs in Figures 4.1-11 and 4.1-12 do not show homes. The photographs were included in the Final EIR to provide a general description of the area. The text of the Final EIR (page 4-9) clearly states that there are more homes within the Eastern Agricultural Area than in the western agricultural area.

Comment 17-3

The comment expresses concerns over groundwater quality impacts. Section 4.3 of the Final EIR evaluates potential impacts to groundwater from poorly abandoned wells, agricultural activities, land application activities, and storage reservoirs and detention basins. The Final EIR provides mitigation measures to ensure that groundwater is not impacted. The project would need to obtain permits from the RWQCB-LR prior to initiating agricultural reuse activities. See Groundwater Protection Master Response.

Comment 17-4

The comment expresses concerns over airborne contaminants. The application methods would comply with Department of Health Services requirements. Secondary treated effluent is applied to alfalfa fields in numerous locations in California. The recommended project is now to apply tertiary disinfected effluent to agriculture. The Final EIR concludes that compliance with health based regulations would ensure that the project would not impact public health. See Public Health Master Response.

Comment 17-5

The comment expresses concern over biological resources and local residents. Potential impacts to biological resources are addressed in Section 4.4 of the Final EIR. District No. 14 will attempt to purchase property from willing sellers and will provide fair market value. See Eastern Agricultural Area Master Response.

Comment 17-6

The comment recommends constructing a tertiary treatment plant. The Final EIR evaluates at equal level of detail, two full tertiary alternatives (Alternatives 2 and 4). The recommended project of the LWRP 2020 Plan involves construction of a full tertiary wastewater treatment facility (Alternative 2). Chapter 5 of the Final EIR compares the eastern and western agricultural areas. District No. 14 will attempt to purchase property from willing sellers to avoid the need for eminent domain.

Comment 17-7

The comment suggests that Piute Ponds be expanded. Edwards Air Force Base (EAFB) has clearly stated that it opposes expansion of Piute Ponds. Piute Ponds are entirely within EAFB property. EAFB has also

expressed concerns over increased bird air strike hazards (BASH) related to additional water features in the vicinity of its low flight corridor. See comment letter 4. See response to comment 23-3.

Comment 17-8

The comment recommends providing a monitoring program for recycled water users and groundwater. The Final EIR commits District No. 14 to implementing a Farm Management Plan that would include establishing a monitoring program. The RWQCB-LR will approve the monitoring program to ensure compliance with discharge permits. See Farm Management Plan Master Response.

Comment 17-9

The comment states that a well planned project could accomplish the project objectives. The Final EIR assesses potential impacts of the project and provides mitigation measures to avoid or reduce those impacts. The advanced planning provided in the LWRP 2020 Plan and the Final EIR is intended to meet wastewater treatment needs of the area while protecting natural resources and addressing public concerns.

COMMENT LETTER 18: LARS CARLSON, NOVEMBER 17, 2003

Comment 18-1

The comment expresses concern for pollution, construction and property value impacts. See Eastern Agriculture Area Master Response.

COMMENT LETTER 19: TOM CARREON, MARY CARREON, NOVEMBER 15, 2003

Comment 19-1

The comment expresses concern about real estate agent scare tactics. District No. 14 contacted local real estate agents to determine whether they had listings of property owners who were motivated to voluntarily sell the District No. 14. District No. 14 never hired any real estate agent to represent it.

Comment 19-2

The comment requests answers to the questions made at the public hearing. See Responses to comments PH-1 through PH-89.

Comment 19-3

The comment notes that the RWQCB-LR representative at the Public Hearing was not in favor of the proposed project. See responses to comment letter 3.

Comment 19-4

The comment expresses concern over potential groundwater contamination. See Groundwater Protection Master Response.

COMMENT LETTER 20: ANNIE CHEN, NOVEMBER 12, 2003

Comment 20-1

The comment expresses concern over impacts to property values. Recycled water has been used in various locations for many years without decreasing property values. The recommended project will not have any adverse impacts on property values.

COMMENT LETTER 21: RAYMOND CORBELL, OCTOBER 15, 2003

Comment 21-1

The comment expresses disappointment that the proposed project would negatively affect property values. Recycled water has been used in various locations for many years without decreasing property values. The recommended project will not have any adverse impacts on property values.

COMMENT LETTER 22: THERON DAY, NOVEMBER 16, 2003

Comment 22-1

The comment suggests that the wastewater be treated for use by the City of Lancaster rather than for agriculture. The LWRP 2020 Plan provides for up to 26 mgd of tertiary treated water. The City of Lancaster has only committed to accept 1.5 mgd. No other potential users for recycled water have been identified. See Public Health Master Response.

Comment 22-2

The comment suggests that District No. 14 will develop the land for purposes other than agriculture and also asks why the Eastern Agricultural Area was chosen. The Final EIR clearly states the need for the project and the project objectives in Sections 1.3 and 1.4. See Eastern Agricultural Area Master Response.

COMMENT LETTER 23: WANDA DEAL, DECEMBER 2, 2003

Comment 23-1

The comment identifies that white-faced ibis rookery has been identified at the Piute Ponds, and was made aware to the "Sanitation Department" during a RWQCB-LR meeting. We appreciate the availability of such new information in the review of the project. Previously, the project biologists visited the Piute Ponds with EAFB biologist Chris Rush in 2000 and later with California Department of Fish and Game (DFG) biologist Scout Harris in 2003. The presence of white-faced ibis was not identified or discussed during any of these field meetings, and is not identified in either the current *Checklist of Birds, Edwards Air Force Base, California*, or by the California Natural Diversity Database.

The white-faced ibis is a federal Species of Concern and California Species of Special Concern, with protection status afforded to active rookery sites and not foraging areas. Generally, this species breeds in freshwater emergent wetlands such as those that occur throughout the Piute Ponds. Because these ponds would remain virtually unchanged, the proposed project would not affect the availability of breeding habitat or habitat quality for the white-faced ibis, if present.

Comment 23-2

The comment states that the Draft EIR does not mention the existing Significant Ecological Area (SEA). The Draft EIR does acknowledge the existing SEA # 50 on page 4-22, and concludes that none of the facilities to be constructed as part of the project would be located within the existing SEA boundaries. This notwithstanding, the Final EIR recognizes that a Conditional Use Permit (CUP) will be required to construct the storage reservoirs. If the proposed SEA is in place by the time the CUP application is submitted, District No. 14 will submit a biological assessment pursuant to the SEA Technical Advisory Committee requirements.

Comment 23-3

The comment states that the Draft EIR does not provide adequate alternatives to the project. The comment suggests that constructed wetlands could have been developed as an alternative to agriculture, or that Apollo Ponds could be expanded. The comment concludes that the Draft EIR appears to be a “decision made” document. The LWRP 2020 Plan identifies a recommended project. The project was developed after extensive project alternative screening (see Chapter 6 of the LWRP 2020 Plan) that included substantial public input. The Final EIR evaluates three alternatives to the recommended project in addition to the recommended project at an equal level of detail. In addition, the Final EIR includes in Chapter 5 descriptions of program-level alternatives that were rejected from further consideration. CEQA requires that an EIR evaluate alternatives to a proposed project that could potentially avoid or minimize potential impacts of the recommended project.

District No. 14 evaluated a constructed wetlands effluent management project alternative in Chapter 6 of the LWRP 2020 Plan and Chapter 5 of the Final EIR. The alternative was rejected because it did not meet the objectives of the project. Constructed wetlands meeting the entire 26 mgd capacity would require a similar amount of land as the evaporation pond alternative, which would require an area more extensive than the agricultural operations recommended by the LWRP 2020 Plan. In addition to the extremely large area required to implement, this alternative was deemed to be infeasible because the wetlands created via year-round discharge would become dependent on the effluent discharged to them. As municipal reuse demand increases over the course of the planning period, recycled water could not be diverted from the wetlands due to their dependency on water to sustain its size. Furthermore, the seasonal variation in evaporation rates would result in a wetlands’ footprint that would be significantly larger in the winter (due to low evaporation rates) than during the summer (due to high evaporation rates). During the summer months, effluent from the LWRP would not be sufficient to sustain the wetlands’ footprint created during the winter months.

District No. 14 received numerous comments on the Notice of Preparation (NOP) of a Draft EIR regarding the inclusion of a wetland component in the project. District No. 14 considered including a wetland component in the recommended project. However, constructed wetlands were determined to provide little discharge relief or treatment benefits, and would present significant challenges and risks including degrading groundwater and increased potential for local Bird Air Strike Hazard. EAFB has been clear that they will not allow expansion of Piute Ponds. Establishing offsite wetlands would require additional permits from the RWQCB-LR. Finally, the wetlands would likely need to be lined to prevent degradation of groundwater if secondary treated recycled water were discharged into them. In summary, constructed wetlands would require too much land to handle the projected full 26 mgd and would otherwise provide minimal benefit as a smaller component to the overall project. Furthermore, they would pose complex permitting challenges to ensure protection of water quality and biological habitat and may garner significant public and regulatory opposition as has been experienced in other parts of California. District No. 14 is not opposed to constructed wetlands, and would be willing to discuss supplying water to local wetland projects. However, as a long term, reliable effluent management

solution for the LWRP 2020 Plan, District No. 14 has determined that constructed wetlands would not meet project objectives.

Expansion of Apollo Park was not considered to be a viable alternative since it would not provide significant discharge capacity. At its current size of approximately 25 wetted acres, Apollo Park provides District No. 14 with an average of approximately 0.15 mgd of effluent management capacity. During the winter months, when managing effluent from the LWRP is most challenging, Apollo Park does not accept any recycled water.

Comment 23-4

The comment suggests that property acquisition in the Eastern Agricultural Area would be lessened by implementing the storage reservoir location on EAFB. The comment requests that other options on EAFB are considered and that comparative costs be provided. The amount of land needed for the Eastern Agricultural Area would be similar for each storage reservoir location considered. The storage reservoirs are designed to accommodate winter flows when water demand for agricultural operations is minimal. Chapter 5 of the Final EIR discusses the alternatives screening process conducted to identify recommended and alternate locations for storage reservoirs. EAFB has made it clear that expansion of Piute Ponds will not be allowed (See comment letter 4). The California Environmental Quality Act (CEQA) does not consider costs to be an environmental effect of a project. Nonetheless, Chapter 6 of the LWRP 2020 Plan includes a comparison of costs for the final project alternatives analyzed in the Final EIR.

Comment 23-5

The comment suggests that modified effluent management practices could be used to eliminate nuisance overflows in the future. The comment suggests that District No. 14 is obfuscating the issues. The modified effluent management practices currently being applied to accommodate the current 13 mgd average flow rate would not avoid overflows resulting from increased wastewater flows. The Final EIR clearly identifies that the project objectives are to eliminate unauthorized nuisance overflows on pages ES-4 and 1-3. District No. 14 has made attempts to negotiate with EAFB a solution to eliminate nuisance overflows while maintaining some winter discharge relief. At this time, EAFB has stated that all overflows are considered to be nuisance flows. See comment letter 4. The EIR schedule was delayed for a year while negotiations with EAFB were ongoing. If a cooperative project could be implemented with EAFB it is likely that District No. 14 could save millions of taxpayer dollars and avoid significant project impacts through eliminating only nuisance overflows while allowing some winter discharge relief.

Comment 23-6

The comment states that offsite mitigation should be developed with DFG to mitigate impacts to the mudflats. The comment also states that mitigation measure 4.3-11 requiring negotiation with EAFB is unrealistic given the failure of past negotiations, and therefore it is not a viable mitigation measure. The unique character and size of the mudflat created by overflows in violation of the discharge permit make finding off site mitigation impossible. DFG agrees with the conclusion that the impact is unavoidable (see comment letter 1). Since EAFB owns the property, potential solutions to avoiding impacts will have to include EAFB. At this time, EAFB does not consider that the project will create water quality impacts. The Final EIR identifies a structure and process to monitor and evaluate potential impacts and then to provide coordination with EAFB to implement the appropriate solution.

Comment 23-7

The comment states that local experts have not been included in the process and that there are errors in the biological resources section of the Draft EIR. District No. 14 has discussed potential impacts to biological resources with numerous local experts including Kimball Garret, Mike San Miguel and yourself. The scoping process was conducted twice, providing three public meetings to provide public input prior to issuing the Draft EIR. At those meetings, District No. 14 discussed potential impacts to biological resources and in particular Piute Ponds. The Final EIR provides considerable detail of the regions natural resources and sensitive habitats. The comment does not specify what errors are in the biological resources section of the Draft EIR, so no response is possible.

Comment 23-8

The comment requests that the Draft EIR be started again to truly evaluate alternatives including using EAFB property. Chapter 6 of the LWRP 2020 Plan and Chapter 5 of the EIR provides a discussion on the eight program alternatives that were considered, six of which were rejected as infeasible. The Final EIR evaluates four final project alternatives at an equal level of detail. The recommended project involves construction of storage reservoirs and implementation of agricultural reuse operations. The comment suggests that a solution should be found using EAFB property. EAFB will not allow for overflows or expansion of Piute Ponds that could provide some flexibility with the effluent management alternatives. Furthermore, constructing storage reservoirs on EAFB property does not eliminate the need to acquire property for agricultural operations.

**COMMENT LETTER 24: ALEXANDER AND PARALUMAN DEL CAMPO,
NOVEMBER 13, 2003**

Comment 24-1

The comment requests a summary of the Public Hearing. Table 9-1 summarizes the comments received during the public hearing. The transcripts of the meeting are included in Chapter 1-7 of Volume 2 of the Final EIR.

COMMENT LETTER 25: FRANCIS W. DRAKE, NOVEMBER 16, 2003

Comment 25-1

The comment supports the proposed LWRP 2020 Plan, since this would improve the area's air and water quality. Comment noted.

COMMENT LETTER 26: FRANK ELLING, NOVEMBER 14, 2003

Comment 26-1

The comment states that the Draft EIR is lacking depth and implies that the project will increase the risk of Valley Fever. The Draft EIR adequately assesses potential impacts of the project in compliance with CEQA regulations. The Final EIR addresses dust emissions from farming on page 4-149. The Final EIR concludes, based on the Attainment Plan for dust pollution prepared by the Mojave Desert Air Quality Management District, that increased farming would not contribute significant dust emissions to the air basin.

Valley Fever is a disease common in the southwestern United States that is caused by the fungus *Coccidioides immitis*. The fungus grows in soils and can become airborne when the soil is disturbed. Infection can occur when a spore is inhaled and can cause serious illness, particularly to elderly or to people with impaired immune systems. However, most cases resolve on their own with no significant health consequences.¹ Residents of the Antelope Valley could be exposed to the spores from numerous sources including farming, construction, and soil erosion from periods of high wind. The increased agriculture resulting from implementation of the LWRP 2020 Plan would not substantially increase the risk of exposure to the spores. The area has historically been used for agriculture. Numerous farms are currently operating in the region.

Comment 26-2

The comment suggests that the project would increase soil erosion in the Antelope Valley. The Final EIR addresses potential soil erosion from construction activities on pages 4-44, 4-47, and 4-62. The Final EIR commits District No. 14 to mitigation measures that would minimize soil erosion.

Comment 26-3

The comment states that the Draft EIR does not address potential nitrogen contamination. The Final EIR does evaluate nitrogen application and potential impacts to groundwater on page 4-69. The Final EIR concludes that with appropriate management through implementation of a Farm Management Plan, nitrogen levels in the effluent would be adjusted according to the necessary nutrient requirements of the crops, thereby reducing the need for fertilizers and minimizing the risk of groundwater contamination. The Final EIR also commits District No. 14 to implementing a groundwater monitoring program that will provide necessary data to assess existing nitrogen levels in groundwater and potential contributions from District No. 14 operations. Secondary treated effluent is used by numerous sanitation agencies throughout the State of California and other places to grow fodder crops. The Final EIR concludes that compliance with California Department of Health Services (DHS) regulations will ensure that no impacts to public health from the use of recycled water would result. The recommended project would provide nitrification/denitrification treatment that would substantially reduce the potential for groundwater contamination. See Groundwater Protection Master Response.

Comment 26-4

The comment suggests that the use of recycled water to grow alfalfa is harmful to livestock and human health. The use of secondary-treated effluent to irrigate fodder crops is allowed by the DHS. Furthermore, since the recommended project will now produce only disinfected tertiary effluent, the proposed agricultural operations are even more protective of public health. Appendix G of the Final EIR provides a summary of Title 22 requirements for recycled water use. The Final EIR concludes that compliance with DHS would ensure protection of public health.

Comment 26-5

The comment suggests that construction of storage reservoirs could increase exposure to Valley Fever spores. See response to comment 26-1.

¹ <http://vfcc.arl.arizona.edu/index.html>

Comment 26-6

The comment suggests that the Draft EIR is not adequate. The Final EIR assesses potential impacts of the project and provides mitigation measures to minimize those impacts in compliance with CEQA requirements.

Comment 26-7

The comment states that District No. 14 fails to confront controversial issues relating to EAFB. The Final EIR assesses potential impacts of the project and provides mitigation measures to minimize those impacts in compliance with CEQA requirements. District No. 14 has developed the LWRP 2020 Plan in coordination with EAFB.

Comment 26-8

The comment suggests that the LWRP 2020 Plan would increase the risk of Valley Fever. See response to comment 26-1.

Comment 26-9

The comment suggests that erosion would be an impact of the project. See response to comment 26-2.

Comment 26-10

The comment suggests that the potential for nitrogen contamination was not assessed in the Draft EIR. See response to comment 26-3.

Comment 26-11

The comment suggests that nitrogen loading in soils is a potential impact of the project. See response to comment 26-3.

Comment 26-12

The comment suggests that Valley Fever could increase as a result of the project. See response to comment 26-1.

Comment 26-13

The comment suggests that the Draft EIR is inadequate. See responses to comments 26-1 through 26-7.

Comment 26-14

The comment lists potential impacts to EAFB. Many of the impacts listed are not related to the project. See responses to comments 26-1 through 26-7.

Comment 26-15

The comment reiterates concerns over Valley Fever. See response to comment 26-1.

COMMENT LETTER 27: JOSHUA AND CHRISTINE EVANS, NOVEMBER 17, 2003

Comment 27-1

The comment asks if money spent recently on improvements will be reimbursed. District No. 14 will compensate property owners at fair market value and where appropriate provide relocation assistance payments.

Comment 27-2

The comment asks if they will be compensated enough to buy a comparable home. District No. 14 will compensate property owners at fair market value. Mitigation measures 4.13-1 and 4.13-2 commit District No. 14 to relocating displaced residents into homes of the appropriate size for the family.

Comment 27-3

The comment asks if the future appreciation of home values will be calculated into the asking price. District No. 14 will compensate property owners at fair market value at the time of the transaction.

Comment 27-4

The comment states that fair market value will force them to down grade since other areas have appreciated more. District No. 14 will compensate property owners at fair market value and , if necessary, provide relocation assistance payments to make up the difference between the fair market value of their house and comparable housing in the region.

Comment 27-5

The comment asks why earlier notice was not provided. District No. 14 held two scoping meetings for the project (March 22, 2001 and January 9, 2003) in addition to the Public Hearing held on October 29, 2003. See Public Notification Master Response.

Comment 27-6

The comment asks how District No. 14 will compensate for homes. District No. 14 has begun looking for willing sellers, and will attempt to purchase as much land as possible without displacing residents. District No. 14 will compensate property owners at fair market value and, where appropriate, provide relocation assistance.

Comment 27-7

The question asks if the "reclaimed" water is dangerous. The Final EIR addresses public health impacts in Section 4.13. See Public Health Master Response.

Comment 27-8

The comment asks what the effects to groundwater in the region would be. See Groundwater Protection Master Response.

Comment 27-9

The comment asks if Eastside Elementary School would be affected. The Eastside Elementary School is located over one mile south of the closest potential reuse area. The use of disinfected tertiary treated effluent for irrigation would not pose a public health impact to the school or closer land uses. See Public Health Master Response

Comment 27-10

The comment asks if airborne contaminants would pose a concern. The Final EIR addresses windblown contaminants in Section 4.13 (Public Health) and 4.8 (Air Quality). The Final EIR concludes that the project would comply with DHS standards for reuse of treated effluent. See Public Health Master Response.

Comment 27-11

The comment asks what effects the project would have on wildlife. The Final EIR assesses impacts to wildlife in the region in Section 4.4. The Final EIR provides mitigation measures to minimize potential adverse effects.

Comment 27-12

The comment provides alternatives for evaluation including the following:

- 1) constructed wetlands
- 2) enlarged Nebeker Ranch
- 3) fox airport/Palmdale Plant 42
- 4) municipal reuse
- 5) city of LA World Airport east of Plant 42
- 6) east of the Antelope Valley beyond 240th Street

Chapter 5 of the Final EIR assesses alternatives to the project. Constructed wetlands were considered as a potential effluent management alternative (page 5-6), but were rejected since wetlands alone would not achieve the objectives of the project within the allotted time frame. See Response to Comment 23-3. The Final EIR assesses the western agricultural area around Nebeker Ranch at an equal level of detail. The other four alternative locations mentioned in the comment are too far from the LWRP and are a substantially higher in elevation relative to the LWRP. Capital and operational costs would make these alternatives cost prohibitive.

COMMENT LETTER 28: DONNA FERRELL

Comment 28-1

The comment expresses concerns over how the homeowners would manage financially if removed from their home. District No. 14 has begun looking for willing sellers, and will attempt to purchase as much land as possible without displacing residents. District No. 14 will compensate property owners at fair market value and, when necessary, provide relocation assistance.

COMMENT LETTER 29: RONALD AND DONALD FERRELL, NOVEMBER 14, 2003

Comment 29-1

The comment expresses concerns about being displaced unwillingly by District No. 14. District No. 14 will attempt to acquire property from willing sellers and avoid impacting as many homes as possible. The Final EIR explains the need for the project on page 1-3. Chapter 5 provides a summary of the project alternatives evaluated. District No. 14 will compensate property owners at fair market value.

Comment 29-2

The comment suggests that the LWRP 2020 Plan should include higher levels of treatment. The Final EIR evaluates four alternatives at an equal level of detail, two of which would provide full tertiary treatment for the projected flows at the year 2020. The other two alternatives would provide full secondary and partial tertiary treatment, which is adequate to meet the California Department of Health Services (DHS) standards for irrigating fodder crops. As a result of public input, the recommended project, Alternative 2, would provide full tertiary disinfected effluent. See Groundwater Protection Master Response and Public Health Master Response.

Comment 29-3

The comment expresses unwillingness to move. District No. 14 will attempt to purchase property from willing sellers. District No. 14 will compensate property owners at fair market value.

COMMENT LETTER 30: BARBARA FIRSICK, OCTOBER 21, 2003

Comment 30-1

The comment expresses unwillingness to move. District No. 14 will attempt to acquire property from willing sellers and avoid impacting as many homes as possible. The Final EIR explains the need for the project on page 1-3. Chapter 5 provides a summary of the project alternatives evaluated. District No. 14 will compensate property owners at fair market value.

Comment 30-2

The comment expresses concerns over impacts to groundwater quality, air quality, and local water wells. See Groundwater Protection Master Response and Public Health Master Response.

Comment 30-3

The comment also asks why the Eastern Agricultural Area was chosen. See Eastern Agricultural Area Master Response.

Comment 30-4

The comment expresses unwillingness to leave property. District No. 14 will attempt to purchase property from willing sellers. District No. 14 will compensate property owners at fair market value and, when necessary, provide relocation assistance.

COMMENT LETTER 31: BARBARA FIRSICK, NOVEMBER 10, 2003

Comment 31-1

The comment expresses unwillingness to move. District No. 14 will attempt to acquire property from willing sellers and avoid impacting as many homes as possible. The Final EIR explains the need for the project on page 1-3. Chapter 5 provides a summary of the project alternatives evaluated. District No. 14 will compensate property owners at fair market value.

Comment 31-2

The comment expresses concerns over impacts to groundwater quality, air quality, and local water wells. See Groundwater Protection Master Response and Public Health Master Response.

Comment 31-3

The comment also asks why the Eastern Agricultural Area was chosen. See Eastern Agricultural Area Master Response.

Comment 31-4

The comment states that more water conservation should be encouraged. Water conservation, as it pertains to this project, is discussed in Chapter 5 of the LWRP 2020 Plan. Development and implementation of water conservation programs are the responsibility of the local water purveyors. The local water purveyor that serves the majority of the residents within the District No. 14 service area is Los Angeles County Waterworks District No. 40.

The major water purveyor within District No. 14's service area, Los Angeles County Waterworks District No. 40, is signatory to the California Urban Water Conservation Council's September 1991 *Memorandum of Understanding (MOU) Regarding Urban Water Conservation in California*. This MOU covers at least 75 percent of the water connections within District No. 14's sewer service area and helps minimize water consumption within this area. The planned facilities and timing of the Stage VI expansion will be reevaluated in 2010 to respond to any changes in wastewater flow projections or other factors affecting the recommended project. As recycled water reuse projects increase, or wastewater generation rates decrease dramatically within District No. 14's service area, implementation of the recommended project components will be adjusted accordingly.

Comment 31-5

The comment suggests that municipal landscape irrigation with recycled water should be pursued. The LWRP 2020 Plan provides for up to 26 mgd of tertiary treated water. The City of Lancaster has committed to accept up to 1.5 mgd for a proposed municipal reuse project. No other potential users of recycled water have been identified.

Comment 31-6

The comment agrees with establishing constructed wetlands. See Response to comment 23-3.

Comment 31-7

The comment suggests that the Western Agricultural Area is better suited than the Eastern Agricultural Area. The Final EIR evaluates the Western Agricultural Area at an equal level of detail. Chapter 5 of the

Final EIR describes the alternatives evaluated to meet the project objectives including the comparison of the Eastern and Western Agricultural Areas. See Eastern Agricultural Area Master Response.

Comment 31-8

The comment suggests that better treatment should be provided. The Final EIR evaluates four alternatives, two of which would provide full tertiary treatment and disinfection for the entire 26 mgd flow project by the year 2020. This level of treatment would be acceptable for municipal reuse on golf courses and roadway medians, among other uses. The irrigation of fodder crops with secondary treated disinfected recycled water would comply with DHS regulations. Providing a higher level of treatment for the irrigation of fodder crops is not necessary to protect public health and natural resources. However, as requested by many in the Antelope Valley community, District No. 14 is now proposing a higher level of treatment for the LWRP's reclaimed water, disinfected tertiary.

Comment 31-9

The comment expresses unwillingness to leave property. District No. 14 will attempt to purchase property from willing sellers. District No. 14 will compensate property owners at fair market value and, when necessary, provide relocation assistance.

COMMENT LETTER 32: BARBARA FIRSICK, NOVEMBER 13, 2003

Comment 32-1

The comment expresses unwillingness to move. District No. 14 will attempt to acquire property from willing sellers and avoid impacting as many homes as possible. The Final EIR explains the need for the project on page 1-3. Chapter 5 provides a summary of the project alternatives evaluated. District No. 14 will compensate property owners at fair market value.

Comment 32-2

The comment expresses concerns over impacts to groundwater quality, air quality, and local water wells. See Groundwater Protection Master Response and Public Health Master Response.

Comment 32-3

The comment also asks why the Eastern Agricultural Area was chosen. See Eastern Agricultural Area Master Response.

Comment 32-4

The comment states that more water conservation should be encouraged. Water conservation, as it pertains to this project, is discussed in Chapter 5 of the LWRP 2020 Plan. Development and implementation of water conservation programs are the responsibility of the local water purveyors. The local water purveyor that serves the majority of the residents within the District No. 14 service area is Los Angeles County Waterworks District No. 40.

The major water purveyor within District No. 14's service area, Los Angeles County Waterworks District No. 40, is signatory to the California Urban Water Conservation Council's September 1991 *Memorandum of Understanding (MOU) Regarding Urban Water Conservation in California*. This MOU covers at least 75 percent of the water connections within District No. 14's sewer service area and helps minimize water consumption within this area. The planned facilities and timing of the Stage VI expansion will be

reevaluated in 2010 to respond to any changes in wastewater flow projections or other factors affecting the recommended project. As recycled water reuse projects increase, or wastewater generation rates decrease dramatically within District No. 14's service area, implementation of the recommended project components will be adjusted accordingly.

Comment 32-5

The comment suggests that municipal landscape irrigation with recycled water should be pursued. The LWRP 2020 Plan provides for up to 26 mgd of tertiary treated water. The City of Lancaster has committed to accept up to 1.5 mgd for a proposed municipal reuse project. No other potential users of recycled water have been identified.

Comment 32-6

The comment agrees with establishing constructed wetlands. See Response to comment 23-3.

Comment 32-7

The comment suggests that the Western Agricultural Area is better suited than the Eastern Agricultural Area. The Final EIR evaluates the Western Agricultural Area at an equal level of detail. Chapter 5 of the Final EIR describes the alternatives evaluated to meet the project objectives including the comparison of the Eastern and Western Agricultural Areas. See Eastern Agricultural Area Master Response.

Comment 32-8

The comment suggests that better treatment should be provided. The Final EIR evaluates four alternatives, two of which would provide full tertiary treatment and disinfection for the entire 26 mgd flow project by the year 2020. This level of treatment would be acceptable for municipal reuse on golf courses and roadway medians, among other uses. The irrigation of fodder crops with secondary treated disinfected recycled water would comply with DHS regulations. Providing a higher level of treatment for the irrigation of fodder crops is not necessary to protect public health and natural resources. However, as requested by many in the Antelope Valley community, District No. 14 is now proposing a higher level of treatment for the LWRP's reclaimed water, disinfected tertiary.

Comment 32-9

The comment expresses unwillingness to leave property. District No. 14 will attempt to purchase property from willing sellers. District No. 14 will compensate property owners at fair market value and, when necessary, provide relocation assistance.

COMMENT LETTER 33: BARBARA FIRSICK, NOVEMBER 17, 2003

Comment 33-1

The comment states that the Draft EIR is inadequate and should be redrafted and recirculated. District No. 14 does not agree with the comment. The Draft EIR provides a clear description of the project and project alternatives. The Draft EIR identifies potential impacts of the project pursuant to CEQA standards and commits District No. 14 to measures that mitigate the impacts where possible. Based on comments received during the public review period, the recommended project has been changed to provide disinfected, full tertiary treatment.

Comment 33-2

The comment states the project area of impact is unclear, particularly since District No. 14 possesses eminent domain authority. The comment suggests that the entire Antelope Valley could be impacted. The LWRP 2020 Plan establishes that future effluent management for the LWRP will be primarily conducted through recycling effluent for agriculture irrigation pursuant to the health based restrictions and guidance of the California DHS and the RWQCB-LR. The Draft EIR identifies a preferred location for agriculture that encompasses a larger area than actually needed in order to provide flexibility to locate willing sellers and avoid the need for eminent domain. The LWRP 2020 Plan clearly indicates the size of agricultural land needed to accommodate projected 2020 flows for each alternative. The Draft EIR clearly identifies an impact assessment area within Agricultural Study Areas that encompass potential locations for future farming operations. Due to the large amount of land required to conduct the agricultural operations, the Draft EIR recognizes that the exact lands to be used have not yet been identified, but does identify impacts to environmental resources that would be common for lands within the Agricultural Study Areas.

The LWRP 2020 Plan recognizes the possibility that in the future, a farming entity outside of the assessment area could become available that would present a viable alternative location to conduct agriculture. In this sense, the LWRP 2020 Plan notes that District No. 14 would consider farming outside the area assessed. Such an action would likely require additional environmental analysis pursuant to CEQA requirements. The Draft EIR does not indicate that the use of eminent domain could be used for properties outside the Agricultural Study Areas. In fact, the use of eminent domain would not be appropriate for areas outside of the clearly identified Agricultural Study Areas without conducting additional environmental review pursuant to CEQA.

Comment 33-3

The comment states the Draft EIR fails to identify the structures and land targeted for acquisition. See response to comment 30-11 above. Due to the large amount of land required to conduct the agricultural operations, the Draft EIR recognizes that the exact lands to be used have not yet been identified, but does identify impacts to environmental resources that would be common for lands within clearly identified Agricultural Study Areas. The photographs included in Figures 4.1-11 and 4.1-12 provide typical views in the Eastern Agricultural Area and were not meant to provide a comprehensive catalog of land uses. The Draft EIR clearly notes on page 4-21 that more residences exist within the Eastern Agricultural Area than in the Western Agricultural Area. It is the intent of District No. 14 to purchase farm land, such as that shown in the figures, from willing sellers to the extent available.

Comment 33-4

The comment states the Draft EIR fails to provide evidence that the project would not disproportionately impact low income residents. Section 15131 of the CEQA Guidelines states that, "economic or social effects of a project shall not be treated as significant effects on the environment." Nonetheless, the EIR discusses environmental justice issues on page 4-194, acknowledging that certain populations would be affected more than others based on proximity to the agricultural areas and concluding that the effect would be less than significant. Mitigation measure 4.13-2 of the Final EIR commits District No. 14 to providing appropriate replacement housing for low-income residents that are displaced. The Final EIR evaluates the feasible effluent management alternatives, which are generally limited by costs and hydrology to areas relatively near the LWRP. As such, each alternative would utilize land relatively near the LWRP in unincorporated Los Angeles County north of the City of Lancaster boundaries. Each alternative location would affect communities of similar economic status. These areas are rural in nature with average household incomes similar to other rural areas in the Antelope Valley. The areas are not

disproportionately populated by minority groups. The following table summarizes Census 2000 data for the region.

	Census tract	Average Household Income	Caucasian	Hispanic	Black	Other
Eastern Agricultural Area	9009	\$50,316	69%	24%	0%	8%
Western Agricultural Area	9002	\$52,055	77%	15%	2%	6%
Antelope Valley	--	\$50,472	73%	15%	7%	5%

Source: Census 2000 data for census tracts 9009 and 9002 provided by Southern California Association of Governments; Census 2000 data for entire Antelope Valley provided by http://careers.edwards.af.mil/docs_html/community/community_demo.html

The Draft EIR acknowledges that residents may be displaced, but does not provide an exact number since District No. 14 will look for willing sellers prior to any use of eminent domain, if it is necessary at all. The identification of residents within the Eastern Agricultural Area was provided to show the general population density in the area, not the individuals that would necessarily be affected by the project.

Comment 33-5

The comment states that the process of eminent domain is not adequately described since exact properties are not identified. The Draft EIR adequately provides information available at the time of the publication. The exact location of properties to be acquired will depend on the results of the search for willing sellers within the Agricultural Study Area. Although District No. 14 has begun identifying willing sellers to assist in evaluating availability of property, the Draft EIR acknowledges that exact properties have not been identified. The required acreage for each alternative is clearly identified in Chapter 3 of the Draft EIR. The recommended project is also identified in the Final EIR as Alternative 2 requiring 4,650 acres of farm land. The Draft EIR does not provide the final approval for condemning any property. If eminent domain proceedings are needed in the future, it will be District No. 14's burden to show the need for individual properties. The Draft EIR discloses to the public pursuant to CEQA requirements that the implementation of the LWRP 2020 Plan would require the acquisition of properties that may include displacement of residents. District No. 14 will attempt to purchase property from willing sellers and will provide fair market value. The use of eminent domain authority would be subject to separate approval. See Eastern Agricultural Area Master Response.

Comment 33-6

The comment states that sensitive receptors that could be subject to airborne pathogens are not identified. The Draft EIR discusses the potential for airborne pathogens on page 4-170. The Draft EIR implies that local residents comprise the sensitive receptors in the Agricultural Study Areas. The Draft EIR concludes that compliance with California DHS requirements for use of recycled water would be fully protective of public health. The mitigation measure 4.11-1 commits District No. 14 to ensuring that California DHS requirements for minimizing off-site drift are provided for in the Farm Management Plan. Furthermore, the recommended project entails producing disinfected tertiary effluent which is routinely used throughout the state. See Public Health Master Response.

Comment 33-7

The comment states that nothing in the record shows that potential impact from airborne pathogens would be mitigated. The Draft EIR provides in Appendix G the California DHS-sponsored regulations in Title

22 of the California Code of Regulations that permits certain types of uses of recycled water. The use proposed in the LWRP 2020 Plan is clearly included on the list of allowed practices. The California DHS has developed these regulations to be protective of public health. Each alternative evaluated in the Draft EIR would disinfect the effluent prior to reuse, thereby substantially reducing or eliminating pathogens in the effluent. The recommended project would provide substantially greater treatment than is required for fodder crop irrigation to be protective of public health as required by the California DHS. See Public Health Master Response.

Comment 33-8

The comment states that there is a disagreement among experts regarding public health effects of the use of secondary effluent. The Draft EIR concludes that compliance with California DHS and RWQCB-LR requirements for water reuse would be protective of public health since those agencies are experts in the field with the specific responsibility for protecting public health. Irrigation with secondary treated water is routinely done by several wastewater treatment agencies in closed basins in California. (See Public Health Master Response for a list of several on-going irrigation projects using secondary effluent in California). Nonetheless, the recommended project would provide tertiary treated water.

Comment 33-9

The comment states that potential impacts of retention basins in the Agricultural Study Areas have not been addressed. Tail water ponds may be required if flood irrigation is needed, but would generally not be used with center-pivot application methods. The Project Description on page 3-13 of the Final EIR has been revised to reflect this. The use of retention basins could promote infiltration. This issue was not addressed in the Draft EIR. In response to public comment on this issue, the Final EIR includes a new mitigation measure. See response to comment 3-11 and page 4-67 of the Final EIR.

Comment 33-10

The comment suggests that the use of designated prime farmland for fodder crops irrigated with recycled water may not be the best use of prime farmland. The Draft EIR identifies designated prime farmland in the region in Figure 4.1-14. The designation of Prime Farmland does not limit the type of farming that is allowed. Alfalfa has historically been a principal crop for the region. Much of the potential farmland in the region is not in production due primarily to the lack of water. The LWRP 2020 Plan would help the regional economy by increasing agricultural production.

Comment 33-11

The comment suggests that the alternatives analysis contained in the Draft EIR does not meet CEQA standards. Chapter 5 of the Final EIR describes the alternatives screening process conducted by District No. 14, supporting the identification of feasible alternatives that meet the project objectives. Although some of these alternatives avoided significant impacts caused by the recommended project, the Final EIR describes why they did not meet the project objectives and were rejected from further consideration. This meets the alternatives analysis requirements of Section 15126.6 of the CEQA Guidelines. The alternatives analysis summarizes for the public the reasoning for choosing the alternatives that were assessed in Chapter 4 of the Final EIR.

The Final EIR assesses four alternatives at an equal level of detail. The Final EIR also assesses the Eastern and Western Agricultural Areas at an equal level of detail. The recommended project would utilize the Eastern Agricultural Area only as noted on page 3-11 of the Final EIR. Alternatives 3 and 4 would utilize both areas since the acreage requirements are significantly greater.

Comment 33-12

The comment suggests that the alternatives analysis contained in the Draft EIR does not meet CEQA standards and provides additional suggested alternatives. See response to comment 33-11 above. The first suggested alternative (expansion of Apollo Park) would not provide sufficient discharge capacity to be reasonably considered. Currently, Apollo Park accepts 0.16 mgd from the LWRP Antelope Valley Tertiary Treatment Plant (AVTTP). Apollo Park lake would have to be expanded by thousands of acres to meet the effluent management needs of the LWRP. The second alternative to establish wetlands was also considered infeasible (see response to comment letter 23). The third alternative of combining the treatment plants for District No. 20 and 14 would not meet the schedule objectives of the project.

Comment 33-13

The comment states that the Draft EIR does not identify an environmentally superior alternative. Although the No Project Alternative would pose the fewest environmental impacts, the Final EIR finds on page 3-21 that Alternative 2 would be the environmentally superior project alternative.

Comment 33-14

The comment suggests that the alternatives analysis contained in the Draft EIR does not meet CEQA standards for thresholds of significance. Section 15126.6 of the CEQA Guidelines describes the alternatives analysis requirements. As noted in subsection 15126.6(d) an EIR should provide enough information to provide a meaningful comparison with the proposed project and suggests that a matrix would be sufficient. Table 5-1 summarizes the comparison on alternatives to identify feasible alternatives. Table 3-1 provides a matrix comparing the attributes of each feasible alternative evaluated in Chapter 4 of the Final EIR. This matrix is based on the impact assessments described in Chapter 4.

Comment 33-15

The comment provides a case for including evaporation ponds as a feasible alternative that should have been assessed in full detail in the Draft EIR. Chapter 5 of the Final EIR describes the evaporation pond alternative and rejects the alternative from further consideration since the size of the project would have required such extensive land acquisition and construction of earthen berms that it would not meet the project schedule objectives. The comment suggests that 400 acres would be necessary for a seven year interim period. In fact, over 2,000 acres would be needed for this interim period and over 5,000 acres (approximately eight square miles) of evaporation ponds would be needed to meet the 26 mgd 2020 capacity. The demolition of this amount of land would substantially increase the significance of impacts to biological resources and visual resources near the LWRP and would not avoid significant impacts of the project identified as the loss of mudflat habitat, construction air pollutant emissions, and secondary effects of growth. Finally, the commitment of this amount of land to evaporate water, which is a valuable resource in the Antelope Valley, was seen as inappropriate and incompatible with future municipal reuse goals.

The comment also suggests that the Draft EIR took longer to prepare than is generally required. EIRs can take several years to complete. There is no standard timeline for the preparation of EIRs. Obviously the more complex the project the longer it may take to adequately assess project components. The LWRP 2020 Plan is a complex 20-year planning effort with regional significance. The 10 month timeframe to complete the Draft EIR after the NOP was published was not an inappropriate length of time.

Comment 33-16

The comment suggests that the groundwater quality near the District No. 20 Palmdale Water Reclamation Plant should have been addressed in the cumulative impact section. The Final EIR concludes that the recommended project, if managed properly pursuant to a Farm Management Plan approved by the RWQCB-LR, would not degrade groundwater quality. Therefore, it would not contribute to a cumulatively significant groundwater quality impact.

Comment 33-17

The comment suggests that the Draft EIR should be recirculated with additional substantive information regarding which properties will be condemned and an expanded assessment of the evaporation pond alternative. The comment states that the Draft EIR is fundamentally flawed and “conclusionary.” The Draft EIR provides substantial analysis of potential impacts of four project alternatives and is not conclusory in nature. The Draft EIR appropriately discloses the effects of farming to the region. The Draft EIR appropriately discloses to the public that District No. 14 is seeking property to implement the LWRP 2020 Plan and that residents may be displaced to accommodate a regionally significant project. The Draft EIR provides substantial reasoning for including the Eastern Agricultural Area in the recommended project. See response to comment 30-14. See Eastern Agricultural Area Master Response. Chapter 5 of the Final EIR provides discussion on alternatives to the project that were rejected from further consideration. See response to comment 30-24. No significant new information has been provided not already addressed in the Draft EIR. Therefore, the Draft EIR does not need to be recirculated pursuant to Section 15088.5 of the CEQA Guidelines.

Comment 33-18

The comment suggests that proceeding with property acquisition before the CEQA process is complete is a violation of CEQA. The acquisition of property does not commit District No. 14 to the recommended project and is not in violation of CEQA.

The comment also suggests that eliminating storage reservoir study area 4 on EAFB from further consideration in some way increased land acquisition needs in the Agricultural Study Area. The location of storage reservoirs does not affect the amount of land needed in the Agricultural Study Area. The LWRP 2020 Plan identifies agriculture as the primary effluent management method. Both Alternatives 1 and 2 would minimize agricultural land needed by providing storage reservoirs during the winter when the effluent management capacity of farming is minimal. The recommended project includes storage reservoirs in study area 2 north of the LWRP.

The comment also states that the public outreach efforts were inadequate. District No. 14 has actively sought public input beyond CEQA requirements and has revised the recommended project based on public comment. See Public Notification Master Response.

Comment 33-19

The comment states that the Draft EIR is fundamentally flawed since it is conclusionary, without supportive documentation, and fails to evaluate eminent domain as part of the project. The Draft EIR is not conclusionary but rather provides extensive impact analysis with supporting information to adequately characterize potential effects of the proposed project. Volume 3 of the Final EIR contains technical appendices with supporting data. The Draft EIR appropriately notes on page 3-18 that the use of eminent domain may be necessary. Impact 4.13-1 identifies that residents may be displaced and mitigation measures are provided that commit District No. 14 to providing replacement housing. The Draft EIR

(Chapter 5) discusses alternatives considered that could reduce impacts of the project and describes why they were rejected from further consideration.

The comment also suggests that acquisition of property prior to implementing the project is in violation of CEQA. The comment recommends that the Draft EIR be rewritten and recirculated to evaluate evaporation ponds and tertiary treatment. See response to comment 30-27. Chapter 5 of the Draft EIR notes that evaporation ponds were removed from consideration since they would not meet the schedule objectives of the project. See response to comment 30-24.

The comment also requests that the MOU between EAFB and District No. 14 regarding storage reservoirs be cancelled. The comment does not pertain to the Draft EIR and no response is necessary.

COMMENT LETTER 34: JANE FIRSICK, NOVEMBER 14, 2003

Comment 34-1

The comment expresses unwillingness to leave property. District No. 14 will attempt to purchase property from willing sellers. District No. 14 will compensate property owners at fair market value.

Comment 34-2

The comment expresses concern for contamination of their groundwater well. District No. 14 would comply with DHS regulations for application of recycled water to avoid impacting neighboring groundwater wells. See Public Health Master Response and Groundwater Protection Master Response.

Elevated levels of nitrates have been detected in groundwater below the land application areas used by the Palmdale Water Reclamation Plant. Los Angeles County Sanitation District No. 20 of Los Angeles County (District No. 20) in coordination with the RWQCB-LR is in the process of determining the cause for the contamination and designing means of remediating the groundwater. The Final EIR concludes that use of land application methods such as those used by District No. 20 in Palmdale would likely result in unacceptable degradation of groundwater. Therefore, the Final EIR concludes that implementation of Alternatives 3 and 4, that include these methods during the winter months, would result in a significant and unavoidable impact to water quality. Neither of these two alternatives are the recommended project. The Final EIR concludes that maintaining application rates within agronomic rates will avoid degradation of groundwater quality. In the addition, the recommended project entails producing tertiary effluent with nitrogen removal, which will be further protective of local groundwater.

Comment 34-3

The comment suggests that the effluent receive a greater level of treatment. The Final EIR evaluates four alternatives, two of which would provide full tertiary treatment and disinfection for the 26 mgd flow projected by the year 2020. This level of treatment would be acceptable for municipal reuse on golf courses and roadway medians, among other uses. The irrigation of fodder crops with secondary treated disinfected recycled water would comply with DHS regulations. Providing a higher level of treatment for the irrigation of fodder crops is not necessary to protect public health and natural resources. In addition, as requested by many in the Antelope Valley community, District No. 14 is now proposing a higher level of treatment for the LWRP's reclaimed water, disinfected tertiary.

Comment 34-4

The comment suggests that the Western Agricultural Area is better suited since fewer residents would be displaced and a pipeline currently exists. The existing pipeline servicing Nebeker Ranch operates at capacity during the peak summer months. Establishing additional agricultural reuse operations in the Western Agricultural Area would require construction of a new pipeline. Chapter 7 of the LWRP 2020 Plan and Chapter 5 of the Final EIR provides a comparison of the Eastern and Western Agricultural Areas. See Eastern Agricultural Area Master Response.

COMMENT LETTER 35: JUDITH GAUTHIER, NOVEMBER 14, 2003

Comment 35-1

The comment expresses concern over leaving property and suggests using the Western Agricultural Area. District No. 14 has started looking for willing sellers, and will attempt to purchase as much land as possible with minimal displacement of residents. District No. 14 will provide fair market value for the property and will ensure that residents are relocated to comparable homes. Chapter 7 of the LWRP 2020 Plan and Chapter 5 of the Final EIR provides a comparison of the Eastern and Western Agricultural Areas. See Eastern Agricultural Area Master Response.

Comment 35-2

The comment expresses concern over impacts to local water wells, air quality, wildlife, and the Eastside Elementary School. The Final EIR assesses potential impacts to air quality in Sections 4.8 and 4.11. See Public Health Master Response. The Final EIR explains the need for the project in Section 1.4 and evaluates four alternatives to minimize potential effects. Section 4.4 evaluates the project's potential effects to wildlife. The Final EIR commits District No. 14 to numerous mitigation measures that would minimize effects to wildlife, including providing compensation lands for high quality habitats eliminated by the project. The Eastside Elementary School is located over one mile south of the closest potential reuse area. The use of treated disinfected tertiary effluent for irrigation would not pose a public health impact to the school or closer land uses.

COMMENT LETTER 36: JERRY AND BEVERLY GORMAN, NOVEMBER 13, 2003

Comment 36-1

The comment expresses unwillingness to leave property. District No. 14 has started looking for willing sellers, and will attempt to purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for the property and will ensure that residents are relocated to comparable or better homes. Chapter 7 of the LWRP 2020 Plan and Chapter 5 of the Final EIR provides a comparison of the Eastern and Western Agricultural Areas. See Eastern Agricultural Area Master Response.

COMMENT LETTER 37: LEONARD W. GRIFFIN, NOVEMBER 9, 2003

Comment 37-1

The comment states that notification of the Draft EIR was not adequate. See Public Notification Master Response.

Comment 37-2

The comment states that numerous gravel packed wells exist in the area that would act as conduits for contamination. The Final EIR states on page 4-72 that improperly abandoned wells could act as conduits for applied water to reach the groundwater. The Final EIR provides mitigation measures (4.3-8 and 4.3-9) committing District No. 14 to searching for old wells in the Eastern Agricultural Area and abandoning them appropriately.

Comment 37-3

The comment disapproves of the recommended project and requests that District No. 14 develop a new recommended project. Chapter 6 of the LWRP 2020 Plan and Chapter 5 of the Final EIR evaluates a wide range of conceptual project alternatives to meet the project objectives. One of the objectives is to meet the RWQCB-LR Order to eliminate unauthorized nuisance overflows onto Rosamond Dry Lake by August 25, 2005. The project recommended by the LWRP 2020 Plan provides the best means of meeting all the stated objectives and reusing valuable resource while being protective of natural resources and public health.

Comment 37-4

The comment suggests that a tertiary plant be considered and that effluent management systems be installed closer to the LWRP. The Final EIR evaluates four alternatives at an equal level of detail including two alternatives (Alternatives 2 and 4) that would provide full tertiary treatment for the projected 26 mgd flow by the year 2020. The recommended project of the LWRP 2020 Plan involves implementation of Alternative 2, which calls for construction of a full tertiary plant. See Eastern Agriculture Area Master Response.

COMMENT LETTER 38: MARLEEN GRIFFIN, NOVEMBER 13, 2003

Comment 38-1

The comment states that notice of the public hearing was not adequate. See Public Notification Master Response.

Comment 38-2

The comment states that some letters received were postmarked with less than 30 days notice prior to the public hearing. There is no CEQA requirement that a notice of a public hearing be issued 30 days prior to the meeting. A public meeting is not a CEQA requirement, but a recommendation. See Public Notification Master Response.

Comment 38-3

The comment asks what level of treatment the applied water would receive. The Final EIR evaluated four alternatives. Alternatives 1 and 3 would provide disinfected secondary treated recycled water to irrigate fodder crops. Alternatives 2 and 4 would provide disinfected tertiary treated recycled water to irrigate fodder crops. Alternative 2 has now been identified as the recommended project for the LWRP 2020 Plan.

Comment 38-4

The comment expresses concern that District No. 14 is preying on the sparsely inhabited area. In order to implement the recommended project of the LWRP 2020 Plan, District No. 14 must acquire land to implement agricultural reuse operations. The Eastern Agricultural Area has supported farming for many years and has been evaluated to be the preferred site for agricultural operations. The Final EIR concludes that District No. 14's recommended project is a compatible use with the region. District No. 14 will attempt to purchase enough property from willing sellers. Chapter 5 of the Final EIR provides a comparison of the Eastern and Western Agricultural Areas. See Eastern Agricultural Area Master Response.

Comment 38-5

The comment states that many of the residents in the area are old and relocating them would be difficult and particularly disruptive. District No. 14 will attempt to purchase enough property from willing sellers. In the event that residents are displaced, the Final EIR provides mitigation measures 4.13-1 and 4.13-2 that commit District No. 14 to ensuring appropriate replacement housing is provided for low or moderate income families. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Comment 38-6

The comment states that the land has been owned by the same family for over 100 years. District No. 14 will attempt to purchase enough property from willing sellers. In the event that residents are displaced, the Final EIR provides mitigation measures 4.13-1 and 4.13-2 that commit District No. 14 to ensuring appropriate replacement housing is provided for low or moderate income families. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Comment 38-7

The comment states that many residents are protected from higher taxes by Proposition 13. Relocating will make them subject to higher property taxes. Relocating may result in higher property taxes to some owners, depending on when they originally purchased their property. At this time we do not know which property owners would be affected. District No. 14 also notes that all persons being relocated presently are doing so voluntarily.

Comment 38-8

The comment supports preparing a new plan. The recommended project of the LWRP 2020 Plan was developed based on a thorough evaluation of all feasible project alternatives that could meet the project objectives. The RWQCB-LR has issued an order to eliminate the threatened nuisance condition caused by unauthorized effluent overflows onto Rosamond Dry Lake by August 25, 2005. District No. 14 is committed to meeting this deadline.

Comment 38-9

The comment states that migratory birds would be affected by the plan. Section 4.4 of the Final EIR discusses migratory birds potentially affected by the project and provides mitigation where feasible to minimize impacts. However, the Final EIR concludes that elimination of mudflats on the dry lake would result in unavoidable impacts to habitat used by migratory birds.

Comment 38-10

The comment requests that District No. 14 construct a tertiary treatment plant on land closer to the LWRP with no houses. The Final EIR evaluated a full tertiary alternative (Alternatives 2 and 4). The recommended project is Alternative 2. The treatment facilities associated to Alternative 2 will be constructed within the existing LWRP footprint and adjacent land. See Eastern Agricultural Area Master Response.

Comment 38-11

The comment states that the LWRP 2020 Plan is a land grab that will benefit developers. The Final EIR provides the project objectives and need on page 1-3. The acquisition of agricultural land is part of the effluent management component for the LWRP 2020 Plan recommended project. The project is not a land grab to benefit developers.

Comment 38-12

The comment says that the displaced residents will not be able to afford other areas. District No. 14 will attempt to purchase enough property from willing sellers. In the event that residents are displaced, the Final EIR provides mitigation measures 4.13-1 and 4.13-2 that commit District No. 14 to ensuring appropriate replacement housing is provided for low or moderate income families. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Comment 38-13

The comment states that the plan in effect imposes an inverse condemnation. See response to comment 42-3.

Comment 38-14

The comment states that approximately 100 homes exist within the Eastern Agricultural Area and that the Leisure Lake community exists in Storage Reservoir Study Area 3. The Final EIR estimates on page 4-21 that approximately 56 residences could be displaced in the Eastern Agricultural Area. The Final EIR acknowledges the Leisure Lake community on page 4-11. District No. 14 is not proposing to construct any facilities in the study area adjacent to Leisure Lake.

Comment 38-15

The comment questions the practices and timing of the real estate transactions being conducted for District No. 14. See response to comment 42-3.

Comment 38-16

The comment states that the project is destroying a community. The proposed project would increase agricultural operations in an area historically used for the same purpose. Some residents of the community may be displaced as a result of the project, but the majority of the rural community in the area will not be affected. District No. 14 will attempt to purchase enough property from willing sellers. See Eastern Agricultural Area Master Response.

Comment 38-17

The comment states that the local farmers were not included in discussions about this project. District No. 14 has held a number of meetings in the Antelope Valley, some in conjunction with the Los Angeles County Farm Bureau, in order to receive input and gauge the interest of recycled water reuse by local farming entities.

Comment 38-18

The comment states that numerous gravel packed wells exist throughout the area that could act as conduits to the groundwater. The Final EIR discusses the possibility of unknown wells in the region on page 4-72. Mitigation measures 4.3-8 and 4.3-9 commit District No. 14 to properly identifying and abandoning wells in the agricultural areas. See Groundwater Protection Master Response.

Comment 38-19

The comment states that the project seems under budgeted. The LWRP 2020 Plan provides the current cost estimate for the recommended project in Chapter 7.

Comment 38-20

The comment states that eminent domain requires adequate compensation and that the property be used appropriately. District No. 14 will attempt to purchase enough property from willing sellers. Mitigation measures 4.13-1 and 4.13-2 commit District No. 14 to providing appropriate compensation in the event that eminent domain is needed.

Comment 38-21

The comment states that the commenter will be attending a meeting. The comment is noted.

Comment 38-22

The comment states that well water will be contaminated. The Final EIR discusses the potential for groundwater degradation caused by the project on pages 4-65 through 4-74. See Groundwater Protection Master Response and Public Health Master Response.

Comment 38-23

The comment states that District No. 14 will be responsible for contamination and illnesses. The project will not impact public health. District No. 14 will comply with DHS and RWQCB regulations. See Public Health Master Response.

Comment 38-24

The comment states that the agricultural reuse area is in a flood zone that could transport contaminants. Figure 4.3-3 in the Final EIR depicts the flood zones in the region. The LWRP 2020 Plan would not allow recycled water application during rain events. As noted on page 4-71 recycled water would not be allowed to flow off site. During storm events, the LWRP would discharge to storage reservoirs.

Comment 38-25

The comment states that the project will create more problems including contaminating groundwater. Page 1-3 of the Final EIR explains the need for the project. See Groundwater Protection Master Response.

Comment 38-26

The comment states that numerous family members will be affected. The comment is noted. District No. 14 will attempt to acquire land from willing sellers. See Eastern Agricultural Area Master Response.

Comment 38-27

The comment expresses opposition to the LWRP 2020 Plan. Page 1-3 of the Final EIR explains the need for the project. See Eastern Agricultural Area Master Response.

Comment 38-28

The comment suggests that the project should use flood irrigation. The DHS regulations for application of recycled water allow for sprinkler irrigation or flood methods. See Public Health Master Response.

Comment 38-29

The comment suggests that homes two miles away will be affected with decreased property values. The region would remain a farming area. Chapter 5 of the Final EIR provides a comparison of the Eastern and Western Agricultural Areas. See Eastern Agricultural Area Master Response.

Comment 38-30

The comment suggests that the Eastern Agricultural Area is not the appropriate location for recycled water use. Chapter 5 of the Final EIR describes the alternatives analysis conducted by District No. 14 to determine possible locations for recycled water use in the region. The Eastern and Western Agricultural Areas were selected as feasible alternatives. Other locations were found to be too far from the LWRP to be feasible or lacking appropriate soils for successful farming operations.

COMMENT LETTER 39: KARL A. HOEPPNER AND DORIS E. HOEPPNER

Comment 39-1

The comment expresses opposition to being removed from the property and expresses concerns over the value of the property. District No. 14 will attempt to purchase enough property from willing sellers. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Comment 39-2

The comment states that the properties selected by District No. 14 for purchase are far from the project site. The comment suggests that there are areas both west and north of the LWRP as well as north of Avenue E on the eastside without residents that would be considered. Chapter 5 of the Final EIR describes the alternatives analysis conducted by District No. 14 to determine possible locations for recycled water use in the region. The Eastern and Western Agricultural Area were selected as feasible alternatives. Other locations were found to be too far from the LWRP to be feasible or lacking appropriate soils for successful farming operations. See Eastern Agricultural Area Master Response.

Comment 39-3

The comment states concerns over groundwater contamination and the impact to public health. The comment points out that water wells located at the Eastside Elementary School are drawn from the project site. The Eastside Elementary School is located over one mile south of the closest potential reuse area. The use of treated effluent for irrigation would not pose a public health impact to the school or closer land uses. See Public Health Master Response. In addition, application of irrigation water would not be allowed within 100 feet of drinking water wells. See Public Health Master Response and Groundwater Protection Master Response.

COMMENT LETTER 40: MR. AND MRS. ROBERT D. HOLLOWAY, NOVEMBER 15, 2003

Comment 40-1

The comment expresses concerns over the project and being displaced. The comment also questions the applicability of "agricultural reuse" on the land. The Final EIR explains the need for the project on page 1-3. Chapter 5 evaluates project alternatives. District No. 14 will compensate property owners at fair market value. See Eastern Agricultural Area Master Response.

Comment 40-2

The comment states concerns over the water supply to the Antelope Valley, contamination of groundwater and impacts to local water wells. See Groundwater Protection Master Response.

Comment 40-3

The comment opposes the project and states that a water reclamation facility be built to pump water back into Lancaster for landscape irrigation purposes. The Final EIR explains the need for the project on page 1-3. Chapter 5 evaluates project alternatives. The project includes providing 1.5 mgd of tertiary treated recycled water to the City of Lancaster for municipal reuse.

COMMENT LETTER 41: JANIS HUFF, NOVEMBER 14, 2003

Comment 41-1

The commenter is 87 years old and has lived at the property for 50 years. Relocating would be difficult and disruptive. District No. 14 has begun looking for willing sellers, and will attempt to purchase as much land as possible without displacing residents. In the event that residents are displaced, the Final EIR provides mitigation measures 4.13-1 and 4.13-2 that commit District No. 14 to providing appropriate replacement housing for low or moderate income families. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Comment 41-2

The comment questions impact of the project to the health and safety of Eastside Elementary School. Eastside Elementary School is located over one mile south of the closest potential reuse area. The use of treated effluent for irrigation would not pose a public health impact to the school or closer land uses. See Public Health Master Response.

Comment 41-3

The comment expresses concerns over the loss of the Rancho Sierra Golf Course and asks if relocating the golf course would be a wise use of funds. The Final EIR discusses the potential displacement of the golf course on page 4-23. The Final EIR concludes that since there are 12 golf courses in the Antelope Valley, the loss of one course would not be considered regionally significant. As explained in Chapter 1 of the Final EIR, over 4,000 acres of agricultural land would be necessary to implement the proposed project. District No. 14 will attempt to purchase as much land as possible without displacing residents. In the event that residents are displaced, District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Comment 41-4

The comment expresses an unwillingness to move. District No. 14 has begun looking for willing sellers, and will attempt to purchase as much land as possible without displacing residents. In the event that residents are displaced, the Final EIR provides mitigation measures 4.13-1 and 4.13-2 that commit District No. 14 to ensuring appropriate replacement housing is provided for low or moderate income families. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 42: DAVE LAMBERT, NOVEMBER 17, 2003

Comment 42-1

The comment suggests that the population and wastewater flow projections may not be accurate and that a phasing of infrastructure would ensure that District No. 14 does not construct excess treatment capacity. Population projections for the Antelope Valley are provided by the Southern California Association of Governments (SCAG). The LWRP 2020 Plan is consistent with SCAG growth projections, which estimate a doubling of population in District No. 14's service area by the year 2020. These growth projections are derived in part from locally approved General Plans of Lancaster, Palmdale and Los Angeles County. It is District No. 14's responsibility to plan for projected growth approved by local planning jurisdictions within its service area. To ignore these projections would be irresponsible. Nevertheless, the LWRP 2020 Plan provides for the phasing of treatment capacity and effluent storage reservoirs in two stages: Stage V and Stage VI. This phasing of infrastructure will allow District No. 14 to reevaluate the wastewater flow projections in approximately 2010 to ensure that excess capacity is not constructed. District No. 14 agrees with the comment that District No. 14 should envision and plan for future reuse projects. Stage V of the recommended project includes providing up to 21 mgd of tertiary treatment capacity in anticipation of future water reuse projects in the Antelope Valley that have not yet materialized. However, since the Stage V effluent storage reservoirs likely will not be constructed until the early 2007, District No. 14 has determined that by acquiring and utilizing immediately all the land necessary for agricultural operations irrigated at agronomic rates District No. 14 can help meet the deadline to eliminate unauthorized effluent overflows onto Rosamond Dry Lake by August 2005.

Comment 42-2

The comment states that eminent domain may not be used to acquire land not used within seven years. The eminent domain law does not prohibit condemnation of property that will not immediately be used within seven years. Instead, the law states that property may be condemned for future use "if there is a reasonable probability that its date of use will be within seven years from the date the complaint is filed or within such longer time period as is reasonable." (Emphasis added, *Calif. Code of Civil Proc.* §1240.220(a).) In this connection, District No. 14 will be able to show the projected growth of the LWRP's effluent management requirements and the necessity of acquiring all of the identified property in order to handle this effluent in a practical and environmentally safe manner.

Until an adequate number of storage reservoirs are constructed by early 2007, District No. 14 will manage effluent from the LWRP by delivering recycled water to the proposed agricultural sites in volumes that adhere to agronomic rates. The overflow as currently managed will continue beyond the deadline established by the RWQCB-LR to account for the additional time required to finalize the LWRP 2020 Plan EIR and to complete construction of the recommended treatment facilities. District No. 14 will negotiate with the responsible parties for authorization to continue controlled overflow in a manner that avoids any nuisance condition.

During this interim period, recycled water will be applied at agronomic rates to the agricultural land year-round. Thus, all the agricultural land acquired is scheduled for use immediately upon acquisition. In terms of land required for effluent storage reservoirs, District No. 14 plans on acquiring now all of the land necessary for construction of the Stage V and Stage VI storage reservoirs because flow projections indicate that District No. 14 will require all this storage capacity. Finally, the land required for construction of additional wastewater treatment capacity is scheduled for use immediately upon acquisition.

Comment 42-3

The comment suggests that District No. 14 has assumed liability for impacts to property values by publishing potential areas of eminent domain. District No. 14 has not clouded title or otherwise detrimentally impacted the marketability or use of property in the subject area. Nor has District No. 14 threatened to condemn any property in the area. Consistent with its obligations under CEQA, District No. 14 has done no more than describe various alternatives for this project and identified property which might have to be acquired (either voluntarily or by eminent domain), for these alternatives. Such planning and environmental discussion does not detrimentally impact marketability or otherwise interfere with the owner's use of the property. Nor does it amount to official action announcing the intention to condemn the subject property. Consequently, it does not give rise to "Klopping," precondemnation damages. See *Terminals Equipment Co. v. City and County of San Francisco* (1990) 221 Cal.App.3d 234, 245 ["In order for any right to precondemnation damages to accrue ... there must have been either some formal announcement by the condemning agency of its intention to condemn, or some other official act or expression of intent to acquire the property in question."]; *Barthelemy v. Orange County Flood Control Dist.* (1998) 65 Cal.App.4th 558, 565 ["Mere designation of property for public acquisition, even though it may affect the marketability of the property, is not sufficient. The right of a governmental body to plan for the acquisition of property is unquestioned. In the absence of special circumstances it does not give rise to an action for inverse condemnation."].)

Comment 42-4

The comment asks why the area of land to be acquired increased from the number provided in the Notice of Preparation (NOP) published in February 2001. From the February 2001 publication of the NOP to the publication of the Draft LWRP 2020 Plan in September 2003, District No. 14 gathered additional information on the recycled water reuse capacity of agricultural land in the Lancaster area. Based on this information, District No. 14 modified the appropriate parameters in the water balance model. This change resulted in the water balance indicating that an increased number of acres of agricultural operations and storage reservoirs would be required to effectively and efficiently manage the projected wastewater flow treated at the LWRP. It is important to note that, as mentioned in the LWRP 2020 Plan, the acreage requirements for agricultural reuse operations and storage reservoirs represent the total number of acres required, which includes the area needed for storage reservoir berms, storm water channels, ancillary agricultural facilities, vehicle access roads, etc.

Comment 42-5

The comment states that the Final EIR does not provide modeling data to show that groundwater would not be impacted by nitrogen. See Groundwater Protection Master Response and Farm Management Plan Master Responses.

Comment 42-6

The comment states that mitigation provided in the Draft EIR concerning Impact 4.3-8 is inadequate since it defers evaluation of impact. The Final EIR provides water quality data from 1999 in Figure 4.3-5 showing the annual fluctuation in total dissolved solids (TDS). Based on this data, the Final EIR

concludes that over a prolonged drought period, TDS could increase to levels potentially deleterious to wildlife. The Final EIR clearly identifies the potential impact. Since EAFB disagrees with this conclusion (see comment letter 4), the recommended project provides a range of mechanisms to mitigate the identified impact. The mitigation measures commit District No. 14 to ensuring that the water quality in Piute Ponds is maintained in compliance with the standards in the WDRs for receiving water. The mitigation measures provided in the Final EIR (4.3-10 and 4.3-11) commit District No. 14 to coordinate with EAFB to either allow for flushing flows that would provide the necessary water quality benefits or to allow the construction of a recirculation system. This is not deferred mitigation since mitigation measure 4.3-11 brackets potential actions that District No. 14 is committed to implementing, either of which would mitigate the impact.

Comment 42-7

The comment states that the Draft EIR does not adequately assess impacts of development within a County-designated Significant Ecological Area (SEA). The Final EIR identifies (see Impact 4.1-3) that the Eastern Agricultural Area is entirely within a proposed SEA. The County has not yet approved the SEA boundaries. Nonetheless, the Final EIR on page 4-23 cites discussions with the Los Angeles County Department of Regional Planning personnel stating that agricultural uses will be included as compatible uses in the portion of the SEA within the Eastern Agricultural Area. The Final EIR explains on page 4-22 that the purpose of the SEAs is not to eliminate development but rather to attempt to provide compatible uses and to provide compensation for affected biological resources where necessary. The Final EIR evaluates impacts to biological resources that could result from the project in Section 4.4 and provides mitigation that would lessen the significance where feasible. These mitigation measures will be included in the biological assessment portion of the Condition Use Permit application subject to SEA Technical Advisory Committee review.

Comment 42-8

The comment addresses an issue in the NOP that was eliminated from the Draft EIR, making the comment no longer applicable. No response is necessary.

Comment 42-9

The comment addresses an issue in the NOP that was eliminated from the Final EIR, making the comment no longer applicable. No response is necessary.

Comment 42-10

The comment states that the amount of land needed is overstated. This issue is addressed in response to comment 42-4.

Comment 42-11

The comment addresses an issue in the NOP that was eliminated from the Draft EIR, making the comment no longer applicable. No response is necessary.

Comment 42-12

The comment addresses an issue in the NOP that was eliminated from the Draft EIR, making the comment no longer applicable. No response is necessary.

Comment 42-13

The comment asserts that eminent domain can not be used to acquire property to be used after seven years. This issue is addressed in response to comment 39-2.

Comment 42-14

The comment addresses an issue in the NOP that was corrected in the Draft EIR, making the comment no longer applicable. No response is necessary.

Comment 42-15

The comment requests a schedule for completion of facilities. Section 3.5 on page 3-23 of the Final EIR and Chapter 7 of the LWRP 2020 Plan provides the proposed schedule for the project.

Comment 42-16

The comment states that water quality in Piute Ponds will be affected. The Final EIR addresses this issue in Impact 4.3-11 on page 4-75. The Final EIR concludes that an impact is possible and provides mitigation to avoid the impact. See response to comment 39-6.

Comment 42-17

The comment addresses an issue in the NOP that was removed from the Draft EIR, making the comment no longer applicable. No response is necessary.

Comment 42-18

The comment suggests that District No. 14 participate with local water purveyors to reduce water consumption and, as a result, per capita wastewater production. The major water purveyor within District No. 14's service area, Los Angeles County Waterworks District No. 40, is signatory to the California Urban Water Conservation Council's September 1991 *Memorandum of Understanding (MOU) Regarding Urban Water Conservation in California*. This MOU covers at least 75 percent of the water connections within District No. 14's sewer service area and helps minimize water consumption within this area. The planned facilities and timing of the Stage VI expansion will be reevaluated in 2010 to respond to any changes in wastewater flow projections or other factors affecting the recommended project. As recycled water reuse projects increase, or wastewater generation rates decrease dramatically within District No. 14's service area, implementation of the recommended project components will be adjusted accordingly.

Comment 42-19

The comment addresses an issue in the NOP that was accommodated in the Draft EIR. No response is necessary.

COMMENT LETTER 43: CHUN I MYOUNG S. MAH

Comment 43-1

The comment inquires on the effects of pollution, odor, groundwater, and building restrictions. See Groundwater Protection Master Response and Public Health Master Response.

COMMENT LETTER 44: BETHANY MCGARRY, NOVEMBER 13, 2003

Comment 44-1

The comment expresses unwillingness to leave property even if a “fair market value” is provided to compensate for the property loss. District No. 14 has begun looking for willing sellers, and will attempt to purchase as much land as possible without displacing residents. In the event that residents are displaced, the Final EIR provides mitigation measures 4.13-1 and 4.13-2 that commit District No. 14 to providing appropriate replacement housing for low or moderate income families. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response. District No. 14 will compensate property owners at fair market value.

Comment 44-2

The comment expresses concern over potential water contamination. See Groundwater Protection Master Response.

Comment 44-3

The comment contends that water contamination will infect cows and livestock. District No. 14 would apply recycled water for fodder crops using methods approved by the California Department of Health Services. Recycled water is used routinely throughout the country to irrigate fodder crops. The practice poses no health impact to livestock or to humans who consume that livestock. See Groundwater Protection Master Response and Public Health Master Response.

Comment 44-4

The comment explains that they and their livestock have occupied their property for the last 4 years. The comment expresses concern over obtaining an adequate size property for the family when displaced. District No. 14 will compensate property owners at fair market value. Mitigation measures 4.13-1 and 4.13-2 commit District No. 14 to relocating displaced residents into homes of the appropriate size for the family. See Eastern Agricultural Area Master Response.

COMMENT LETTER 45: HANNAH MCGARRY

Comment 45-1

The comment pleads for District No. 14 to not take away the property and states that the use of recycled wastewater would affect health of animals. The comment further states that people’s health would also be affected upon consumption of unhealthy animals. District No. 14 has begun looking for willing sellers, and will attempt to purchase as much land as possible without displacing residents. In the event that residents are displaced, the Final EIR provides mitigation measures 4.13-1 and 4.13-2 that commit District No. 14 to providing appropriate replacement housing for displaced families. District No. 14 will provide fair market value for all properties acquired. District No. 14 would apply recycled water for fodder crops using methods approved by the California Department of Health Services. Secondary-treated recycled water is used routinely throughout the country for fodder crops. The practice poses no health impact to livestock or to humans who consume that livestock. See Groundwater Protection Master Response and Public Health Master Response.

COMMENT LETTER 46: GAYLEEN MCGARRY, NOVEMBER 13, 2003

Comment 46-1

The comment expresses opposition to the project and asserts that it is unacceptable due to the environmental impacts. The Final EIR explains the need for the project in Section 1.4 and evaluates four alternatives. Chapter 5 evaluates project alternatives. The Final EIR complies with CEQA regulations to adequately assess potential impacts and provides mitigation measures to avoid significant impacts where possible.

Comment 46-2

The comment expresses concern over potential groundwater contamination and wastewater reusability. See Groundwater Protection Master Response.

Comment 46-3

The comment expresses concern over the potential loss of property and points out the health risks of people and animals due to groundwater contamination. The comment further conveys that relocating them would be devastating and unsettling. In addition, there is concern over the issue of "Fair Market Value" and asks if they will be fully compensated in order to buy a comparable home nearby. District No. 14 will compensate property owners at fair market value. Mitigation measures 4.13-1 and 4.13-2 commit District No. 14 to relocating displaced residents into homes of the appropriate size for the family. See Eastern Agricultural Area Master Response, Public Health Master Response, and Groundwater Protection Master Response.

Comment 46-4

The comment notes that the Palmdale WRP has caused groundwater contamination due to wastewater reuse and inadequate storage of the effluent water. Concern is expressed over remediation costs and asks if a similar situation would occur in Lancaster if the LWRP 2020 Plan is approved. It further poses the question of public health. The comment suggests preventive measures be taken instead of adopting the proposed LWRP 2020 Plan. The Palmdale WRP has employed land application methods similar to the Alternatives 3 and 4 evaluated in the Final EIR. The Final EIR concludes that land application methods could result in degraded groundwater.

Elevated levels of nitrates have been detected in groundwater below the land application areas used by the Palmdale WRP. District No. 20 in coordination with the RWQCB-LR is in the process of determining the cause for the contamination and designing means of remediating the groundwater. The Final EIR concludes that use of land application methods such as those used by District No. 20 in Palmdale would likely result in unacceptable degradation of groundwater. Therefore, the Final EIR concludes that implementation of Alternatives 3 and 4, that include these methods during winter months, would result in a significant and unavoidable impact to water quality. Neither of these two alternatives are the recommended project. The Final EIR concludes that maintaining application rates within agronomic rates will avoid degrading groundwater quality.

Comment 46-5

The comment requests that District No. 14 reconsider and re-evaluate the project and suggests that the recycled water be cleaned to a potable level. The Final EIR explains the need for the project in Section 1.4 and evaluates four alternatives to minimize potential effects. Chapter 5 evaluates project alternatives. See Groundwater Protection Master Response.

COMMENT LETTER 47: JOHN MCGARRY, NOVEMBER 13, 2003

Comment 47-1

The comment expresses opposition to the project. The Final EIR explains the need for the project in Section 1.4 and evaluates four alternatives to minimize potential effects. Chapter 5 evaluates project alternatives. See Groundwater Protection Master Response and Eastern Agricultural Area Master Response.

COMMENT LETTER 48: SARAH MCGARRY, NOVEMBER 14, 2003

Comment 48-1

The comment expresses concerns over the project due primarily to the potential loss of property and the impact to the environment. District No. 14 will compensate property owners at fair market value. The Final EIR explains the need for the project in Section 1.4 and evaluates four alternatives to minimize potential effects. The Final EIR evaluates impacts and provides mitigation measures to avoid those impacts where possible in compliance with CEQA requirements.

Comment 48-2

The comment states concerns over water contamination, air pollution, and health risks to the public. See Public Health Master Response and Groundwater Protection Master Response.

Comment 48-3

The comment points out that the effluent water which is potentially contaminated is used to grow food for livestock consumed by humans. The comment also mentions that there are other areas to choose from for the project. Use of recycled effluent would not affect livestock that consume the fodder crops. Recycled water is used throughout the State of California to irrigate fodder crops. See Public Health Master Response, Groundwater Protection Master Response, and Eastern Agricultural Area Master Response.

Comment 48-4

The comment expresses concerns over water quality and public health risks. See Public Health Master Response and Groundwater Protection Master Response.

COMMENT LETTER 49: DONALD E. MISCHKA, NOVEMBER 12, 2003

Comment 49-1

The comment opposes the project and states that the plan is not fair nor is it right. The comment suggests that there is property available on the west side, approximately 25 square miles of land that could be used for agriculture, in order to avoid displacing homeowners. See Public Health Master Response, Groundwater Protection Master Response, and Eastern Agricultural Area Response.

COMMENT LETTER 50: DONALD E. MISCHKA, NOVEMBER 17, 2003

Comment 50-1

The letter transmits comment letters but does not comment on the adequacy of the Draft EIR. No response is required.

COMMENT LETTER 51: GWEN MISCHKA, NOVEMBER 12, 2003

Comment 51-1

The comment states an unwillingness to sell and leave property. District No. 14 will attempt to purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 52: KORY MISCHKA, NOVEMBER 14, 2003

Comment 52-1

The comment opposes the displacement of residents. District No. 14 will attempt to purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 53: SUSAN MISCHKA, NOVEMBER 12, 2003

Comment 53-1

The comment notes that the photographs included in the Draft EIR for the Eastern Agricultural Area do not show houses, whereas the pictures of the Western Agricultural Area do. The photographs were included in the Draft EIR to show generalized areas of potential impact and were not meant to encompass the entire study areas. The text on page 4-21 clearly identifies that more homes would be affected on the eastern study area than on the western study area.

Comment 53-2

The comment states that the location of wells identified in the Draft EIR is inaccurate and that the presence of unknown wells is enough to remove the Eastern Agricultural Area from consideration. The Final EIR discusses existing wells on page 4-72. Mitigation measure 4.3-8 commits District No. 14 to conducting a search for known and unknown wells in the area to be used for agriculture prior to applying effluent on the ground. The Final EIR concludes that proper searches and destruction of wells will avoid the potential hazard. It is also a requirement of the RWQCB-LR.

Comment 53-3

The comment asks if the Eastern Agricultural Area is part of the plan to avoid encroachment on EAFB. The Final EIR explains the need for the project in Section 1.4. Chapter 5 of the Final EIR explains that EAFB property was being considered as a possible location for storage reservoirs, not agricultural operations. The location of the storage reservoirs have no bearing on the need or location of agricultural land needed to implement the LWRP 2020 Plan.

Comment 53-4

The comment suggests that commuter traffic will be affected by airborne contaminants. The project would not create a public health hazard. See Public Health Master Response.

Comment 53-5

The comment suggests that contamination of groundwater could affect the future water supplies of the Antelope Valley. The project would provide tertiary-treated water to be used for municipal irrigation to reduce demand on imported potable water sources. The farming operations would be managed to avoid adversely impacting groundwater. See Groundwater Protection Master Response.

Comment 53-6

The comment asks if groundwater monitoring data is available. The LWRP conducts monthly groundwater monitoring and submits reports to the RWQCB-LR. These monitoring reports are publicly available from the RWQCB-LR upon request. The LWRP 2020 Plan would install a network of monitoring wells and conduct routine water quality monitoring to ensure that the groundwater was not affected by surface applications. The monitoring data would be public information. The RWQCB-LR enforces compliance with groundwater quality thresholds listed in the Water Recycling Requirements (WRRs). These WRRs will be issued by the RWQCB-LR prior to implementing the project.

Comment 53-7

The comment suggests that the Eastern Agricultural Area is valuable to the film industry. The Eastern Agricultural Area is zoned for agriculture by the County of Los Angeles, and implementing the farm operations would not conflict with designated land uses.

Comment 53-8

The comment explains that local residents have lived in the area for multiple generations and feel that the LWRP 2020 Plan unfairly impacts their livelihoods. The Final EIR addresses displacement of residents on page 4-193. District No. 14 will attempt to purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 54: GENE NEBEKER, NOVEMBER 17, 2003

Comment 54-1

The comment suggests that District No. 14 acquire only the land needed to accommodate flows projected for the year 2005. The LWRP 2020 Plan has been prepared as a long-range planning tool to provide a more efficient means of preparing for the projected wastewater flows. A twenty-year planning horizon is commonly used as a reasonable means of preparing necessary infrastructure for the future. If only enough effluent management capacity were installed to meet projected 2005 flow rates, the potential for overflows would re-emerge in 2006, prompting an immediate need for additional facilities planning. The treatment facilities proposed in the LWRP 2020 Plan are planned for implementation in two phases, allowing for evaluation of wastewater flow projections in 2010. This strategy of phasing allows for mid-period adjustments should the wastewater flow projections prove to be significantly inaccurate.

Comment 54-2

The comment agrees with the preferred alternative. Comment noted. No response is necessary.

Comment 54-3

The comment suggests that the recommended project is not the most cost effective or environmentally sound since no value associated with the agricultural land or crops is assumed. The comment also suggests that sprinkler irrigation is costly and presents a public health hazard, and that infiltration from storage reservoirs could impact groundwater.

The costs of a project generally are not addressed for purposes of CEQA review unless they affect the feasibility of the project. As such, the Final EIR does not compare costs of each alternative or components of the recommended plan, such as the use of sprinkler irrigation as opposed to flood irrigation. Furthermore, the future value of land, which not only is difficult to estimate, is not necessarily relevant when considering what a project alternative will cost the District No. 14 ratepayers in present dollars to construct. Although the land acquired will have a value in the future, District No. 14 will not necessarily sell the land and relocate its effluent management operations after 20 years of operation in order to realize the appreciated value of the land it owns. In terms of the value of crops, District No. 14 is approaching the agricultural reuse operations strictly from an effluent management standpoint. It is entirely possible that the farming entities hired to manage the agricultural reuse operations will be entitled to any crops harvested. Therefore, the value of crops cannot be estimated with any certainty.

The Final EIR evaluates the potential public health effects of sprinkler-application methods in Impact 4.11-1 on page 4-169. The LWRP 2020 Plan proposes to utilize sprinkler methods approved by the California Department of Health Services (DHS) for irrigating with recycled water. The recycled water will be disinfected. The Final EIR concludes that compliance with health-based regulations promulgated in the California Code of Regulations, Title 22 covering sprinkler irrigation methods for recycled water avoid potential public health impacts. Mitigation measure 4.11-1 commits District No. 14 to implementing measures of minimizing drift of sprinkler-applied effluent in areas where residents are located adjacent to farming operations. These measures would be included in the Farm Management Plan. See Farm Management Plan Master Response.

The storage reservoirs will be designed to provide an appropriate level of protection to groundwater as discussed in Impact 4.3-4 of the Final EIR. The final storage reservoir designs will require approval by the RWQCB-LR. See responses to Comment Letter 3 from the RWQCB-LR. See Groundwater Protection Master Response.

Comment 54-4

The comment states that the Draft EIR is too elementary and superficial to be of much assistance. The comment states that District No. 14 does not understand principles of farming and that the project is “doomed to failure.” The Final EIR describes the proposed farming operation and identifies potential impacts of those operations to environmental resources. The Final EIR identifies potential impacts to groundwater from storage reservoirs and from farming operations (Section 4.3). Potential public health effects are evaluated (Section 4.11). Mitigation measures have been developed requiring that District No. 14 prepare a Farm Management Plan that outlines procedures for ensuring the potential effects are avoided. The Final EIR concludes that although impacts could occur if mismanaged, it is possible to apply recycled effluent at agronomic rates for crops that would be protective of groundwater. Compliance with a Farm Management Plan approved by the RWQCB-LR would ensure that the operations are managed effectively. Irrigating fodder crops with recycled secondary effluent is conducted throughout the state and country effectively without affecting groundwater quality or public health in

compliance with resource agency requirements. The Final EIR concludes that the recommended project of the LWRP 2020 Plan, as described, would be protective of public health and groundwater quality.

Comment 54-5

The comment suggests that nitrogen levels in the effluent affect crop yields and could affect groundwater if not applied in appropriate amounts. The Final EIR addresses potential impacts from the nitrogen in the effluent on page 4-69. Mitigation measure 4.3-5 commits District No. 14 to preparing and implementing a Farm Management Plan that establishes procedures for determining agronomic rates of nitrogen. Compliance with a Farm Management Plan approved by the RWQCB-LR would ensure that nitrogen would be applied appropriately. The prevention of groundwater degradation would constitute the “performance standard” associated with the farming operations. Groundwater quality would be monitored to ensure compliance with the standard as required by mitigation measure 4.3-6. In addition, since the application of recycled water requires a Water Recycling Requirements (WRRs) permit from the RWQCB-LR, adherence with the standards included in the WRRs would ensure that ongoing operations would not impact groundwater.

Comment 54-6

The comment states that the irrigation fundamentals described in the Draft EIR are flawed, including the evaporation and evapotranspiration rates shown in Figure 3-8 of the Draft EIR. The evaporation rates shown in Figure 3-8 have been revised to reflect the anticipated evaporation shown in Table 4-3 of the LWRP 2020 Plan. The evaporation data in Table 4-3 is based upon historical data for the Lancaster area. The historical evaporation data for the LWRP facilities would not apply to agricultural irrigation. The evapotranspiration rates for alfalfa in Figure 3-8 of the Draft EIR were calculated using California Irrigation Management Information System methods. These rates are roughly equal to the rates shown in Table 4-6 of the LWRP 2020 Plan. Table 4-6 summarizes the expected evapotranspiration rates expected for irrigation. See Farm Management Plan Master Response and Groundwater Protection Master Response.

Comment 54-7

The comment suggests that sprinkler irrigation could pose a public health impact and suggests using flood irrigation instead. The Final EIR evaluates the potential public health effects of sprinkler-application methods in Impact 4.11-1 on page 4-169. The LWRP 2020 Plan proposes to utilize sprinkler methods approved by the DHS for irrigating with recycled water. The recycled water will be disinfected. The Final EIR concludes that compliance with health-based regulations promulgated in the California Code of Regulations, Title 22 covering sprinkler irrigation methods for recycled water would avoid potential public health impacts. Mitigation measure 4.11-1 commits District No. 14 to implementing measures of minimizing drift of sprinkler-applied effluent in areas where residents are located adjacent to farming operations. These measures would be included in the Farm Management Plan. See Farm Management Plan Master Response.

Flood irrigation methods typically result in more head on the uphill portions of the fields where water is initially applied. This could increase the potential for migration of applied effluent to the groundwater in these areas. In order to ensure uniform distribution of effluent, very precise grading and laser leveling of the field being irrigated is necessary. Additionally, tailwater basins must be constructed at the downstream ends of the fields to capture any runoff. Flood irrigation is more labor intensive in terms of the daily operation and maintenance in comparison to sprinkler irrigation. Specifically, for an agricultural reuse project the size of that proposed by the LWRP 2020 Plan, it would be possible to automate the operation of sprinkler irrigation systems and monitor them from a centralized facility. These considerations outweigh the negatives associated with sprinkler irrigation methods, such as the cost

associated with operating a typical quarter-mile-radius center pivot, which usually has just eight 1.5-horsepower motors.

Comment 54-8

The comment requests to review the water balance calculations. District No. 14 has developed a detailed water balance for the LWRP that includes all the existing sources and sinks for influent and effluent, respectively, and what additional treatment and effluent management facilities would be required to manage projected increases in wastewater flow. In the case of the recommended project, the water balance developed was geared toward determining the number of acres of agricultural reuse operations and storage reservoirs required to effectively manage LWRP effluent. For example, the LWRP water balance for the year 2020 includes the wastewater inflow that the LWRP is projected to experience in 2020 (26 million gallons per day), the additional influent from expected rainfall onto the open-surface facilities at the LWRP (e.g., oxidation ponds), and an estimate of the evaporation losses from these facilities. Additionally, the water balance includes all the existing and proposed sinks of effluent (Nebeker Ranch, Piute Ponds, Impoundment Areas, Apollo Park, City of Lancaster reuse project, and storage reservoirs) and the projected volume that District No. 14 anticipates being able to manage at each. With respect to the recommended project water balance, two unknown parameters were solved to determine the number of acres of new agricultural reuse operations and acres of new effluent storage reservoirs required in order to satisfy a set of constraints. For instance, a primary constraint is that the existing and new storage reservoirs must be empty by the start of each fall. The result of the two unknowns indicated by the water balance, which is determined in terms of farmed acres of land and wetted surface area of reservoirs, was adjusted to reflect the need for land for buffer, roads, reservoir berms, ancillary agricultural facilities, etc.

Comment 54-9

The comment suggests that storage reservoirs could potentially impact groundwater quality. The comment requests that the Final EIR provide a prediction of nitrogen concentrations in the groundwater over time based on soil permeability and nitrogen content of the effluent. The EIR discusses this issue on page 4-65. The EIR commits District No. 14 to identifying an acceptable rate of infiltration to be reviewed and approved by the RWQCB-LR. The Final EIR assumes that the reservoir floor would be constructed of either a synthetic liner (Alternative 1) or compacted native soil (Alternative 2) to protect groundwater. District No. 14 will evaluate native soils in the recommended storage reservoir area north of the LWRP prior to construction and will use this data as part of an Anti-Degradation Analysis for submission to the RWQCB-LR. The recommended project will increase treatment to include conventional activated sludge with nitrification/denitrification which will substantially reduce nitrates from the effluent.

Comment 54-10

The comment states that much of the agricultural study areas are not suitable for farming. The comment also questions the value of the NRCS maps provided in the Draft EIR. District No. 14 conducted a thorough investigation of land as far as 17 miles from the LWRP in order to identify study areas potentially suitable and cost effective for farming. Upon identifying four study areas east and west of the LWRP (areas north and south of the LWRP were ruled out due to the presence of the County line and City of Lancaster, respectively), District No. 14 hired agronomist consultants to evaluate the identified study areas and prepare summary reports. The discussion, evaluation, and selection process, which is based on these reports as well as other District No. 14 studies, is summarized in Chapter 7 of the LWRP 2020 Plan.

Comment 54-11

The comment requests more discussion on costs of each alternative. The costs of a project generally are not addressed for purposes of CEQA review unless they affect the feasibility of the project. As such, the Final EIR does not compare costs of each alternative identified as feasible. However, Chapters 6 and 7 of the LWRP 2020 Plan provide estimated construction and operation and maintenance costs of the final alternatives and the recommended project, respectively.

Comment 54-12

The comment states that the farming proposed in the LWRP 2020 Plan will be difficult and should be managed by trusted entities. District No. 14 agrees with this comment. The purpose of the project is to provide effluent management in a cost effective and environmentally sound manner. District No. 14 will maintain oversight of the operations. District No. 14 will be accountable to ensure that the farming operations are not mismanaged.

Comment 54-13

The comment suggests that District No. 14 provide a transparent data management system with high visibility for the public. District No. 14 agrees with this recommendation. Such a data management system will be discussed and considered.

Comment 54-14

The comment states that the project should develop benefits to local communities such as wildlife conservation projects. The primary objective of the LWRP 2020 Plan is to implement a project that will meet the wastewater management needs of District No. 14's service area through the year 2020. However, the LWRP 2020 Plan is also committed to conserving the existing wildlife and habitat resources at Piute Ponds.

Comment 54-15

The comment suggests that District No. 14 market the alfalfa outside of the valley. Marketing of the crop(s) cultivated will be the responsibility of the entity that owns the crop. Ownership of the crop will be addressed in the contractual arrangements between District No. 14 and the various farming entities that will manage the agricultural reuse operations.

Comment 54-16

The comment requests that the Draft EIR be revised to reflect the size of Nebeker Ranch to be 680 acres, not 667. The Final EIR and LWRP 2020 Plan have been revised to reflect this comment.

Comment 54-17

The comment requests that the LWRP 2020 Plan be changed to reflect a more accurate rate of efficiency at Nebeker Ranch. This comment does not pertain to the Final EIR. Language in the LWRP 2020 Plan has been changed to reflect the fact that the irrigation efficiency at Nebeker Ranch exceeds 75 percent.

Comment 54-18

The comment requests that the LWRP 2020 Plan be changed to note that Nebeker Ranch is not irrigated during December or January, and does not rely on rainfall. This comment does not pertain to the Final EIR. Language in the LWRP 2020 Plan has been revised to reflect this point.

Comment 54-19

The comment states that Table 4-6 of the LWRP 2020 Plan is only approximate and that the disparity between the predicted irrigation rate and the actual irrigation rate also reflects the fact that, during certain months, the pipeline cannot deliver enough water to satisfy the demands of Nebeker Ranch. This comment does not pertain to the Final EIR. Language in the LWRP 2020 Plan has been revised to reflect this point.

Comment 54-20

The comment states that Table 4-7 of the LWRP 2020 Plan includes data for years that District No. 14 did not have enough recycled water to deliver to Nebeker Ranch, therefore, the data has questionable meaning. This comment does not pertain to the Final EIR.

Comment 54-21

The comment suggests that District No. 14 describe the benefits provided by Nebeker Ranch. Due to the nature of the LWRP 2020 Plan, which is a wastewater facilities planning document, Nebeker Ranch is described as an effluent management facility. District No. 14 agrees with the comment that Nebeker Ranch provides many benefits to the community not limited to its use as an effluent management facility but also benefits associated with a working ranch that supports an extensive array of wildlife.

COMMENT LETTER 55: MARLEEN GRIFFIN FOR BRIANNA NYE, NOVEMBER 12, 2003

Comment 55-1

The comment expresses unwillingness to move. District No. 14 will attempt to purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 56: JIM AND DIANE NYE, NOVEMBER 12, 2003

Comment 56-1

The comment expresses opposition to the project and asks that the water be treated to a level where it could be used for other purposes. The LWRP 2020 Plan provides up to 26 mgd of tertiary-treated effluent that will ultimately be available for reuse in the Antelope Valley. However, only 1.5 mgd has currently been requested by the City of Lancaster for its proposed municipal reuse project. No other significant demand for recycled water currently exists in the Antelope Valley. The LWRP 2020 Plan provides for a substantial agricultural reuse project using water treated to a level approved by the California DHS for agricultural reuse. The recommended project is Alternative 2 that would provide full tertiary treatment with nitrification/denitrification.

Comment 56-2

The comment requests an extension of the RWQCB-LR deadline. The decision rests with the RWQCB-LR, however, District No. 14 doing everything it can to meet the August 25, 2005 deadline to eliminate the threatened nuisance condition caused by unauthorized overflows onto Rosamond Dry Lake. See responses to Letter 3.

Comment 56-3

The comment asks if the project would essentially take the local farmers' business. The comment further raises the question whether the plan serves to profit District No. 14. The Final EIR explains the need for the project in Section 1.4. The project description is provided in Chapter 3. Any proceeds from farming operations would be included in the balance sheet for wastewater treatment and would ultimately benefit the rate payers within the District No. 14 service area since any revenues received would offset some operational costs.

Comment 56-4

The comment expresses an unwillingness to move from property and asserts that the "fair market value" for the property will not be adequate. District No. 14 will attempt to purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 57: E. O'SHEA, OCTOBER 31, 2003

Comment 57-1

The comment asks if the cost of wells is figured into the project plan and indicates that an estimated cost per well is \$2,000. The LWRP 2020 Plan includes estimated project costs in Chapters 6 and 7. However, CEQA does not consider costs as environmental effects.

Comment 57-2

The comment states that a better plan would be to build a new treatment plant. The LWRP 2020 Plan does propose the construction of a 26 mgd conventional activated sludge and tertiary treatment facility (Alternatives 2 and 4) to upgrade and expand the existing plant. However, it is the need to manage the effluent that requires implementation of an agricultural reuse program in conjunction with storage reservoirs. Construction of a new treatment plant would not eliminate the need for land to implement agricultural reuse operations.

Comment 57-3

The comment states that the Draft EIR is inadequate. The Draft EIR identifies potential effects on the environment of four project alternatives on the LWRP 2020 Plan in compliance with the CEQA Guidelines. The comment does not explain how the document is inadequate.

Comment 57-4

The comment asks why the District No. 14 Board of Directors were not present at the Lancaster City Hall meeting to address the property owners' concerns. The public hearing held on October 29, 2003 provided the public a forum to express its concerns about the project. It was not an official Board Meeting, but rather a means of providing the public with the opportunity to submit oral or written comments.

Comment 57-5

The comment states that over \$42,000.00 has been spent on improvements to property, plus a water well for \$11,000.00. The comment asserts that property owners will not relinquish property and points out that numerous property owners will jointly fight any attempt of acquisition. District No. 14 will attempt to

purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Comment 57-6

The comment states that they were not notified of the meeting on October 29, 2003, and requests to be notified of future developments and meetings. Comment noted. See Public Notification Master Response.

COMMENT LETTER 58: MARNIE PFEFFER, NOVEMBER 16, 2003

Comment 58-1

The comment voices discontent and disagreement over the project and expresses concerns to being removed from property. The comment states that relocation would be difficult for those who are retired and have disabilities and asks where one can relocate to. The commenter hopes that there will be another solution to the project that will not involve displacement of residents from their property. District No. 14 will attempt to purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 59: MARNIE PFEFFER, NOVEMBER 17, 2003

Comment 59-1

The comment voices discontent and disagreement over the project and expresses concerns to being removed from property. See response to comment 58-1.

COMMENT LETTER 60: MICHAEL AND DEBORAH POOR

Comment 60-1

The commenter opposes the project and expresses concerns to being removed from property. The commenter suggests using the property from 240th Street East to the county line. District No. 14 will attempt to purchase as much land as possible without displacing residents. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 61: MIKE SAN MIGUEL, NOVEMBER 17, 2003

Comment 61-1

The comment suggests that District No. 14 incorporate into the recommended project components of the alternatives rejected as infeasible in Chapter 5 of the Final EIR. Chapter 5 of the Final EIR explains the project objectives and the reasons why alternatives were rejected.

Comment 61-2

The comment states that District No. 14 has ignored suggestions to provide educational opportunities associated with wetland habitats. The recommended project does not include a constructed wetland component off of EAFB. Public access to EAFB is limited. Since Piute Ponds are on EAFB, District No.

14 has no authority to propose construction of an educational center on EAFB to enhance the ponds or to provide the benefits noted in the comment. District No. 14 could provide water to a local wetland restoration project, but at this time a constructed wetland off of EAFB would not provide any significant assistance toward meeting the LWRP 2020 Plan project objectives (see response to comment 23-3).

Comment 61-3

The comment suggests that a small constructed wetland could be included as a component of the project and that it could be allowed to dry out in the summer. A constructed wetland alternative was rejected from further consideration since it would not assist significantly in meeting the project's objectives. District No. 14 could provide water to a local wetland restoration project, but at this time a constructed wetland off of EAFB would not provide any significant assistance toward meeting the LWRP 2020 Plan project objectives (see response to comment 23-3). See response to comment 23-3.

Comment 61-4

The comment suggests that the reason stated for rejecting the evaporation ponds alternative is flawed. The comment suggests that evaporation ponds could be part of a long-term solution. The evaporation pond project alternative was eliminated due to the fact that it is extremely land intensive and it would not be possible to construct these facilities in time to eliminate unauthorized effluent overflows onto Rosamond Dry Lake by August 2005, a primary objective of the LWRP 2020 Plan. In addition, it is District No. 14's intent to encourage increases in reuse of recycled water in the Antelope Valley in order to help conserve water resources. In terms of a long-term effluent management solution, construction and operation of evaporation ponds is not complimentary with increases in recycled water reuse.

Comment 61-5

The commenter is correct in identifying that neither the American crow or California towhee have been reported in the study area, and neither have been identified in the local vicinity. The species that were described in the CEQA document were likely the common raven and possibly Le Conte's thrasher, which were misidentified.

Comment 61-6

The comment states that the shrike, thrasher and lark are confirmed breeders in the project area. Based on the availability of suitable breeding habitat for the loggerhead shrike, Le Conte's thrasher and California horned lark throughout the project area, these species are expected to breed in natural habitats and in some disturbed areas throughout the project area.

Comment 61-7

The comment states that the application of effluent for agricultural purposes may provide a beneficial habitat effect for shorebirds and waterfowl, such as the commenter has identified at the Nebeker Ranch. The comment identifies that the land application of effluent, as proposed by District No. 14, may provide much additional foraging habitat for shorebird and waterfowl species. The comment is noted.

Comment 61-8

The comment suggests that the beneficial uses of agricultural lands to migratory shorebirds be considered. Based on the comment, the following text is added to the discussion of Impact 4.4-8. The added text would not alter the conclusions of the Draft EIR.

The creation of large agricultural areas could provide some year-round foraging opportunities for migratory shorebirds that would serve to partially offset the loss of foraging opportunities associated with the elimination of effluent-induced overflows onto Rosamond Dry Lake. Such foraging areas at Nebeker Ranch have been observed to benefit numerous species of wading birds, waterfowl, raptors, and shorebirds. However, because the benefits of these agricultural foraging areas are not fully known and the replacement would be “out of kind,” the additional habitat value would not compensate for the loss of the artificially induced Rosamond Dry Lake mudflats.

Comment 61-9

As the comment identifies, the delta of Anargosa Creek provides an important feeding area for migratory shorebirds at Rosamond Dry Lake. The comment concurs with the conclusion in the Draft EIR that it would be very difficult to duplicate the conditions that would be lost in reducing flows to Rosamond Dry Lake. As identified in Comment 61-7 and the response to Comment 61-7, the agricultural areas would create additional year-round foraging opportunities for migratory shorebirds. The availability of such additional foraging habitat would serve to partially offset the loss of lost mudflat habitat to migratory shorebirds, but would not reduce the significance of this impact to a less-than-significant level.

COMMENT LETTER 62: ROSALINA P. SEWARD

Comment 62-1

The comment offers \$400,000 for a 2.5-acre property. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 63: SUZANNE SOKOL, OCTOBER 16, 2003

Comment Letter 63-1

The comment asks for an offer for a 5-acre property and reveals that a joint lawsuit against District No. 14 will be filed upon refusal to buy the property. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

COMMENT LETTER 64: GENEVIEVE SOTELO, CAMELLIA SERRANO, ROSEMARY AIRHART, OCTOBER 27, 2003

Comment Letter 64-1

The comment expresses concern for the property located on 70th Street East and Avenue B- A14th. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Comment Letter 64-2

The comment asks if insects will be a concern at agricultural sites. The recommended project would use center pivots which would eliminate the need for tail water ponds. Runoff would be prevented by the construction of small berms around the fields. Catch and pump basins would be established to collect runoff and return it to the fields for irrigation. The Farm Management Plan would ensure that standing

water would not be allowed to remain for long periods of time to avoid providing conditions for breeding insects.

Comment Letter 64-3

The comment expresses concern over the value of the property due to its proximity to the project site. The Eastern Agricultural Area is zoned for agricultural uses. The LWRP 2020 Plan would be consistent with this zoning. The LWRP 2020 Plan would comply with California Department of Health Services regulations regarding the use of recycled water.

**COMMENT LETTER 65: DEBORAH TYMON LENT, ADRIENNE TYMON KENTOR,
NADINE TYMON LITTLE, PHILIP AND ROBERTA TYMON,
OCTOBER 13, 2003**

Comment 65-1

The comment asks why the notice to the project was not received in time. See Public Notification Master Response.

Comment 65-2

The comment opposes the taking of property without just compensation. District No. 14 will attempt to purchase as much land as possible without displacing residents. In the event that residents are displaced, the Final EIR provides mitigation measures 4.13-1 and 4.13-2 that commit District No. 14 to providing compensation for appropriate replacement housing. District No. 14 will provide fair market value for all properties acquired.

COMMENT LETTER 66: NELLIE AND JOSEPH VIGH, OCTOBER 14, 2003

Comment 66-1

The comment inquires whether District No. 14 will make an offer on a specific property. The property acquisition process is being handled by Paragon Partners on the behalf of District No. 14. Contact Joel Sewell of Paragon Partners at (714)379-3376 for more information. District No. 14 will provide fair market value for all properties acquired. See Eastern Agricultural Area Master Response.

Rancho Sierra Golf Course

47205 N. 60th Street East
Lancaster, CA 93535-7827
661-946-1080
661-946-8317 FAX



November 17, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County

Dear Mr. Raksit:

I am writing to you regarding the proposed sanitation project involving wastewater dispersal on the East Side of Lancaster in the Antelope Valley. I am the new owner of Rancho Sierra Golf Course. I purchased the course approximately three months ago, on August 13.

Needless to say, when I found out about the proposed sanitation project I was shocked. I went through approximately six months of due diligence before I purchased the course, and I found out nothing about the proposed project. Purchasing the golf course was a realized life's ambition for me, and I had a lot of dreams and plans for making the course and the surrounding area better. I had hoped that someday homes would be built around the golf course. Or that a senior community would be built adjacent to the course. I had also dreamed of turning the course into an 18-hole course, making it a Mecca for senior and women golfers.

One main reason that Rancho Sierra Golf Course appealed to me so much was the growth estimates of the Lancaster area. From talking to real estate people and other citizens, I found out the Antelope Valley is expanding at a rapid rate. Expansion is primarily going from west to east. While the area around and beyond 60th Street East currently is very rural, the time will come when residences will come this way. I had hoped to be a part of this expansion.

The Sanitation District's proposed wastewater project essentially crushes all hopes of housing coming out to the East Side or for golf course expansion. While the wastewater could be used to irrigate the course, it will detrimentally affect my business. People will not want to come out to 60th East and breathe the contaminants, whether or not contaminants are actually in the air and harmful.

I ask that you reconsider your proposed plan. Land is a precious commodity and eliminating 4200 acres and using it for wastewater dooms the area to carry out low-grade agriculture for the next 20 years or more. In addition, uprooting residents that have been here since the Homestead Act is just plain wrong. Please look further into alternative ways of disposing of the wastewater. I seriously believe that the eastside residents will not allow this to happen without a prolonged, expensive legal battle. Even winning such a fight will cause irreparable damage to the county and the city of Lancaster.

I hope you do what is right for our citizens, for our property, and for the East Side – the future of life in the Antelope Valley. Thank you.

Sincerely,

Timothy A. Aiken
Owner, Rancho Sierra Golf Course

NOV 19 '03 AM 11:00 DOC # 302372 Raksit S

12-1

NOV. - 10 - 2003

TO: SAGAR RAKSIT

In Reference to the Lancaster
Water Reclamation Plant 2020 Plan
EIR LA County Sanitation District # 14

FROM:

LEE DEAN ALLEN SR.

5859 EAST AVE. E.

LANCASTER, CALIFORNIA 93535

661-946-0310

EAST SIDE LANCASTER
HOME OWNERS ASSOC.

I AM 65 yrs old, not in the best of health, Now my health is worse, BECAUSE OF THE STATE OF MIND I WAS PUT IN BECAUSE OF THIS PLAN. OF YOU PEOPLE SAYING YOU ARE TAKING MY HOME AWAY FROM ME.

I HAVE WORKED HARD ALL MY LIFE TO ACQUIRE THE LITTLE PLACE OR HOME MY WIFE AND I HAVE, AND NOW IT IS TO BE TAKEN AWAY FROM US. NOT WITHOUT A FIGHT

I WORKED FOR YUMA MUNICIPAL WATER DIST. IN PALM VALLEY, CALIF. AND FOR THE CITY OF LOMA LINDA CALIF. WATER DEPT. FOR MANY YEARS AND WHAT YOU PEOPLE PLAN TO DO WRONG. YOUR PLANS WILL DO AS FOLLOWS;

13-1

1. Destroy wild life.
2. CAUSE Financial and Medical hardship and Problems for the People in this AREA.
3. There are children and a school which is to close to your Planned disposal Eastside Elementary.
4. Very many health Problems for children and the elderly.
5. We all have wells in our AREA for house use and drinking water, your Plan will contaminate our water and make it unhealthy.
6. The amount of airborne toxics will be at a very high risk to human and animal health.
7. And most of all you are causing people right now lots of problems that should not be happening. We can't work on our homes or do many other things pertaining to our lives at home because of not knowing what other scams you plan to pull on us.

13-2

13-3

13-4

13-5

13-6

13-7

I AM VERY HAPPY OR I WAS
ANYWAY WITH OUR HOME AND
OUR LIVES HERE IN THIS
WHAT WAS A VERY PEACE FULL
BEAUTIFUL AREA.

WE HAD WONDERFUL NEIGHBORS
THE BUSINESS'S IN LANCASTER ARE
VERY NICE PEOPLE. THE CHURCHES,
EVERY THING.

NOW IS BEING THREATENED
BY WHAT IS WRONG.

"YOUR PLAN IS WRONG."
"CHANGE IT."

Lee Denn Allen Sr
LEE DENN ALLEN SR,
5859 E. AVE. E.
LANCASTER, CALIFORNIA
93535
661-946-0310

13-8

LACSD #14
P.O. BOX 4998
WHITTIER, CA 90607-4998

NOV 12, 2003

Dear Sirs

Please Do not take my Home away from me.

We just bought this place a year ago, we are senior citizens we live on the corner of 60th street and ave "E" we can not afford to move elsewhere, we live on social security

We had to move our selves the last time we moved, and it just about killed us?

we both have lots of Health problems.

and the stress this project has put on us is not helping at all.

we also love it out here, we have our own well. the project will contaminate our water. we have to two Horses and we will have to sell them.

Because Horse property is so high to Buy.

This is supposed to be the America NOT "IRAN OR RUSSIA" you do not just take Peoples Property away from them.

This project will contaminate our wells just like it did in Palmdale and besides what could you do with hay you grow? you could not feed it to Horses or Cow's I can't feed

14-1

14-2

my Horses alfalfa because they
could eat it, you could not feed
it to Cows that you slaughter
for "food" you could not eat it.

We love our place. schools
are to close for the airborne toxins
for children and for us we
have enough health ~~problems~~
problems right now, with out that
being air borne too.

The Eastside has formed the
"East side Lancaster Home owners ass"

We will be fighting you all
the way, you can not do this, this,
is "wrong" "wrong" "wrong"

Now would you like someone to
come up to you and tell you we are
taking your ~~HOME~~ HOME away from you,
and that's the way it is so you
just take that and like it anyway?

I don't think you would would.
~~(I don't think)~~ We have put a lot of
work and money in our home and
we want to keep it thank you
very much,

Marianne A Llew
5859 East ave "E"
LANCASTER Calif 93535

I am a member of
EASTSIDE LANCASTER HOME OWNER'S "ASS"

LETTER 15

October 12, 2003

Mr. Sagar K. Rasket
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, Ca. 90607-4998

Dear Mr. Rasket,

I am in receipt of your letter regarding your proposal of the sanitation district number 14.

Your proposal for the properties designated on your maps are totally ridiculous, in view of the fact that there are so many other non inhabited areas, such as from Sierra Hwy. to 50th St East and from Ave. E to Ave. G few developed properties exist in this area, and are much closer to the existing disposal area on Ave. D. My wife and I bought 2 1/2 acres for our retirement and have made many improvements on this property including a water well. The monies that we have spent to date exceed \$48,000.00 as have other people in our tract. In speaking with owners in the area of your designated proposed area, they are without exception 100% opposed to your plan and will fight it. Three or four people on a board are not going to uproot hundreds of people who have long, on going plans for their land. You would be better served to look for an alternative area for the "proposed plan". Mr. Rasket, the only people that will benefit from your proposal are the dairy farm, alfalfa, onion and carrot farmers, and as usual the "little guy" is taken advantage off.

15-1

15-2

This property has been our retirement dream for many years, and I will staunchly resist the sanitation districts purchase of our property

Respectfully,

T. Alpay
Mr. T. Alpay

OCT 14 '03 PM 2:47

DOC #
291192

RAKSET S

LETTER 16

October 31, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, Ca. 90607-4998

Re: District No. 14 LWRP 2020 Facilities Plan

Dear Mr. Raksit,

We became property owners as of 8/29/03 at 46975 60th St. East, Lancaster, Ca. 93535. Needless to say we were shocked to be informed that our property is located in the area proposed by the above noted plan LWRP 2020 as a site for land acquisition for agricultural reuse of waste water.

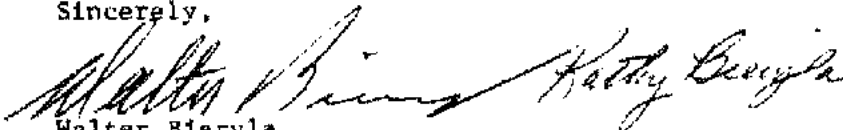
We were never informed prior to our close of escrow of this potential devaluation of our property for which we paid \$400,000.00. Our intentions to open a horse training facility in November 2003 were put on hold due to the uncertainty of our financial security in adding additional improvements to the already 2+ acres (i.e., barns, corrals, etc.) which were budgeted at \$50,000.00. Prior to receipt of your public notice we had already incurred additional costs of approximately \$5,000.00 towards our \$50,000.00 budget. We feel that acquisition by District No. 14 of property located within the boundaries of 50th St. East and 100th St. East and "D" St to "G" St would cause us as homeowners tremendous financial loss in future appreciation of our property. Furthermore, in the event that waste water is used for agriculture purposes within an area of our property the potential contamination of our well water and the diseases caused both to human and animal (horses, dogs, cats) would further cause us undue stress, financial impact, and loss of value of our property.

16-1

We strongly urge your department to consider an alternative site for your proposed distribution of waste water as the overwhelming consequences could cause major financial liability to homeowners within the area by Los Angeles County.

16-2

Sincerely,



Walter Bieryla
Kathy Bieryla
46975 60th St. East
Lancaster, Ca. 93535

Phone: 661 946-4170

LETTER 17

LACSD #14
P.O. BOX 4998
WHITTIER, CA 90607-4998

Supervisor Michael D. Antonovich
1113 West Avenue M-4, Suite A
Palmdale, Ca. 93551

November 13, 2003

Dear Mr. Antonovich,

I am writing to you to express my concerns over the proposed land grab of my property by the Los Angeles County Sanitation District 14. I am a concerned citizen and member of the Eastside Homeowner's Association. We have lived at our eastside address for the past 33 years. It is extremely disturbing to me and my family that our home and our lifestyle are being threatened by the Sanitation District's proposal to force us off our property. I have spent over half of my lifetime improving the home in which we live, and have invested far too much time, effort and expense to give up our place in order to satisfy such an ill-planned scheme as has been proposed by the Sanitation District. I attended the meeting held in Lancaster and came away more angry and disappointed than I was before the meeting. No one from the District Board was even in attendance at that meeting. The only person with any status in attendance was Senator Pete Knight, and he was only there for information as were we. I also attended the meeting of the California Regional Water Quality Control Board in Palmdale 11-13-03, which only served to confirm most of my fears about what could happen with the proposed district 14 plan if it is managed as the Palmdale District 20 is presently being mismanaged.

17-1

Out of both of these meetings and with my personal knowledge as a former teacher of Vocational Agriculture, having taught classes involving land management, irrigation methods, and environmental preservation, I have several concerns which seriously impact the proposal of the Sanitation District:

The E.I.R. report on the proposed project has lots of information in it. I am sure that someone devoted much time and effort to put that document together. In looking at the report, I noted that the two pictures of the "typical" eastside locations show bare, undeveloped land, while the "typical", "alternative" Westside locations all had houses or buildings on them. That is really misleading! To someone not familiar with the area, especially those that will make the final decision on where to locate the project, such photographs could unduly influence their decision to locate the project within our Eastside community. **OUR HOMES ARE HERE!**

17-2

I am very concerned and worried about the potential for contaminating our ground.

17-3

water. We are all on gravel- packed shallow wells with a high water table that is vulnerable to effluent water should it be flooded onto the land as it is in Palmdale. There are numerous uncapped, abandoned wells throughout the proposed area, which offer direct route to our aquifer.

17-3
(cont'd)

I am concerned and worried about the potential for the spreading of airborne toxins through sprinkled application and/or wind movement of dust and the health problems associated with it.

17-4

I am concerned and worried about the impact of the proposed eastside site on the wildlife and native species that occupy this vast area that is proposed to be used, as well as the impact on my neighbors who are not presently inside the boundary, but will be in close proximity.

I am really concerned and angry at the prospect of forcing my family and my neighbors' families off land that we have occupied for a long time. We looked for many years to find a place that suited our needs, and felt secure that we were far enough out of town so that we would remain free of "urban sprawl" far into the future. Now we are being stressed out by the uncertainty of the situation at hand. We have no idea what to expect in the way of what we could receive from a forced sale. We do not want to sell our home, but if we have to, we would like to be able to purchase a home of comparable quality. With this proposal hovering over us, we couldn't sell our home to anyone even if we wanted to. Repairs and further improvements to our property will be put on hold and the uncertainty of our situation is becoming exceedingly stressful to us.

17-5

I believe that there are alternatives to the proposed plan that should be considered.

Instead of spending all that money trying to buy up land and displace families, build a water treatment plant capable of producing tertiary and potable water which would eliminate most of the health concerns, and help head off the water shortage before it becomes even more serious than it is already. Locate the landmass you require for agricultural application in areas where you don't have to displace families. There are many sections of land in the Antelope Valley that could satisfy those needs.

17-6

Expand the Piute Ponds to adjacent land which would help the Edwards AFB complaint of encroachment on their precious dry lake, even if they have to give up a few acres to do so. Example: The land between Ave. E and the dry lake. This would also appease the environmentalists and wildlife conservationists.

17-7

Manage the distribution and re-use of reclaimed water by carefully screening those who will use it. Include frequent testing of monitor wells

17-8

to insure the quality of our groundwater. Develop standards for application of water for agricultural use.

17-8

(cont'd)

In conclusion, I feel that all citizens of the Antelope Valley need and deserve a safe supply of water for domestic and agricultural use. I believe that it is possible to achieve that goal without displacing families and damaging the groundwater, but it is going to take some careful planning and working together to accomplish this.

17-9

Respectfully submitted,

Erlan J. Calvert
6213 East Ave. E
Lancaster, Ca. 93535

LETTER 18

Lars G & Ruth Carlson
5726 Spring Oak Dr
Hollywood Ca 90068

November 17, 2003

County Sanitation Districts of Los Angeles
1955 Workman Mill Road
Whittier, Ca 90607-4998

Attn: Sagar K Raksit
Supervising Engineer
Planning & Property Management Section

Re: Plant 2020 Facilities Plan
File No. 14-14.01-00
APN: 3302-022-001

Dear Sir,

I have received your letter in regards to the 2020 Facility Plan a few days ago.

I am shocked, not only for the short response time noted as November 18, 2003, but also for the fact the project must have been in the works for some time. I'm alarmed about what this plan might have in store for my thirty-five-plus years investment. Pollution, construction, property evaluation?

At this time, I request all channels to be left open for further discussions and developments as provided to me by law.

18-1

Yours truly,


Lars G. Carlson

NOV 18 '03 PM 8:05

DOC #
302093 Raksit S

LETTER 19

November 15, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P. O. Box 4998
Whittier, CA 90607-4998

Dear Mr. Raksit:

We are members of the Lancaster East Side Property and Homeowners Association. The area where we reside is in the section that the Los Angeles County Sanitation District 14 plans to purchase for their expansion plans.

We have been living here for eight years and enjoy the area as it is not over crowded with people. We do not have the same noises that someone who lives in a residential area experiences. We enjoy the open spaces and the room to have animals as this is an agricultural area.

The first time we hear about the sanitation's plan to purchase our property was from a neighbor who had received a letter dated September 12, 2003 from HomeBased Realty and signed by Gene Slocum, realtor. This letter explained that a prior letter had been sent inquiring if the owner wanted to sell their property. At that time Mr. Solcum was unable to reveal the purchaser as they chose to remain anonymous. In the letter dated September 12, Mr. Solcum was now able to reveal the purchaser as the Los Angeles County Sanitation District.

19-1

My husband and myself feel that Mr. Solcum is using scare tactics and he should be reported to the realtor's association. This has caused us get concern because we had not received any notification from the sanitation district regarding any plans for using this area for expanding sewage treatment.

We attended the first meeting on October 29, at the Lancaster City Hall where a presentation was given and concerned citizens could voice there concerns. Our questions were not answered, but we were told at a later date the answers would be mailed to each individual who either asked oral or written questions. Everyone wanted to see the answers to each others questions and the person in charge explained these would be available for review, but how that would be accomplished was never stated. To this date we have not received an answer to our written question.

19-2

It was also interesting that a representative of the Labontan Reginal Water Quality Control Board asked several questions regarding this plan and was not infavor of the district's plan.

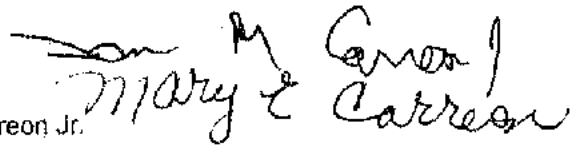
19-3

There was a meeting on November 12, at the Palmdale Water District as they are having problems. The public is concerned with both facilities contamination of the groundwater from the effluent and the use of treated water for agricultural puposes.

19-4

We are against this plan and do not want to sell our properties.

Sincerely,



Tom M. Carreon Jr.
Mary E. Carreon
6210 E Ave. E
Lancaster CA 93535

LETTER 20

To: County Sanitation Districts of Los Angeles County
From: David & Annie Chen
Date: November 7, 2003
Subject: Comment on Lancaster Water Reclamation Plan 2020 Facilities Plan

Dear Mr. Raksit:

We own property near your proposed project.

When we bought this parcel over twenty years ago, we were promised that this area would be developed for either residential or commercial use. We think this LWRP Plan will have devastating impact on our property value.

Please consider moving this plan to more remote area unless the county or Water District can purchase all land near your project to make this an isolated area in minimizing local impact.

Thanks for your consideration and proper action. I can be reached at (949) 400-9438.

Best regards,



Annie Chen

20-1

NOV 12 '03 PM 1:20

DOC #
300768

Raksit S.

LETTER 21

Raymond C. Corbell

2715 Peach Tree St.
Hemet, CA 92545
Home Phone (909) 929-2085

October 15, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

Ref: DEIR Notice of Sept. 30, 2003
Re LWRP 2020 Facilities Plan

Dear Mr. Raksit:

In response to your request for comments regarding the referenced DEIR, I offer the following:
I am the owner of a 5-acre parcel at the northwestern intersection of Ave. E and 100th Street - directly in the path of what your map shows as an agricultural area. I have been holding and paying taxes on the land parcel for over 40 years in the expectation that the surrounding area would eventually develop into higher use and offer rewards on the investment. Your proposed plan is disappointing in that it ensures that the land can never develop for higher use.

21-1

I recognize that reclamation projects such as you propose are necessary and I would be totally supportive if you should use Eminent Domain and offer a fair price for my parcel of land.

Sincerely,

Raymond C. Corbell
Raymond C. Corbell

OCT 17 2003 AM 11:14

DOC #
292376

Raksit S

LETTER 22**Sagar Raksit**

From: Theron Day [theron1@mindspring.com]
Sent: Sunday, November 16, 2003 6:47 PM
To: sraksit@lacs.org
Subject: EIR: Lancaster Water Reclamation Plant 2020 Facilities Plan

Dear Sirs;

My Name is Theron Day, I live at 47421 N. 60th St. East Lancaster Ca., within the effective proposed area of the present EIR.

My wife grew up here on the East Side of Lancaster. We married and have lived here for many years, my grandchildren are now living here on the east side of Lancaster, and within a year I plan on retiring right here, and you tell me I'll have to move, to give up my families dreams, to hell you say!

After almost fifty years to fix the problem, we're down to another temp fix by taking land from people of the county. I suppose when we get close to the year 2020, it will be figured out that this was a bad fix, because it won't process the waste fast enough, so at that time we'll try another temp fix, by taking more land from the people. If we keep going it will work, because the county will have all the land, and Lancaster will grow no more. Why not do the job right from the start, and Build a proper processing plant, so the water can be re-used by the city. It can't be that hard to figure out that water is a hot commodity. If your thinking this is the cheapest way to go, your wrong, it's only the easiest. At this time Palmdale is facing the cleanup of the same fix your proposing at the cost of \$300 million. Maybe the county needs to hire engineers with some perspective to the future of the whole county, not just downtown Los Angeles.

22-1

Judging from the History of Los Angeles County, there has to be a plan for this land, how many developers does the county have lined up to use this land once they have stolen it. You say this land is to be developed for an agricultural area that's certainly going to be difficult, as this some of the richest farm land in the valley already. Why not use undeveloped land to ruin of which there is plenty.

22-2

Theron Day

LETTER 23

Dr Sagar Raskit
County Sanitation Districts of Los Angeles County
11955 Workman Mill Road
Whittier, CA 90607-5422

2 Dec 03

Dear Dr Raskit,

I apologize for the lateness of these comments so I will keep them brief and centered on the most important issues. I considered that it may be too late however one of the oversights (number 1) is severe enough to warrant consideration even if commented on late.

1. The EIR does not mention the presence of a white faced ibis rookery at Piute Ponds. This was made known to the Sanitation Department during a Lahontan Water Quality Control Board meeting. No one knows what attributes are at Piute that have created the perfect conditions for the existence of this rookery or its high fledgling success rate. Without knowing what attributes have contributed to the rookery's existence, any change in the system at Piute Ponds should be considered a potentially significant impact given the rarity of such a rookery. Rookery areas for white face ibis are rated by the CNDDP as S1 (state 1) (extremely endangered: <6 viable occurrences or < 1000 individuals, or <2,00 acres of occupied habitat) and under DFG as CSC (California special concern species) and FWS as MNBMC (migratory nongame birds of management concern). Yet no mention is even mentioned of the existence of the white faced ibis at Piute Ponds. This is a severe oversight on the part of the EIR and should require serious evaluation before deciding on a course of action that may impact water quality at Piute Ponds either by cutting the flow by 2/3s or by cutting off the overflow into Rosamond Dry Lake. You state that Piute will be maintained at it's current size yet the flow to Piute is to be cut significantly - please explain how this will allow maintenance of the same acreage. This decrease adds another 4 mgd to the projected flow that needs to be managed.

23-1

2. Piute Ponds is already in an existing SEA yet this is not mentioned in the EIR only a proposed SEA is mentioned. How are you mitigating for impacts in a SEA? This is not well detailed in this document and so can not be adequately evaluated.

23-2

3. The EIR is woefully lacking in its consideration of viable alternatives. There was actually only one alternative evaluated - agricultural use. Many alternatives were eliminated due to their inability to meet the objective to "ensure recycled water of sufficient quality and quantity is available to satisfy emerging municipal reuse needs." As an example, constructed wetlands could be developed to return the water for reuse once it has gone through the wetland process, this could also have been accomplished at Piute Ponds. Did you consider enlarging Apollo Park? Alternatives should be found and evaluated and clearly presented in the EIR so the decision makers can look at the whole scenario of potentially viable alternatives. This document reads as a "decision made" document not a decision making document as required by law. Also "sufficient" needs to be defined in this objective.

23-3

4. I find it interesting that Edwards AFB was not considered as a potential land use site due to "encroachment concerns" that were never evaluated to determine if they really exist but the consideration of removing community members from their homes through eminent domain without further evaluation of other alternatives is. Are community members and their land less important? I suggest you evaluate the use of EAFB land in many respects; storage, Piute Ponds enhancement/enlargement, use of maximum winter overflows to Rosamond Dry Lake, etc. Alternatives should also put forward cost figures so the decision makers and the public know what each alternative would cost since this is funded primarily by the tax payers.

23-4

5. The EIR states that effluent induced dry weather overflows have not occurred the last 3 years due to better effluent management. This indicates that "nuisance" overflows can be managed by better practices yet this is not a part of any of the alternatives. An Effluent Management Plan should be developed that incorporates the last three year's management to assist in meeting the District's goals. In addition, please note the RWQCB only required "nuisance" flows be eliminated not all as has been stated in your document. This is misleading and appears to be intended to obfuscate what is actually required.

23-5

6. Under significant impacts the EIR notes that there is no mitigation measures available for the elimination of the loss of mudflat habitat. I believe California Department of Fish and Game have used purchased land of similar habitat as mitigation for the loss of habitat. This should be considered as part of the projects costs. Or better yet, use some of the other clay pans around Piute Ponds to produce mudflat habitat as a replacement. The mitigation measure for impact 4.3-8, water quality impacts due to elimination of over flows is to work with EAFB if and when the water quality is impacted. This is not a mitigation measure and the District has been unable to work with EAFB to date to manage the effluent. Why would this be expected to work after the fact.

23-6

The District has had several offers by experts to assist in this evaluation, yet to date none of them have been contacted. Perhaps the District should consider using some of this local expertise. There are quite a few errors in the biological portions of this document.

23-7

These are the major comments I have on this document. It is clear in reading it and in the comments made during the 18 Oct 03 meeting that the decision has been made and that this EIR is not a decision making document. I hope that the District reconsider its path and chooses to restart the EIR process and this time truly develop a clear evaluation of all the viable alternatives leaving the politics out of it. If EAFB land is fairly evaluated to include its encroachment concerns it may be determined to be a poor alternative but at least the community would know it is having to sacrifice because there is no other choice.

23-8

Sincerely,

Wanda Deal

LETTER 24

November 13, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
PO Box 4998
Whittier CA 90607-4998

Dear Sagar K. Raksit:

We are writing this letter concerning the notice for the development of the Lancaster Water Reclamation Plant 2020, District 14.

We own the property located at VAC/VIC Ave B12/23 STW Caliche CA

Our concern is the projects impact on our property. Based on Figure 1 labeled *Potential Footprint of LWRP 2020 Plan Storage Reservoirs and Agricultural land*, it looks like an alternate storage reservoir may be built right on or next to our property. Since we were unable to attend the hearing that was held on October 29, 2003, we would like to know the Sanitation District's and the County's intention on the acquisition of the required land to make the Plant 2020 Facilities Plan a success.

Furthermore, we would like to know if there is a summary available on the outcome of the public hearing that was held on October 29, 2003 at the Lancaster City Hall.

Thank you so much for your help on this matter and we look forward to hearing from you.

Respectfully,

Alexander & Paraluman Del Campo
Alexander & Paraluman Del Campo
4486 Chatham Road
Suffolk VA 23435
757.538.1420

24-1

NOV 20 '03 AM 9:54

DOC #
302533

Raksit S.

LETTER 25

November 16, 2003

Sagar K. Raksit, Supervising Engineer
Financial Management Department
County Sanitation District of L.A. County

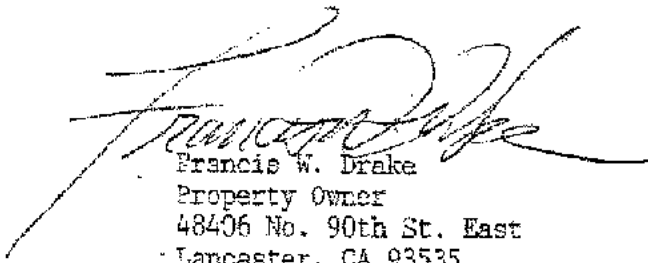
Dear Sir:

Having resided at and done business at the corner of 90th St. East and Ave. 'E' for nearly forty years (since 1963), it seems to me that any usable water is better than no water.

I've seen visibility limited to thirty feet from onion field dust from active farming and have literally been buried with tumbleweeds from abandoned alfalfa fields once used for farming. The nearby underground water has been found to be contaminated with exotic chemicals from Edwards Air-force Base and the air, which is often dust laden and smoke polluted, couldn't smell any worse than it does when the local alfalfa fields are fertilized with animal waste from the neighborhood dairy. Strangers frequently ask "What is the horrible smell".

I can see no reason to protest a plan that promises to reclaim water and return healthy vegetation to this area.

Sincerely,



Francis W. Drake
Property Owner
48406 No. 90th St. East
Lancaster, CA 93535
(661) 718-1265

25-1

NOV 19 03 AM 3:41 DOC # 302305 Raksit S

Frank L. Elling
9773 E. Ave. H
Lancaster, Calif. 93535

November 14, 2003

Re: L.A. Co. Sanitation District 14 DEIR 2003

I'm responding to the District 14 2003 DEIR and find the report extremely lacking in depth and highly suspicious as to contrived statements constructed to deceive the general public of environmental concerns in the draft proposal. The DEIR is not written in the general public's written communication level, nor is the report using measurements, etc. in general populations knowledge base. This is a dumb-down DEIR. I have narrowed down seven major areas of environmental concern either entirely left out and or dumb-downed by report content. I'm responding specifically to the DEIR but I do include remarks as to the Draft Proposal versus writing two separate letters. The following are the major areas:

1. Valley Fever (valley fever.com) forced citizen inoculation and spread of a 1996 & 2002 terrorist act prohibited bio-terrorism **infectious disease fungus by 4.5 plus tons of project dust annually.** Can Los Angeles County Sanitation Departments and Health Departments Management give citizens a 100% confidence that this proposal will not cause a single spread of cocci-fungus infectious disease? If not, then LA County management is expressing a philosophy of lordship over citizen's health and even their very lives by modern lottery. Whom will breathe the District 14 fungus infested disease dust?. SEARCH internet: cocci, UC DAVIS, University of Arizona, Tucson, Bakersfield, Calif. News.

26-1

***NO LA CO. MANAGEMENT SELF-SPECIAL-INTEREST
ACT OF--AV. CITIZEN FORCED (by dust) DISEASE
INNOCULATION NOR SACRIFICE BY LOTTERY OF
CITIZEN'S HEALTH OR LIVES FROM LOS ANGELES
COUNTY PROJECT !!!***

***COCCHI-FUNGUS UNKNOWNS CAN & HAVE CAUSED 10'S
OF THOUSANDS VALLEY FEVER CASES PER YEAR IN
BAKERSFIELD, CALIF. AND ARIZONIA.***

2. AV's man-made soil erosion. AV's man-made unnatural large particle erosion by stream and channel high impact movement versus natural surface sheeting adobe clay slow movement as to low impact on environment. The potential of large particle fast movement onto proposed agriculture sites and through as well to EAFB at high financial cost of clean-up and-or repairs to fields or EAFB property.

26-2

This issue is also of importance as to Edward's Air Force Base physical property, land, soil toxicity damage as to Air Force use of dry lake beds and aircraft dry lake bed

NOV 17 '03 PM 3:26 DOC # 302001 Rakshit S

landings. The Air Force Mission could be greatly curtailed with dry lake loss for landing planes and as military staging areas, as well as, the infectious cocci-dust health effects on military personnel and their dependants. The draft nor the DEIR state this high risk of flood erosion damage to Sanitation Districts Draft proposals future projects costs.

Valley Fever is also a large threat due to suspect erosion and air exposure by erosion from the unknown of cause to high cocci-blooms occurrence. The erosion may well expose cocci HOT-sites left behind by past Indians waste dumping, animal remains dumps, past and present agriculture dumps, rodents killed in agriculture areas in large numbers for control, etc. for unknowns. Los Angeles County Sanitation District 14 cannot MITIGATE a FLOOD! High risk proposal at citizen's loss.

26-2

(cont'd)

***NO UNNATURAL FLOOD EROSION OR CHEMICALS,
INFECTIOUS DISEASES ONTO OUR USA FEDERAL EAFB
PROPERTY!***

3. The DEIR fails to recognize: Alfalfa nitrogen pollution, by the plants past AV alfalfa field abandonment's and by future livestock consumption of thousands of tons of nitrogen. The lack of regulations concerning private and commercial dumping in the ground by nitrogen abandonment in the millions of pounds annually and still in the Antelope Valley soil today must be addressed by the DEIR. The plant abandonment issue is past dumping since 1952 alfalfa cultivation of 99,000 acres in the area of nearly 30 million pounds of nitrogen release from alfalfa field abandonment. Where is it?

***WHAT'S WRONG WITH THIS DEIR NMP (NOT MY PROBLEM)
POSITION? NITROGEN FROM TOILETS TO DISTRICT 14
TO ALFALFA TO LIVESTOCK URINE/NITROGEN ON THE
GROUND! TRAIN LIVESTOCK TO USE TOILETS? I DON'T
THINK SO!***

26-3

The 30 million pounds figure is calculated from an average of 300 lbs. ALFALFA nitrogen per acre times 92,000 acres of alfalfa by mature plant root nodules storage capacity at abandonment. Where's the nitrogen today?

Water, air and soil toxicity are effected by unknown water soluble nitrogen release into the AV environment, and so, **alfalfa is a pollution high risk plant** from the past and now into the future, especially in a low-rainfall dry desert environment. The desert environment must be given understanding as to variables not existing in wet areas of rainfall by the DEIR. Alfalfa poses a significant environmental threat as to field abandonment in a dry desert environment due to NO post plant growth!

The future LWRP alfalfa hay production for animal consumption is fully ignored by the DEIR as to its' environmental effects. Here are three ways to look at this and a fourth recognition of disinformation and outright deception:

▪ **The LWRP alfalfa hay production at highest possible level of production** is 14,000 acres X 7 tons per acre X 50lbs. nitrogen per ton=4.9 million pounds of nitrogen potential for poorly or unregulated AV pollution by poor livestock training to use public toilets. Daaaa!

▪ **The LWRP alfalfa consumption by dairy cows** primarily whom produce 225-260 lbs. of nitrogen per year each cow in their digestion dumped onto the ground in a non-closure system dairy farm in a AV flood plain is high risk. At one cow per acre X 14,000 acres is: 260lbs. X 14,000 cows=3.6 million lbs. of nitrogen pollution per year on the ground. Fully regulated or unregulated? The DEIR fails to address 3.6 million lbs of nitrogen pollution as effect from Sanitation District draft proposals.

▪ **The LWRP alfalfa consumption by private horses, sheep, goats, etc.** without any regulations to prevent soil contact and water soluble run-off during seasonal rains as to cause pollution concentration in AV water aquifer and EAFB dry lakes soil toxicity.

▪ **The DEIR NITRATES deception or unknowns?** On page 4-69 under title "Nitrates" occurs the biggest mumbo-jumbo of words and disinformation to be found anywhere else in the DEIR. Why?

1. "LWRP effluent nitrate concentrations average 2.69 mg/L in 2002."

▪ The problem with this sentence is what it does not say! Is the effluent the exact same nitrate level now pumped to Neberker ranch onto their alfalfa in soil and or will it be the same on new alfalfa fields proposed in Draft? What is the actual level in pounds per acre-per acre foot of effluent in soil?

2. "However, nitrogen in other forms (ammonia and Kjeldahl nitrogen) tends to convert to nitrate when applied to soils, increasing overall nitrate loading."

▪ This sentence fully fails to deliver factual information as to allow the public to discern from it the actual pounds of nitrogen per acre-per acre foot of effluent to be applied in the draft proposals. What level of nitrogen per acre in pounds 100%-P-K?

DEIR failure to release for public knowledge factual nitrate levels of fields application by per pounds-per acre foot or any factual measurement of effluent nitrate level in proposed field disallows public comment and provides ample reason for public distrust of ASA and Sanitation District's intent is so doing such a deception of a critical high pollution DEIR element.

3. "Existing groundwater concentrations of nitrate in the eastern and western agriculture areas are not known."

This DEIR sentence condemns any public support of the Draft proposals concerning agricultural areas and shows for over twenty years (20) Sanitation District 14 has failed to protect by testing at Nebeker ranch (western agriculture) surrounding ground waters. The issue enlarges when also the public considers the Sanitation District

26-3

(cont'd)

management's failure to have facts for DEIR effecting effluent-nitrate future application capabilities if the proposal was or is approved. The public cannot find any confidence from this realization in Sanitation District's management professional inabilities to access or collect necessary facts in order for the public DEIR disclosure to be fulfilled and progress forward.

- The Sanitation District management must explain the loss of time and their failure to collect "Existing groundwater concentrations of nitrate...." In these areas pre this Draft proposal.
 - The Sanitation District management must further explain the absence of Nebeker Ranch-groundwater nitrate levels and actual alfalfa in field nitrogen levels from effluent irrigation for the last twenty (20) years .
4. "Past agricultural fertilizer applications may have resulted in residual nitrates in the groundwater."

The BIGGEST unknown of all! The DEIR exposes the Achilles heal of the agricultural Draft proposal by Los Angeles County Sanitation District 14. Where did all the "past" 99,000 acres of alfalfa nitrogen fixation nodules molecules float off too? Where's the livestock such as chickens, turkeys, goats, horses, sheep, etc. nitrogen located?

5. "Alfalfa efficiently removes nitrogen from soils and irrigation water, and should provide adequate nitrogen removal."
- This sentence again refuses to provide the public with true numbers as to alfalfa need of nitrogen in pounds per acre and accurate alfalfa information as to toxicity by over nitrogen application to a legume ammonia air fixation plant with NO need of additional nitrogen application as DEIR proposes to do.
 - The word "SHOULD" does not provide the confidence level when \$163 million is being proposed in sewer fees and the eminent domain threats for private property owners are at issue. SHOULD?
6. "Maintaining nitrogen content of the effluent to match the agronomic rate required by the crop and minimizing application of fertilizer would minimize the potential for groundwater to be contaminated by nitrates from the land-applied effluent."
- Again, the Deir is speculating with \$163 million dollars with no well known State or private agricultural expert statements to back up this foolish speculation in a public document.
 - The DEIR has never nor does establish what the ACTUAL-nitrogen content is nor does the DEIR truthfully state that Alfalfa is a--air ammonia fixation legume--and doesn't need additional nitrogen application for growth.

26-3

(cont'd)

- Additional nitrogen application causes poor stemey plant growth, increased weeds and can cause plant toxicity harmful to animals and dairy products for human beings consumption.

- *30 million pounds plus of nitrogen abandonment since 1952 in the Antelope Valley.*
- *Draft proposal cannot proceed without critical facts provided to public and past nitrate abandonment is studied for pollution effects and that it won't bankrupt the LWRP Draft agriculture expenditures.*

STOP 30 TO 50 MILLION POUNDS OF NITROGEN POLLUTION OF AV'S WATER AQUIFER AND EAFB DRY LAKE BEDS on FEDERAL LAND!

26-3

(cont'd)

No to EAFB Lakes=Santa Monica Bay POLLUTION in the High Desert!

- Alfalfa feed TOXICITY is left out of the DEIR. Alfalfa over fertilized with nitrogen versus natural air N2 fixation as District 14 proposes can kill animals and also cause extreme health conditions in humans, even death, especially in children whom drink animal milk from toxic dairy animals. Will the Sanitation District have the knowledge of this health threat, the DEIR does not, will testing be done of hay and enough control of the hays usage as feed to prevent any loss of livestock or the nitrogen (n2) toxic health threat to humans, especially children. The DEIR does not address this issue.

NO LA CO. POISONING OF FEEDSTOCKS OR DAIRY PRODUCTS BY WASTE WATER NITROGEN DUMPING!

4. Livestock waste pollution, of past and present, private and commercial agricultures, as well as, future increases caused by district 14 increased alfalfa production, grass or livestock feed grown as to cause the effect of ground dumping and so release to pollute AV environment in the millions of pounds annually of/from past and present years and into the future. Animals don't use toilets!

26-4

NO HIDING OF ALFALFA HIGH RISKS & ALFALFA'S/LIVESTOCK FEEDING=IS HIGH NITROGEN INCREASED POLLUTION!

▪ Again, alfalfa is a pollution high risk plant when consumed by animals for feed and animal waste that's not contained in a closed system. Los Angeles County Sanitation District proposal is: in the DEIR and Drafts scope as to—not their/my problem (NMP)—allows the effects by millions of pounds annually hitting the AV soil, water, air without any regulations of, or to pollution health and financial costs. Those costs in the present or future will be paid by individual citizens, cities, county, state or federal tax payers for clean-up of this unregulated pollution.

26-4

(cont'd)

NO SWEEPING NITROGEN/COCCI-FUNGUS DUST UNDER THE RUG OF PAST-PRESENT-FUTURE AGRICULTURE NITROGEN/ORGANIC WASTE POLLUTION EFFECTS TODAY!!!

5. Lancaster Water Reclamation Plant (LWRP) reservoir construction in the DEIR fails to address the highest significant citizen danger of infectious disease of to cause Valley Fever outbreaks and even citizen deaths. The public was/is deprived of information as to where reservoir earth aggregates are to be dug from and what direct street avenues the truck transport will travel on in order to self-protect from infectious disease. Further, if the soil will be tested or can be tested for Coccidioides immitis fungus spores and number count concentration numbers of fungus spores. Also if the soil can be 100% sterilized of cocci-fungus spores before transport and during construction phase of project.

26-5

▪ The issue of reservoir construction is further complicated as to scientific studies needed still to be developed to determine cocci-spore dust air-borne open reservoir contamination to be later air sprayed at agricultural alfalfa fields. Can the Sanitation District Confederation management give 100% confidence to the public of no infectious disease spreading by District 14? Does Los Angeles County have a higher standard in this proposal than private Corporate Agriculture as to spread of infectious disease for profit motives?

NO LA CO. JOINING PRIVATE BUSINESSES SPREADING OF INFECTIOUS DISEASE BY FUNGUS-DUST!

6. The ASA DEIR presents a common thread of statements showing a lack of concern for the proposals causes--of as to the totality of environmental effects from their proposal. I can only conclude that the ASA and Sanitation management are fully comfortable with the drawing of lines and points within parameters to hide information or Los Angeles County responsibility of the obvious true effects of their draft proposal cause.

26-6

- But the public generally are not knowledgeable to the effects by such proposal causes and so vulnerable to deception by dumb-down government management statements. The DEIR is constructed to the greatest proposal achievement and the ASA, LA County management has allowed its' construction to be limited for public response period to see if issues are exposed by public statements, not by professional standard upfront in the DEIR itself in my opinion. The public trust is broken by this DEIR.

END LA Co. MANAGEMENT'S POWER OF SELF-SPECIAL-INTEREST AND PRIVATE SPECIAL INTEREST FOR FRIENDS!!! THE COUNTIES WIN-WIN IS PUBLIC LOSSES IN THE MILLIONS.

7. Edward's Air Force Base. The DEIR treats EAFB, the Air Force Mission, the Federal land environment protection as—not their/my problem(NMP). In fact, I would question LA Counties lack of concern solely on the business as usual practice of seeing financial opportunity into Los Angeles County from future Federal monies for their causes to environmental pollution effects on the EAFB. The use of EAFB as the Antelope Valley's chemical pollution dumping ground comparable to the Santa Monica Bay pollution sediment toxicity levels is gross Los Angeles County governmental mismanagement in my opinion.

LA County fails to confront controversial issues between business and citizen interest conflicts seemly as a matter of policy. LA County is locked into a crisis mode of reaction versus a prevention mode when business interests are involved as to issues. Especially when LA County management own self-serving business interests are concerned and so expresses a true measurement of LA Co. management inability to serve all interest equally versus to rule for self County benefit. LA CO. MANAGEMENT--a competing self special interest group. The BIGGEST!

PROTECT OUR LONG-TIME FRIEND USA EAFB FROM LA CO. MANAGEMENT'S CORRUPT ENVIROMENTAL MINIPULATIONS FOR COUNTY FINANCIAL PROFITEERING!

NO MENTAL MASSAGE THERAPY BY POLITICIANS, JUST THE FACTS, ALL AT ONCE IN A PUBLIC PLACE OF PRO & CON DEBATE!

EXPANSION OF PREVIOUS ISSUES:

1. The first is the most troubling since as an environmental issue holds the greatest safety, health and even loss of life importance. The DEIR ignores a dangerous agricultural, construction and roadway dust transported infectious disease, called Valley Fever (valley fever.com). Los Angeles Counties Sanitation confederation employees and ASA contacted the LA Co. Health Department, Kern County health Department and Agricultural Departments, yet no mention in DEIR of Valley Fever dust as an environmental concern for animals nor human beings. The absence of such information and declaration shows a high level of incompetence by ASA and the Sanitation district as well as other applicable LA County Departments. The infectious disease by cocci-fungus is endemic to the AV soil and is still much is unknown as to its' growth and why occasional—blooms occur infecting hundreds if not thousand of citizen and animals. Cocci is listed on the 1996 and 2002 Terrorist acts as a bio-terrorism potential weapon.

A major unknown of COCCIDIODES IMMITIS FUNGUS SPORES is their growth in AV soils and why—blooms occur causing hundreds if not thousands of citizen's infections as in Bakersfield high infections tallies. The unknown must first be resolved for public safety before further cocci-laden dust by Los Angeles County is stirred up in our already high AV cocci-laden agriculture and construction dust filled air.

A major focus must be to the obvious infections of archeology (Indian sites have numerous high individual infections outbreaks) and agricultural worker outbreaks in specific digs or farming fields. We may well be making such specific high spore blooms, by unwisely—building man-made Cocci-fungus incubators--with agriculture wastes such as animal body dumping, organic farm vegetable/plant dumping, human waste, past widespread poultry burials, livestock animal waste dumps, and illegal human trash burials.

The LA County Sanitation Confederation and local District 14 are proposing to increase cocci-laden dust by 4.5 tons per year minnumally and with our high desert wind surges, may well be many times that amount at any given year. Los Angeles County employees and ASA are seemly following agricultures high risk business plan and participating in providing potential dust transmission vehicle for the worst case bioterrorism act to occur in the Antelope Valley.

No bioterrorism AGRICULTURAL OR CONSTRUCTION dust plume vehicle transporter OF INFECTIOUS DISEASES!

Los Angeles County management seemly has adopted disease spreading—LOTTERY BY COUNTY GOVERNMENT approach along side with Corporate agriculture/land developers/water right holders/future commercial land lease holders masquerading as only dirt farmers. Also, both of these entities seem to fully understand the nature of their activity and are proceeding with Kern Counties/Bakersfield policy of business first and so—forced unknown to citizen, their inoculation by cocci laden dust approved by Los Angels County management officials.

26-8

Where infectious disease spreading and forced inoculation has been occurring by Agriculture in California; I believe we are seeing the first incidence where a California County Government (Los Angeles County) has chosen to actively participate for government self gain in the modern corruption of—rule over citizens safety, health and even life itself—death by lottery—and so human sacrifice activity in Old World British-Euro Capitalism style of rule.

The LOTTERY is the simple result of the cocci-dust transmission unknowns as to whom will get the infection, but LA County knows some will, but does not warn citizens directly nor face financial liability upfront in this District 14 DEIR publication.

Los Angeles Counties Sanitation Districts position that—some citizens must be sacrificed for the greater good of their proposal, if this is their philosophical position, in addition to the now must be recognized factor of greater County government rule by this dumb-downing DEIR and low public understanding of the issues by County information restrictions.

The clear County choice to apply a blind-eye to the cocci-dust issue shows to me ASA and County departments lack independence from special interests, but the greatest special interest is the County management and employees themselves as to salary increases, career advancements in LAC Gov. and their post private business opportunities. As well as, the greed driven desire to obtain large plots of private land for Los Angeles Counties government ownership and future profit, and so drives County management to such loss of public trust. Bill Gates would be proud of LA County management!

2. Erosion is an important significant issue in the District 14 proposal and for the greater Antelope Valley today, as well as Edward's Air Force Base as Federal property. The natural erosion begins at the south Angeles Crest mountains watershed with rapid speed large aggregate stone streams and channels down onto and with flatter valley elevation decline rainfall onto EAFB dry lakes. The valley floor itself has a natural sheeting rain run-off of adobe clay small aggregate (muddy water) transport to EAFB, of which is the dry lake bed construction and the barrier wall of the Lancaster underground water aquifer storage.

Today with man-made disturbances the valley floor largely by agriculture and partly by construction of roads/buildings has become a changed environment as to erosion. Today we see the development of streams and channels movement of large volumes of greater in size of aggregates laden with chemical waste toward EAFB dry lakes. The Littlerock flooding is now expanding into flood channels that have reached within three (3) miles of EAFB property. Since largely agriculture has tilled the soil down three (3) feet or more, erosion is greatly increased by such loose soil. The issue is not if, but when the rapid down pour of rain occurs that moves thousands of tons of Valley soil onto the dry lake beds with water soluble chemicals too. It will be, the cause of sediment toxicity on Federal land.

26-8
(cont'd)

26-9

The LWRP facilities are today and future planed facilities are susceptible to this flood and are a in high of damage costing millions of dollars to replace. The DEIR fails to consider such an environmental event. The "ranch"(unnamed by DEIR) in the Eastside proposal is another high risk operation for erosion by flood. The "ranch" is listed as a California-industrial waste facility. The cow dairy farm of over 1500 cows today, it has an annual production capacity of "nitrogen" alone in the 1500 X 225 lbs, per cow, per year= 375,000 annual nitrogen pounds. The dairy is fully engulfed in a flood plan that the LA County Zoning depts. requires a two-three foot high residential building foundation height due to flood level. The man-made up elevation flood diversions, compacted County roads, agriculture 3 foot deep tillage has already begun the increased streams/channels development for larger and larger flood movement across the dairy feed lots and onto EAFB Federal property. The DEIR fails to report the increased erosion tonnage onto EAFB, dry lake beds and any level of chemical transference from AV flood drainage from the "ranch" industrial waste operation.

26-9
(cont'd)

3. The DEIR statement on Alfalfa nitrogen fixation is a false statement as to where it fixes as a legume & from and when it uses the nitrogen stored on plant nodules.

Alfalfa fixes nitrogen from the ammonia in air, not from the water soluble nitrogen in the soil. So, the DEIR statement shows a ignorance of alfalfa physical processes important to the Sanitation District proposal. The DEIR fails at this by ignorance or by design. If by design, then one just must follow the \$\$\$\$, POWER & RULERS!

Yes, the greatest market is alfalfa for the "ranch" (name left out of report by ASA) dairy cows or other livestock that dump and urinate onto the ground in greater pollution levels than the Sanitation District's effluents contain on average at 90 lbs (DEIR states in m/l, uncommon measurement to general population=dumb-down) nitrogen per acre foot of water. The Sanitation Draft proposes year round effluent watering and so nitrogen could reach 180 lbs. to 360lbs. nitrogen per acre per year. Alfalfa growth burn-out and cause of rapid replanting at District 14 high costs and unabsorbed nitrogen to pollute water aquifer and down stream to EAFB dry lakes sediment toxicity.

26-10

The dairy cow nitrogen waste production from eating the alfalfa from the acre effluent watered is 3 to 4 times greater as in cause to effect. In other words, the effluent 90lbs of human nitrogen as to District 14 Draft cause becomes 225-250 lbs. of per cow annual nitrogen onto the ground. If one adds that to the 90lbs. of human plus 250lbs. of cow, now each field acre will have to absorb 340lbs each year plus of nitrogen waste or 500-600 lbs. with increased irrigation. The problem is alfalfa needs no nitrogen or as little as 40 lbs upon first year for seedling growth. Another problem is regulation and transportation of the chemicals. Can the public trust the dairy farmers to self regulate? What past history of the Dairies waste management proves public should trust?

Alfalfa over fertilized with nitrogen is TOXIC to animals and to children whom drink milk. Unnatural (natural is air ammonia fixation) alfalfa fertilization by human nitrogen or animal nitrogen must be tested before animal or human consumption directly of by

indirect product (milk, cheese, dairy products) for toxicity levels. Can the public trust the dairy farmers to self regulate?

26-10

What is the alfalfa replant schedule?

What is to happen with the Alfalfa sold or contract grown or leased land to grower grown alfalfa as to its' consumption and waste produced?

(cont'd)

What of the waste from alfalfa hay production as to its' unregulated ground soil pollution?

How many pounds of nitrogen is going to be released from alfalfa hay consumption by private animals?

How much will District 14 receive in FEES from alfalfa land leases?

4. Livestock waste pollution. The Antelope Valley is a different and unique agricultural crop growing area. The difference stems from western USA water pumping and land irrigation practices. The fact we have low-rainfall incapable of large grass growth year-round is important to consider. Take for example, the alfalfa field abandonment issue as to this importance. If this had occurred in a eastern high rainfall year-round area, the nitrogen would have been used up by future grass growth. But here in the AV high desert, little or no nitrogen take-up occurs post field abandonment. 300lbs. per acre of water-soluble nitrogen is in soil.

26-11

When livestock waste is or has been abandoned onto desert land and or spread onto alfalfa fields as fertilizer above the plants needs, the nitrogen as a water-soluble chemical can and does migrate to adjacent desert areas. Alfalfa irrigation watering migrates off of fields out hundreds of feet onto/into non-farm properties transferring chemicals out. Also, adjoining farm field operations can increase chemical concentrations along mutual farm borders.

The Antelope Valley has had a peak of 92,000 acres of alfalfa production with nitrogen abandoned in plant root nodules. We have had high levels of turkey and chicken production without N-P-K pollution controls. We have had numerous large and small cattle, dairy cow feed lots that are polluted hazardous waste sites littering the Antelope Valley. The compound pollution effect of the past pollution has not been determined to allow the Sanitation Districts increases to be implemented or considered as safe activity for Los Angeles County to engage in today.

5. LRWP reservoir construction. The issues are clear and that the DEIR fails to warn of the AV population of the pollution risks of adobe clay reservoir construction.

- Dust laden Coccidioides immitis spores. This is the greatest hurdle for the DEIR to prove that not one citizen will be infected and provide the citizens irrefutable proof of such means to mitigate. The setting up a fund for liability will never work in the AV's large Christian community. Christians frown on philosophical concepts concerning human health and literal human life sacrifices. A liability fund would be buying human health and life for exchange of Los Angeles Counties present and future financial profits.

26-12

- Asthma sufferers increased burden and school children's exposure to disease causing bio-agents.
- The elderly population will be largely impacted as to breathing burden and pre mature death from complications.
- Black African Americans will bear a greater burden of health and life risks than other minorities.
- Hispanics may overtake Black African Americans in number position of cases due to their AV numbers population increases.
- Immune-deficient individuals will be at the highest risk of death from dust production.
- Children outdoors and males working outdoors will have high increase of dust and disease exposure.

26-12

(cont'd)

6. The proposals effects are not within the scope of the DEIR, only the District 14 proposals as to their cause is within report parameters. The effects of the alfalfa production on the AV environment is absent in the DEIR. The effects onto EAFB property is absent in the DEIR. The compound effects of nitrogen abandonment is absent in the DEIR. The effects of a widely known infectious fungus (valleyfever.com) is absent in the DEIR.

26-13

Ones conclusion has to be that the ASA DEIR is not an independent statement but the Sanitation district's own poor attempt at public deception.

7. The issues are for EAFB the following:

- Becoming the future Santa Monica Bay of the high desert with hundreds of millions dollars for clean-up from Los Angeles' Counties—not my problem--position (NMP).
- Dry lake beds sediment toxicity levels effects on AF mission by AV water and air erosion onto dry lakes.
- A National security threat by domestic or foreign terrorists using (Cocci, Anthrax, etc.) the dust storms to disperse chemical and biological agents over the Air Force base and residential housing.
- The flooding of EAFB roads and AV roads designated as military transport avenues during national emergencies. This includes the use of sabotage of Littlerock Dam.
- The effects of increased sediment erosion onto dry lake beds disallowing their use for air-craft landing in the future.
- The future effects of agricultures N-P-K- fertilizer acids and chemicals on military buildings and aircraft.
- The higher costs of military health care for Air Force personnel, civilians and EAFB children's right to good health and long lives in a clean environment .

26-14

Additional comments:

The studies by UC Davis experts and others seem to state the obvious as to a vast of UNKNOWNs in Valley Fever research. Important areas of unknowns is the cause of cocci-blooms (high spore counts) and the inability to test soil or air accurately for cocci-

26-15

fungus spores. The following may well be the future methods used to solve this questions of the unknowns.

- Crime lab PCR testing for DNA of coccidioides immitis spores in dust. The additional tests for DNA of alfalfa, carrots, onions, etc. in the dust for identification of sources of cocci laden dust. Also chemical & soil type/ph identifiers.
- The development of existing technology by private enterprise of—**PORTABLE ELECTROSTATIC PRECIPITATORS**—combined with small lung type machine with a culture air-sack entrapment (like human lungs) of microscopic cocci-fungi dust size particles for proof of dust contamination and count numbers on cocci-spores comparable to human lung activity dust intake. This technology would greatly improve prevention of bioterrorism spread of cocci-spores as an early warning system in low cocci increased dispersion over time. Terrorism's ability to slowly stress out health care and costs as well as diminish public confidence or trust in government must be considered by public elected officials.
- The study and testing of specific potential HOT-cocci-fungus man-made or agricultural made sites.
- A study to determine the **ORGANIC** matter food of cocci-spores in soils and so determine if specific dust field locations have such organic food for cocci.
- A study of present agricultures tillage methods and soil pulverization to greater and greater **DUST** development as we now see in the carrot, onion fields of the Antelope Valley over past agricultural tillage.
- A study of Corporate agriculture's tillage of carrot fields locations in past years and where and when they pulverize to dust fields today. A question of also to, if the carrot growers are now dispersing carrot fields in order to disperse Valley Fever infection numbers across numerous Counties versus Kern County alone.
- A study of Los Angeles Counties agencies and departments participation and or response to the increased Cocci-laden dust increase by agriculture.
- A study of Los Angeles County Sanitation District management knowledge of Valley Fever dust effects and when, from whom and why they chose to ignore it in the DEIR.
- A study of Los Angeles County Health Department's managements lack of public education of and if school children were warned or kept inside during past AV **ENDEMIC** cocci-laden dust storms from agriculture field's pulverized dust. Education allows public to self protect.
- A study of legal financial costs alike the medical mal-practice case of: Brian R. Magana, Magana, Cathcart & McCarthy, Los Angeles, wrongful death case. The Antelope Valley resident died and his widow and mother of five won a settlement for medical mal-practice LOE \$100,000. Future LOE \$550,000. Settlement \$500,000. January 30, 2002.
- A study to determine Los Angeles Counties criminal or civil risks as a cocci-laden dust transmitter into AV air at a minimum 4.5 tons annually. Also, LA Co's risk for non or poor level of public education and Health communication of or during high seen and unseen microscopic dust transmission over AV and at or to

26-15

(cont'd)

specific locations such as schools, EAFB, residential neighborhoods and local and eastside churches in fields locations.

**END LA COUNTY PHILOSOPHICAL POSITION
CONCERNING WHOM THE COUNTY CAN BY LOTTERY
GIVE FORCED VALLEY FEVER INNOCULATION OR AN
INFECTIOUS DISEASE OF CITIZEN'S SUFFERING AND
DEATH!**

26-15

(cont'd)

**NO COUNTY MANAGER'S WITH SUCH AUTHORITY
OVER CITIZEN HEALTH AND DEATH BY VALLEY
FEVER.**

**STOP! AGRICULTURAL COCCI-FUNGUS DUST NOW!
100%.**

**NO NEW COCCI-DUST BY DISTRICT 14 DRAFT
PROPOSALS.**

Thank you

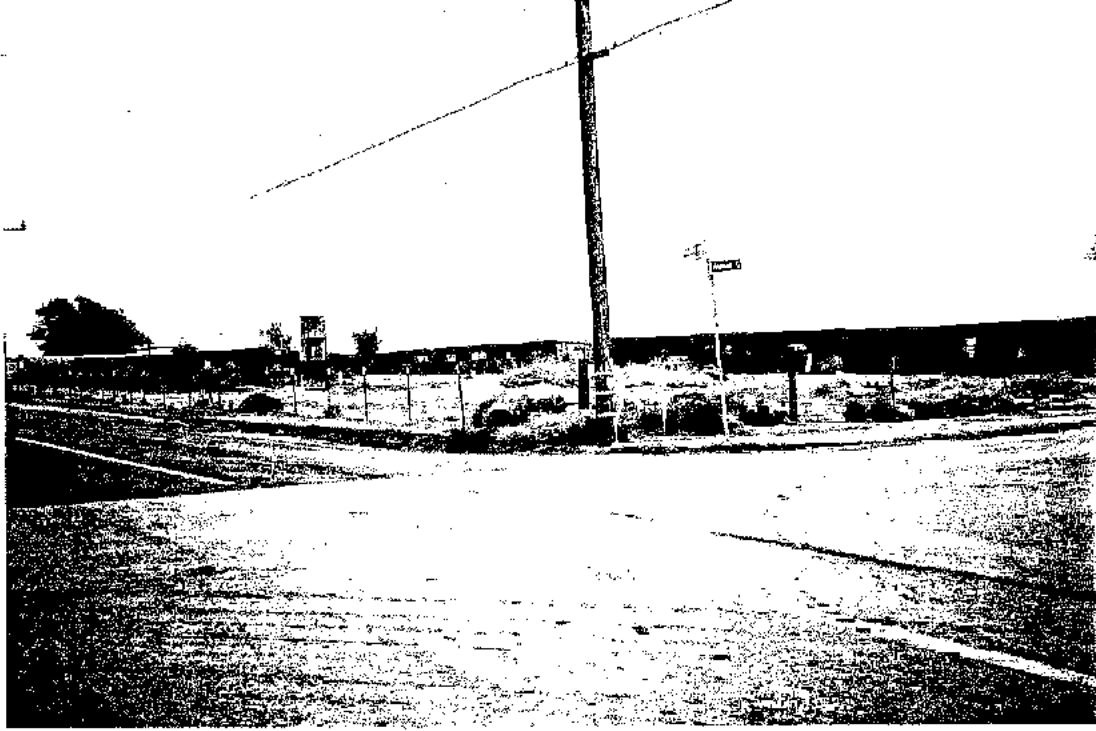
Frank L. Elling

Turkeys

70th
+

6
Decades

? N 165.



70th
? N 165.



ANTELOPE VALLEY CHRISTIAN CHURCHES ALERT!!!

ARE YOUR CHURCHES AND PARISHONERS HOMES CONTAMINATED BY AGRICULTURES SUPER PULVERIZING TILLAGE OF AV SOILS? COCCIDIODES IMMITIS FUNGUS

—THE COCCI-FUNGUS INFECTIOUS DISEASE SPREADER—
—A TRUE MONSTER MACHINE DUST AIR DISPERSER—
—VALLEYFEVER.COM—



—CONSIDER THE FOLLOWING—

LANCASTER MAYOR ROBERTS STATEMENTS ON DUST! REMEMBER ANY? LOS ANGELES COUNTY HEALTH ALERTS? DID YOU HEAR THEM? HOW ABOUT LADHS EDUCATION ON PREVENTION? WHAT ABOUT ALL THOSE HIGH DUST STORM DAYS AND DID THEY (LADHS) KEEP THE SCHOOL CHILDREN SAFE INDOORS? DID THE LADHS ALERT ASMATICS, IMMUNE DEFICIENT INDIVIDUALS, THE ELDERLY OF DISEASE RISKS ON HIGH DUST DAYS? DO THEY? DID LADHS ALERT OUTDOOR WORKERS TO WEAR MASKS? DID LANCASTER MAYOR ROBERTS DO ANYTHING?

I DON'T THINK ANY OF THEM ACTUAL LIVE HERE IN AV. DO THEY? BUT THEY CHOSE TO FORCE INNOCULATE BY CITIZEN IGNORANCE OF COCCI-FUNGUS INFECTIOUS DUST HEALTH HAZARDS. THEY CHOSE BY LOTTERY TRICK OR TREAT DISEASE TO AV CITIZENS BY A DUMB-DOWN (WE KNOW YOU DON'T) RELATIONSHIP.

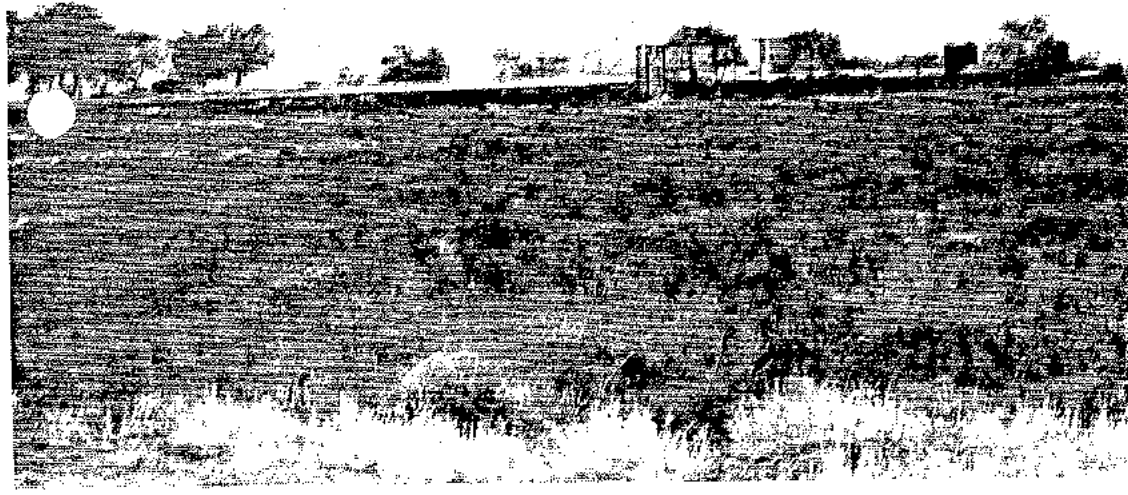
Just a few of my unfavorite places.

Black Angus steers.

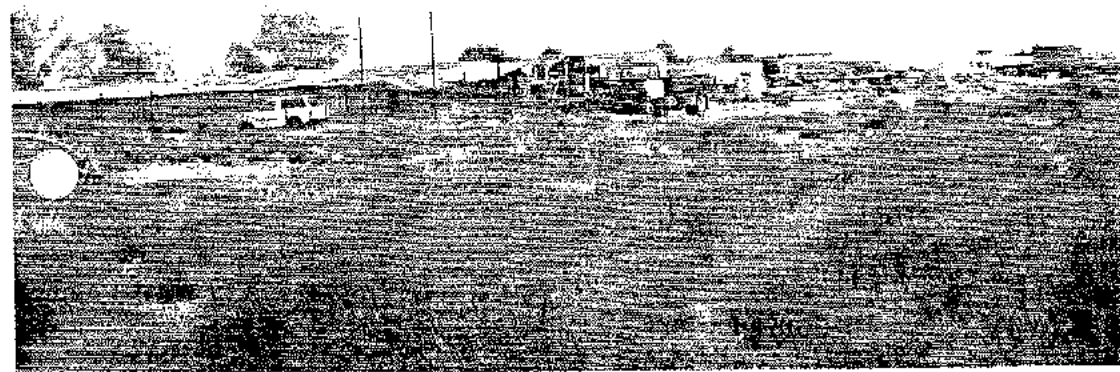
Ave E
50-100 steers

T-Hee Ranch

50-100
Two Decades



60th
Decades



70th
Decades

WWW.VALLEYFEVER.COM
CORPORATE AGRICULTURES.
NEW FORM OF DOMESTIC TERROR!

BIO—TOXIC

FUNGUS

DUST STORM

ZONE

COCCIDIoidES

FUNGUS=BRAIN SEIZURES/ MENINGITIS

AGRICULTURES

PESTICIDES, HERBICIDES, INSECTICIDES,
LIFESTOCK=ANTHRAX, NITRATE/DIESEL=BOMB INGREDIENTS

10,000 A.V. HOMES

MICROSCOPIC

COCCI-DUST CONTAMINATED

DRAPES, CARPET, INSULATION, ATTICS, CARS,

BEDS, CLOSETS, GARAGES 2X4'S, ETC.

COCCI-TEST U.C. DAVIS LABORATORY (530) 752-1757

KERN COUNTY HOSPITAL COCCI CLINIC

LETTER 27

J B Evans
48017,65th St. E.
Lancaster, Ca 93535

District 14
P.O. Box 4998
Whittier, Ca 90697-4998

To those making decisions concerning the 2020 plan for the Lancaster Water Reclamation Plant,

We (Joshua and Christine Evans) have severe concerns concerning the 2020 plan. We own ten acres and a home at 48017 North 65th Street East between Avenue E and Avenue F. We are in the process of adding on to our home and were very surprised by the news of your plans.

- 1. We put over \$16,000 into our home this year. Will we be reenbursed for the money we spent? 27-1
- 2. Will we get enough to move to a comparable home or will we have to downgrade 27-2
- 3. Our home and property is our investment as we know that this valley is growing fast and our property value will easily double by year 2020 if not more. Will you take that into account? 27-3
- 4. Prices in the rest of the AV. have skyrocketed compared to when we bought so if you give us Fair Market Value only we'll be forced to downgrade. Have you considered our welfare? 27-4
- 5. Why didn't we hear of your plans sooner? We received a letter a few weeks before the public hearing. 27-5
- 6. We love where we live now, will there be recompense for the fact that we'll be losing our home if you are allowed to proceed with your plans? 27-6
- 7. Is the reclaimed water dangerous for our health? 27-7
- 8. Will the reclaimed water reach the ground water? What are the affects on the valley as a whole if it does? 27-8
- 9. If the reclaimed water is a health threat have you considered how close Eastside Elementary School is as well as the homes that border the land you wish for? 27-9
- 10. Will there be any concerns about airborne toxins, the wind blows very strong out here. 27-10
- 11. What affects will your plans have on the wild life in this area? 27-11

NOV 17 '08 PM 3:21

DOC #
301971 Raksit S

Why not consider the alternatives to your 2020 plan:

1. Reuse of water-Wetlands Project
2. Enlarge Nebeker Ranch-there is 10 sq. Miles between the ranch and the sewer plant, **west** of the sewer plant.
3. Farm around-Fox Air Port-Palmdale Plant #24
4. Recycled water for Municipal use (Lancaster, Palmdale)
5. City of Los Angeles World Airport, east of Plant # 42
6. East of the Antelope Valley over the hill-240th St. East, to the county line

27-12

Thank you for considering our welfare and those around us.

Sincerely,
Joshua Evans
Christine Evans

LETTER 28

To Whom It May Concern,

I am an affected member of the "Eastside Lancaster Homeowners Ass." My name is Donna Ferrell. I have lived on this property most of my life, 1952 until the present.

I know that progress is not always easy, but I want you to understand what this means to my husband and I.

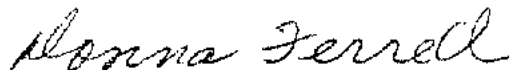
First we get a letter indicating we are part of this land grab. Then we are told we are not included. We are in the process of trying to sell the only asset we have. If I were looking for a home and property I would NOT consider investing in this area because I could not be certain whether or not it would be taken away from me for "Public Works".

This property is all we have. About fifteen years ago my husband was medically retired. This does not mean we could afford for him not to work. From that time I have been the only source of income for our family. Thankfully our house and property are paid for. If we are not able to profit on our investment we may be forced to seek public assistance. We have had a comfortable life, not extravagant. We do not run up great debts, we live within our means. If you take away our only asset, what will become of us. This is the personal side. It does not even begin to speak to the public health issues involved.

The County has other options that are a better use of public funds and wiser reuse of our natural resources. Please consider what you are doing to lives and land before you destroy both.

Thank you for your consideration.

Sincerely,



Donna Ferrell

28-1

LETTER 29

November 14,2003

Sager K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O.Box 4998
Whittier, CA. 90607-4998

Ref: Lancaster Water Reclamation Plant 2020 Facilities Plan

Dear Mr.Raksit

We are property owners on the eastside of the Antelope Valley; on East Ave. E. We are not to happy with the way the county is trying to push us off our property. I am wondering if I still live in America...

29-1

The Sanitation District # 14 has several alternative plans. none of three plans are concerned with cleaning the water so it can be reused. This will be a costly project, but if it is not done correctly , Lancaster will be in the same mess as Palmdale Sanitation District # 20 is right now.

29-2

My Family came to the Valley in 1940, to work on a ranch that dates back to 1894. I was born on 70 th Street East (The Frisick Ranch). My wife came to the Valley in 1952, her Family built and operated a grocery store at 90 th Street East and Ave. E. Where we still live. We chose to live out in the county, everything we have is in our home and land.

29-3

I am disabled. If Los Angeles County is allowed to push us out it would be a financial and medical hardship. My home is paid for ,and we don't want to , go into debt to purchase new land and a new home. What about my prop. # 13 on my home. We enjoy living in the country. Why are we being forced to give up everything in our lives so the cites can grow. **DONE WE HAVE RIGHTS !! DO WE STILL LIVE IN AMERICA !!**

Sincerely,

Ronald & Donna Ferrell
9101 East Ave. E
Lancaster, Ca. 93535
66-946-1355

LETTER 30

October 21, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P. O. Box 4998 Whittier, CA 90607-4998

Ref: Lancaster Water Reclamation Plant 2020 Facilities Plan

Dear Mr. Raksit:

I am an property owner in the proposed eastern agricultural area which includes 70th street East. I am appalled that no consideration has been given to the individual land or homeowner. We feel that we should have had the right to voice our opinions during the planning stages for this project not after the fact. Instead of a select few who had foreknowledge and hope to benefit at the cost of the community.

30-1

One of my major concerns with this project is the environmental effect it will have on the groundwater and air quality. All homeowners in this area have their own private water wells. How many unknown toxins will we be exposed to? What will the effects cause to our grandchildren and future generations? With all the less populated land in the surrounding areas, why are you going 10 miles from where the wastewater treatment and effluent facilities are located?

30-2

30-3

Our family homesteaded this property in 1894 for farming purposes. Some of us are still farming. I am a retired farmer. We chose to live here and raise our families. Now you are forcing us from our homes. My mother-in-law and my self will personally suffer medical and financial hardships if this project is allowed to proceed. There are also several other retired persons living in the area who will be affected. Our homes are paid, we don't want to go in debt and purchase new homes. We enjoy living in the peaceful rural area with all the wildlife. We have worked hard for what we have. This is America, many persons from other countries come here to begin a new life. But we who were born and raised here are being forced to give up our homes. Why?

30-4

Sincerely,

Barbara Firsick

Barbara Firsick

OCT 24 '03 PM2:32

DOC #
295151 RAKSIT S

Re: Lancaster Water Reclamation Plant 2020 Facilities Plan, District 14

Copies of the letter to Sagar Raksit, Supervising Engineer have also been sent to the following persons:

Supervisor Michael D. Antonovich
1113 West Avenue M-4, Suite A
Palmdale, CA 93551
Phone: 661-726-3600

Supervisor Yvonne Burke
Hall of Administration
500 West Temple Street, Room 866
Los Angeles, CA 90012

Lancaster City Council:
Mayor Frank Roberts
44933 Fern Avenue
Lancaster, CA 93534
Phone: 661-723-6019

Sen. William J. "Pete" Knight
1008 West Avenue M-17, Suite G
Palmdale, CA 93551
Phone: 661-274-0188

Palmdale City Council:
Mayor Jim Ledford
38300 Sierra Highway
Palmdale, CA 93550
Phone: 661-267-5100

Harold Singer
California Regional Water Quality Control Board
Labontan Region
2501 Lake Tahoe Boulevard
South Lake Tahoe, CA 96150
Phone: 530-542-5400

LETTER 31

November 10, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P. O. Box 4998
Whittier, CA 90607-4998

Ref: Lancaster Water Reclamation Plant 2020 Facilities Plan

Dear Mr. Raksit:

I am an property owner in the proposed eastern agricultural area which includes 70th street East. I am not pleased that any consideration has been given to the individual land or homeowner. It was a real shock to receive a letter from the Sanitation District requesting to purchase land and homes in this community for disposal of effluent water.

31-1

One of my major concerns with this project is the environmental effect it will have on the groundwater and air quality. All homeowners in this area have their own private water wells. How many unknown toxins will we be exposed to? What will the effects cause to our grandchildren and future generations? With all the less populated land in the surrounding areas, why are you going 10 miles from where the wastewater treatment and effluent facilities are located?

31-2

31-3

There are several alternative plans. There should be a greater concern for water conservation for the Antelope Valley before we run out of fresh water for human consumption. If the effluent water is processed to a higher level it can be used for parks, golf courses and city landscaping. I feel the wetlands plan is a great idea. If there is a need for agricultural expansion continue with the one that is already in place on the west side of the current facilities since there are thousands of acres of vacant land. Use the monetary savings for a better treatment plant.

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Our family homesteaded this property in 1894 for farming purposes. Some of us are still farming. I am a retired farmer. We chose to live here and raise our families. Now you are forcing us from our homes. My mother-in-law and my self will personally suffer medical and financial hardships if this project is allowed to proceed. There are also several other retired persons living in the area who will be affected. Our homes are paid, we don't want to go in debt and purchase new homes. We enjoy living in the peaceful rural area with all the wildlife. We have worked hard for what we have. This is America, many persons from other countries come here to begin a new life. But we who were born and raised here are being forced to give up our homes. Why?

31-9

Sincerely,

Barbara Firsick
48157 70th Street East
Lancaster, CA 93535

LETTER 32

November 13, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P. O. Box 4998
Whittier, CA 90607-4998

Ref: Lancaster Water Reclamation Plant 2020 Facilities Plan, District 14

Dear Mr. Raksit:

I am an property owner in the proposed eastern agricultural area which includes 70th street East. I am not pleased that any consideration has been given to the individual land or homeowner. It was a real shock to receive a letter from the Sanitation District requesting to purchase land and homes in this community for disposal of effluent water.

32-1

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32-2

32-3

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32-9

Sincerely,

Barbara Firsick

Barbara Firsick
48157 70th Street East
Lancaster, CA 93535

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301996

Raksit S
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UPS 12970X411310979216

LETTER 33

November 17, 2003

Sagar K. Raksit
Supervising Engineer
County Sanitation Districts of Los Angeles County
1955 Workman Mill Road
Whittier, CA 90601-1400

RE: Lancaster Water Reclamation Plant 2020 Plan Environmental Impact Report
County Sanitation District No. 14 of Los Angeles

Dear Mr. Raksit,

These comments are submitted on behalf of the **Lancaster East Side Property and Home Owners Association** on the Draft Environmental Impact Report ("DEIR") for the Lancaster Water Reclamation Plant 2020 Plan ("the project"). The **Lancaster East Side Property and Home Owners Association** now includes the East Side Homeowners that submitted a letter on October 29, 2003, on this project, and now constitutes a group of over 70 individuals living in the project area whose property and homes have been targeted for acquisition through governmental condemnation.

The **Lancaster East Side Property and Home Owners Association** strongly objects to the DEIR and proposed project which includes a plan to identify the long-term wastewater treatment and affluent management facilities needed to accommodate projected wastewater flow to the District No. 14 planning area through year 2020. It involves the forced acquisition through the use of eminent domain of homes and property ranging from 5,275 to 13,955 acres depending on the alternative selected. The **Lancaster East Side Property and Home Owners Association** requests that the County Sanitation District Board deny approval of the project as presented, as the DEIR fails to meet the requirements of CEQA. It should be redrafted and recirculated to include the feasible alternatives detailed in this letter. As detailed below and in our October 28, 2003 letter, the DEIR is fundamentally flawed, conclusionary and is an abuse of discretion that violates CEQA.

CEQA not only protects public health and the environment, but also provides a mechanism for political accountability. It forces public officials to disclose, analyze and to the extent feasible, avoid and mitigate all environmental impacts prior to project approval. As the California Supreme Court noted, "If CEQA is scrupulously followed, the public will know the basis on which its responsible officials either approve or reject environmentally significant action, and the public, being duly informed, can respond accordingly to action with which it disagrees." *Laurel Heights Improvement Assn v Regents of University of California* (1988) 47 Cal 3d. The EIR requirement forces

33-1

agencies both to develop environmental information and to disseminate it to the public in a readable format. "The requirement of a detailed statement helps insure the integrity of the process of decision by precluding stubborn problems or serious criticism from being swept under the rug (*Sutter Sensible Planning, Inc. v Board of Supervisors* (3rd Dist. 1981) 122 Cal App. 3d 813, 820 [176 Cal Rptr. 342]). Unfortunately, this DEIR falls far short in many respects of the standards imposed by CEQA and hides the true environmental impacts of the project and viable alternatives from the public view. Because of the shortcomings discussed below, the DEIR for the project is inadequate to meet both the procedural and substantive mandates of CEQA.

33-1

(cont'd)

1. THE DEIR FUNDAMENTALLY AND BASICALLY LACKS SUFFICIENT INFORMATION TO SUPPORT EVALUATION AND REVIEW OF ENVIRONMENTAL IMPACTS.

- The project description regarding the area for agricultural reuse and potential acquisition is defined in the four alternatives as ranging in size from 5,275 to 13,955 acres. Yet statements in the DEIR clearly anticipate that areas outside these acreage boundaries might be utilized.

Page 3-11 (DEIR) "The actual location of agricultural reuse operations may differ from the identified eastern and western areas, depending on the emergence of farming entities willing to use recycled water."

33-2

Page 3-13 (DEIR) "District No. 14 may minimize the need to develop portions of the agricultural operations required within the agricultural areas by entering into contracts with existing farming entities and providing recycled water from the LWRP for irrigation purposes. In addition, if opportunities arise in the future to sell or provide water to farming entities outside of the identified agricultural areas, District No. 14 will consider the opportunities as a means of meeting the overall LWRP 2020 Plan reuse goals."

These statements leave the exact project that is being evaluated and presented to the Board unclear. What exactly is the amount of acreage being recommended? Is 5,275 acres? Is it 13,9955 acres or some infinite combination of agricultural lands encompassing all of the Antelope Valley? CEQA requires that the project description must be accurate and consistent throughout an EIR. "An accurate, stable, and finite project description is the sine qua non of an informative and legally sufficient EIR (*County of Inyo v City of Los Angeles*) (3d Dist. 1977) 71 Cal App 3d; *Kings County Farm Bureau v City of Hanford* (1990) 221 Cal. App. 3d 692, 712, 270 Cal. Rptr. 650; *San Joaquin Raptor/Wildlife Rescue Center v County of Stanislaus* (5th Dist 100- 221 Cal App3d *Santiago County Water District v County of Orange* (4th Dist. 1981) 118 Cal App 3d.

This lack of a finite project description is an even more offensive abuse of discretion in this DEIR as it affects property and home owners that have neither consented to or requested their inclusion in the project.

33-2

In this case, without an accurate, finite project description the public is literally unable to tell if they are actually part of the project and will have a decision made by a public official that take away their very home and property.

(cont'd)

- The DEIR fails to adequately detail the location and type of structures and land targeted for acquisition in each alternative for Land Acquisition Pub Res. Code 21000 et seq; CEQA Guidelines 15125. Further the photographs included in the DEIR to identify areas of the alternatives do not include any homes, leaving the impression that all the land targeted for acquisition is merely agricultural property.

33-3

- The DEIR fails to provide evidence in the record for the conclusion that the project would not disproportionately impact low income residents. The conclusionary statements in Chapter 4.13 of the DEIR are apparently based on statistics for the entire Antelope Valley which the DEIR notes as having a population of 353,000. There are no statistics, tables or surveys presented to identify the ethnic origin or income level of the presented 81 residential units. In fact no accurate portrayal of exactly how many residences would be "displaced" is every presented. One section adds up to 81, another section discussed " 50 to 60 ". The very Executive Summary contains an Alternatives matrix which merely shows the column of Displaced Residents as " more" or "Less" Without this information, the DEIR determination that environmental justice issues have been discussed is meaningless and at best, conclusionary. In fact, it is more likely that given the condition of the housing stock, and the background of the area as an original agricultural area of the Antelope Valley that the owners and residents could be elderly on fixed incomes and therefore qualify as low income. Without detailed evidence in the record, there is no way to assure the public that the issue has been accurately described.

33-4

2. THE DEIR FAILS TO INCLUDE A DESCRIPTION AND EVALUATION OF THE USE OF EMINENT DOMAIN PROCEEDINGS

The use of Eminent Domain is subject to review and evaluation under CEQA. *Burbank-Glendale Pasadena Airport Authority v. Hensler* (2d Dist. 1991) 233 Cal. App. 3d, *Silveira v. Las Gullinas Valley Sanitary District* (1st Dist 1997) 54 Cal App 4th 980, *City of San Jose v. Great Oaks Water Co.* (1987) 192 Cal.App.3d 1005.

33-5

The DEIR dispenses with the subject of the forced acquisition through eminent domain proceedings with vague references and general statements.

Page 3- 6 (DEIR) " At this time, the exact parcels to be acquired have not been identified. Figure 3-2 and Figure 3-3 show the areas in which property will most likely be acquired.

" It is the intent of District No. 14 to purchase these properties from the current owners. However, the use of eminent domain may be required in some cases. In these cases, District No. 14 will compensate the land owner at a fair market price and will provide relocation assistance for displaced individuals, if necessary. District No. 14 will likely acquire all the land necessary for the projected 26.0 mgd flow rate for the year 2020 prior to the implementation of construction."

" District No. 14 may have to pursue acquisition of property beyond the footprints described herein to meet the project objectives. :

" However, acquisition of the agricultural property could involve the displacement of up to 25 single-family homes in the western agricultural area and/or up to 56 homes in the eastern agricultural area. Once the project has been approved by the Board of Directors for District No. 14, the parcels to be acquired will be determined and negotiations for purchase will begin."

There is no explanation of the process, the specific location, number or quality of structures on properties or any environmental impacts. And while mitigation measures are proposed, no connection is made to any impact to give the reader information to determine whether these particular measures will truly mitigate anything. There is also no explanation for the contradictory statements that while the Nebeker Ranch will only be acquired from a willing seller, in regards to other properties .." However, the use of eminent domain may be required in some cases." What cases? What particular circumstances and public benefit could possibly exist that make the one particular acreage in the middle of 4, 000 to 13, 000 acres necessary, but not the Nebeker Ranch? The document does not say and the public is only left to wonder, as no criteria or process is presented for the decision to proceed to take the property by forcible condemnation.

"Technical perfection is not required; the courts have looked not for an exhaustive analysis but for adequacy, completeness and a good-faith effort at full disclosure." (Guidelines, s 151551; Kings County Farm Bureau v City of Hanford (1990) 221 Cal. App. 3d 692,712,270 Cal. Rptr. 650; Towards Responsibility in Planning v City Council (1988)200 Cal. App. 3d 671,679,246 Cal Rptr. 317; Citizens of Goleta Valley v Board of Supervisors (1988) 197 Cal. App 3d 1167, 1176-1177, 243 Cal. Rptr. 339)

As the target of apparent eminent domain proceedings, the Lancaster East Side Property and Home Owners Association want the record to be clear, that any

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(cont'd)

proceedings to commence consideration and approval of a resolution of necessity authorizing condemnation of any property owned by a member will be challenged on the grounds of this woefully deficient and inadequate CEQA document.

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(cont'd)

3. THE DEIR FAILS TO ADEQUATELY DISCUSS HEALTH IMPACTS FROM THE PROPOSED PROJECT

- The DEIR fails to identify potential sensitive receptors in the area that could be affected by wind-borne pathogens from spraying of disinfected effluent. No list or explanation of what these pathogens may be is included in the document. No evidence is presented to support the conclusion that the proposed mitigation measure for wind-break trees will be sufficient to keep any sensitive receptors protected. Submitted as an attachment to this comment, for the record, is a report titled "Pathogens in Reclaimed Water", by M. V. Yates of the University of California Riverside. This report details the list of horrors that exist as bacterial pathogens in Wastewater which can cause typhoid, bacillary dysentery, cholera and gastroenteritis. He states "Direct ingestion of the wastewater or aerosols created during spray irrigation may result in infection." The proposed use of disinfected secondary water in a spray form needs to be carefully and completely detailed in the document, particularly in regards to its overspray for roadways and near residential structures. To assume that all residences will be acquired and none will exist is not a complete and appropriate analysis under CEQA.
- There is no evidence in the record that the Farm Management Plan in the mitigation measures will actually reduce impacts from air borne pathogens. It improperly defers the analysis of methods and quantification of impacts. *Sundstom v County of Mendocino* (1st Dist. 1988) 202 Cal. App. 3 d 296
- CEQA requires that a disagreement among experts should be discussed and disclosed in the DEIR. The DEIR fails to provide even a cursory, passing reference to the disagreement among experts as to the public health impacts from secondary treated effluent and its use on agricultural crops. Further the practice of sprinklers is considered by some experts as not appropriate. Submitted as an attachment to this comment, for the record, is a report titled "Irrigating with Reclaimed Water Through Permanent Subsurface Drip Irrigation Systems," by Elson C. Gushiken, Vice President, ITC Water Management, Haieywa, Hawaii where reclaimed water is extensively used. This report notes that exposure to reclaimed water can be a health risk for people and needs to be carefully considered. This DEIR has not considered it at all, let alone carefully and is, therefore, inadequate.

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- There is no description, discussion or evaluation of the retention basins and tail water basins in the farming areas .

Page 3-13 (DEIR) " Initially, it is anticipated that the agricultural operations will cultivate alfalfa utilizing center-pivot sprinkler irrigation methods. Figure 3-7 shows typical sprinkler irrigation equipment to be used. The farming areas may include retention basins (to hold water before it is applied as irrigation) and tail water basins (to collect runoff)".

They are briefly mentioned and then forgotten. The potential health impacts of impoundment of this secondary treated wastewater needs to be discussed.

33-9

4. THE IMPACTS ON PRODUCTIVE AGRICULTURAL LAND ARE SIGNIFICANT

The DEIR correctly notes that the proposed western and eastern agricultural reuse property contain areas designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Farmland. Further portions of the proposed eastern agricultural area are located within an Agricultural Opportunity Area (AOA) identified in the Antelope Valley Areawide Plan. Plan policy calls for the establishment of new programs to facilitate greater productive use of AOAs and for these areas to be protected from incompatible uses. The DEIR, however, concludes incorrectly that the establishment of alfalfa with the secondary treated water would actually be a benefit to the county goal of greater productive use of AOA's. Secondary treated wastewater can only be used to irrigate crops that are not consumed by humans or animals consumed by humans. Although they could be used on vineyards and fruit trees as long as the water doesn't touch the fruit, in reality growers will not take the chance of an accident that could result in a tainted reputation in the market. In fact organic growers are known to be very leery of even using ground that has been previously irrigated. Certainly the high dollar crops that clearly can be grown in the Antelope Valley such as carrots, onions and fruit trees will not be grown on these lands. This represents a potential loss of from 5,275 to 13,955 acres of prime farmland from Los Angeles County. In addition to the loss of these lands for high dollar crops, they could also eventually be lost through the buildup of salt deposits from the irrigation methods proposed by the DEIR. Absent any analysis or other evidence in the record, the impacts to agriculture through the potential loss of these agricultural lands is potentially significant. The failure of the DEIR to provide analysis requires discussion and recirculation.

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5. THE DEIR FAILS TO ADEQUATELY DISCUSS ALTERNATIVES TO THE PROPOSED PROJECT

- This project level DEIR requires a "quantitative, comparative analysis" (*Kings County Farm Bureau v. City of Hanford* (5th dist.1990) 221 Cal App.3d692, 730-737[270 Cal Rpts. 650] of alternatives. The DEIR not only

33-11

fails to provide a numerical description of the number of homes and individuals to be "displaced" by each alternative, but also fails to include any alternative sites that would reduce the impacts to individuals to no impact other than the "no project" alternative. Rather the DEIR merely parrots the exact same language used in the Draft LWRP 2020 Facilities Plan to dispense with alternatives and call it an analysis. An example is the following:

LWRP 2020 Facilities Plan "However, Study Area 1 is located near Antelope Acres, which has expressed opposition to the siting of effluent management facilities near its community of homes. Therefore, Study Area 4 was deemed to be superior to Study Area 1 with respect to public impact. "

33-11

(cont'd)

Yet this analysis is not disclosed in the DEIR. In fact the DEIR presents, what appears now to be fiction that Alternative 1 includes acquisitions in both the western and eastern area. Apparently that is not true, for instead of the DEIR analyzing environmental impacts, the proposed plan has already done so and a recommendation has been made. While it is certainly permissible for preliminary plans and studies to be tentatively ratified, the inclusion of environmental conclusions in the proposed plan that are not analyzed in the DEIR is a violation of CEQA. The courts have noted that while preliminary planning, even identification of sites can occur. " We stress, however, that the EIR we envision must serve in a practical sense as an important contribution to the decision making process and must not be used to rationalize or justify a decision already made. " *Stand Tall on Principles v Shasta Union High School District* (3d Dist 1991) 235 Cal App. 3d 772 The analysis of alternatives provides no meaningful information to allow the public to understand why one alternative is being considered over another.

- The DEIR fails to describe a reasonable range of Alternatives. Section 15126.6 (A) of CEQA states that "only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." There are such alternatives and yet they have not been included in the EIR. Rather it appears there may be other factors, unknown to the public, which dictated the choice of alternative configurations of land. Some examples of alternatives that have not been completely analyzed include :
 - a. Expansion of Apollo Park
 - b. Establishment of Wetlands
 - c. Combing Sanitation District 14 and 20 into one and building a Tertiary Treatment plant.

- The DEIR fails to identify an environmentally superior alternative as required by Section 15126.6(e) (2).

- The DEIR inappropriately conducted a piecemeal analysis of the alternatives using undefined terms such as "flawed" instead of the standard thresholds of significance used throughout the rest of the document.

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I. AVIABLE ALTERNATIVE THAT MEETS THE PROJECT OBJECTIVES AND REDUCES THE IMPACTS ON DISPLACING RESIDENTS AND FORCED CONDEMNATION HAS NOT BEEN ADEQUATELY ANALYSED

The proposed alternative for discharge to evaporation ponds is actually viable, cost effective and would meet the project objectives, with the addition of the ultimate building of a Tertiary Treatment Plant. The proposed construction of evaporation ponds is despended with in both the LWRP 2002 Plan and the DEIR with the following same exact statement

Page ES-8 (LWRP 2002 Plan) "Due to the excavation, grading, backfill and compaction work that would be required to construct evaporation pond berms and bottoms, it would not be possible to implement this alternative in time to eliminate unauthorized effluent-induced overflows from Piute Ponds to Rosamond Dry Lake by August 25, 2005. Therefore this alternative was not developed as a feasible effluent management alternative."

This statement is completely unsubstantiated. The following information is provided for the record to provide a fair argument that the alternative is feasible and meets all the objectives of the project, while reducing the cost of the project and the environmental impacts.

The objectives of the LWRP 2020 Plan are as follows:

- Provide wastewater treatment and effluent management capacity adequate to meet the needs of District No 14 through year 2020 in a cost effective and environmentally sound manner;
- Eliminate unauthorized effluent-induced overflows from Piute Ponds to Rosamond Dry Lake by August 25, 2005, in order to avoid any nuisance condition;
- Ensure recycled water of sufficient quality and quantity is available to satisfy emerging municipal reuse needs; and
- Comply with requirements to maintain Piute Ponds.

The plan proposes that to address population growth through the year 2002 an additional capacity for 10 mgd will be added to the system, creating a total of 26 Mgd which is the size sufficient for the year 2020 projections.

Holding ponds would be an interim use for an established period of time (3 to 7 years) The following table shows the estimated costs.

TABLE 1

Acquisition 400 acres @ \$4000 acre	\$1,600,000
Construction of ponds	\$2,000,000
Maintenance	\$ 600,000
Total	\$4,200,000

33-15

This is in contrast to the following estimated costs for the agricultural reuse proposal in Alternative 1 taken from Table ES-7 Capital Cost Breakdown of the Recommended Project.

TABLE 2

Land -Agricultural Operations	\$16,680,000
Effluent Management Piping, Pump Stations	\$17,902,600
Effluent Management Agr Operations	\$ 2,600,000
Total	\$37,182,600

Table ES-7 only quantifies the estimated land acquisition per acre at \$4000. Based on the offers that property owners have already received this does not include the Districts costs for appraisal, escrow fees, any sales commission for brokers and the court costs for litigation. Those costs could easily add another \$2,000,000 to the project.

So the holding ponds would clearly be more cost effective on a short term basis at \$4.2 million then the 20 year plan at \$37.1 to \$39.1 million. However cost was never mentioned in rejecting the alternative instead it was that construction of the ponds could not meet the timeframe. We disagree. Even with a revision to the DEIR to analyze this alternative the DEIR could be revised and recirculated for the required 45 day public review, the project could complete the CEQA review for presentation at the Board in April, 2005. There appears to be no publicly known reason why it took 10 months for District staff to prepare the DEIR from the end of the comment period. Especially considering how little truly technical information is included in the document. But an informal survey of environmental preparers of these types of documents indicates that 10 months is an extraordinary long time, given the documents level of analysis. A revision to the document to include the proposed feasible alternative should take only a few months, given the importance of this project to the District. With approval in April, 2004, there would be 15 months (August 25, 2005) within which to complete any required biological or cultural mitigation, design and proceed to grading. Another informal survey of large grading contractors indicates that the construction of such evaporative ponds is a simple grading project that could be completed in 6 -9 months.

As noted these ponds would only be used until a tertiary treatment facility could be considered and built. The expected population of the Antelope Valley will not be sustainable on secondary wastewater irrigating ag land. As will be discussed next, the impacts to the only water table the Valley has are too dangerous to take this chance. Other communities have collected capital improvement charges from new development that eventually pays for a plant. Why are you not pursuing that avenue/ Why not take advantage of the development growth pressures to accumulate money over the next 10 to 15 years sufficient to build an appropriate facility? The construction and funding of a tertiary plant should be discussed at a program phased level in this document with a project level document to be done at a later time.

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7. CUMULATIVE IMPACTS ON WATER QUALITY HAVE NOT BE ADDRESSED

- On November 12, 2003, the Regional Water Quality Control Board -- Lahontan (RWQCB) Region conducted a hearing in Palmdale, California. On the agenda was a public hearing for the consideration of a cleanup and abatement order requiring the Los Angeles County Sanitation District No 20 and the City of Los Angeles to clean up and abate waste discharges of nitrates from agricultural land irrigation in Palmdale. Our letter to the RWQCB along with the staff report is attached to this letter, for the record. This abatement order affects approximately 4000 acres of land in Palmdale that has been used for various forms of wastewater irrigation since 1953. The practice has resulted in nitrate concentrations in groundwater in the area being as high as 16 mg/L (as nitrogen) when the standard is not to exceed 10 mg/L. As we are in the same water basin and you are under the same umbrella agency, it is astounding that the DEIR makes no mention of this serious violation by your own agency in the same water basin. Instead once again the issue is dispensed with by stating that the LA County Sanitation District No 14, unlike 20, will always abide by the requirements of the Waste Discharge Permit.

"Cumulative Impacts " are defined as "two or more individual effects which, when considered together, are considerable or... compound or increase other environmental impacts." (CEQA Guidelines, 15355) The irrigation with secondary treated wastewater of from 9, 000 acres to 17,506 acres of agricultural land on water quality in the same water basin could potentially be cumulatively considerable. In fact, If allowed to continue it is possible for both LA County Sanitation District 20 and 14 to be utilizing thousands of acres of agricultural land for this practice with resulting contamination of the groundwater that can not be abated. And without good quality groundwater the Antelope Valley will be unable to support the projected populations in year 2020 that the City of Palmdale, the City of Lancaster and Los Angeles County are clearly anticipating.

The DEIR is flawed and needs to be recirculated with an appropriate cumulative analysis and determination if the potential impacts to water quality in the Antelope Valley basin are cumulatively significant.

1. NEW INFORMATION AND A FAIR ARGUMENT FOR A FEASIBLE ALTERNATIVE AND CUMULATIVE IMPACTS REQUIRE RECIRCULATION

The Supreme Court in Laurel Heights II formulated the following legal test for determining when recirculation is required :

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[W]e conclude that the addition of new information to an EIR is not significant unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement... [R]ecirculation is not required where the new information added to the EIR "merely clarifies or amplifies ... or makes insignificant modifications in... an adequate EIR." (ID. At pp.1129-1130 (emphasis in original); see also CEQA Guidelines, Section 15088.5 subd (a).)

The court then provided four examples of how the above-stated principles should be applied in practice:

[R]ecirculation is required, for example, when the new information added to an EIR discloses;

- (1) a new substantial environmental impact resulting from the project or from a new mitigation measure proposed to be implemented;
- (2) a substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificant.
- (3) a feasible project alternative or mitigation measure that clearly would lessen the environmental impacts of the project, but which the project's proponents decline to adopt [or]
- (4) that the draft EIR was so fundamentally and basically inadequate and conclusionary in nature that public comment on the draft was in effect meaningless. (*Mountain Lion Coalition v Fish and Game Commission*) (1989) 214 Ca, A[[3d 1043)

As demonstrated in this letter, we have presented evidence for the record that there is information that was not disclosed in the document and therefore is new information, the impacts from the forced acquisition of property and homes was not included as required by CEQA, the feasible alternative of evaporative ponds with or without an ultimate tertiary treatment plant was not appropriately analyze, and that the DEIR is fundamentally flawed and conclusionary. The DEIR is required by CEQA to be rewritten and recirculated before it can be certified as legally adequate by the District Board.

2. VIOLATION OF CEQA PROCEDURES AND ABUSE OF DISCRETION

An abuse of discretion occurs where the agency has not proceeded in a manner required by law, or its decision that the EIR is adequate is not supported by substantial evidence. (*Dry Creek Citizens Coalition* at p.26, 82 Cal.Rptr.2 d 398) To be adequate the EIR must include sufficient detail to enable those who did not participate in its preparation to

33-17

(cont'd)

33-18

understand and " meaningfully" consider the issues raised by the proposed project.
(Ibid)

The Los County Sanitation District No. 14, as the Lead Agency under CEQA, for this project has a duty and responsibility to comply with the requirements of the State CEQA Guidelines. Public outreach is one of those duties. It is therefore especially appalling to have our members receive on Nov 10, 2003, before the comment period on the DEIR has even ended a formal letter discussing acquisition and "final plans" and " environmental impacts" This letter is attached, for the record, to our comments. As noted in our previous letter, this follows a pattern of this District to disregard the actual meaning of CEQA and treat it as merely a procedurally speed bump that will not get in the way of a predetermined project implementation.

In our October 28, 2003 letter " we noted that a portion of the project, acquisition of land, has inappropriately been commenced before completion of the CEQA process and certification by the County Sanitation District Board. Representatives of the District have approached owners of targeted properties, although which alternative they are in there is no way to determine from the DEIR, and commenced discussions regarding purchase of the properties. These discussions contained inappropriate references to "done deal", "eminent domain" and "relocation". These discussions coming to the property owners, without a full understanding of the project, created fear, anxiety and confusion particularly among the elderly owners. "Public review provides the dual purpose of bolstering the public's confidence in the agency's decisions and providing the agency with information from a variety of experts and sources." (*Schoen v. California Department of Forestry and Fire Protection* (1st Dist. 1997) 58 Cal App.4th 556, 574[68 Cal Rptr.2d.343]) These actions by agency representatives have a chilling effect on public comment , have reduced confidence in the public agency and are inappropriate during a public review period for the DEIR. They represent an abuse of power and should be grounds enough for a revision of the document and recirculation."

Although we were assured at that public meeting that all our comments would be read and taken into consideration , apparently they meant nothing. Sending a formal letter that discusses "acquisition, permission for appraisals, final plan" before the end of the comment period can only be assumed to be a tactic to suppress public comment. The tone of the letter from the District clearly implies that all environmental issues have been resolved and there is nothing left to do but sell. Further conversations with representatives of the District again invoked the word " eminent domain" which in context was clearly a threat. While Senator Knight was told at the October 29 meeting that the real estate agents that had earlier showed up were not working for you, clearly these people are and you are now proceeding , inappropriately, to implement this project before certification of the EIR.

There have also been discussion and pressure to sell based on some representations that if this Alternative 1 is not adopted then the District will have to go back to pressuring Edwards to allow for more discharge and the reservoirs on Edwards property. The stated

33-18

(cont'd)

reason for the opposition of some to these reservoirs is that it could put Edwards at a disadvantage when Congress looks at which base to close and missions to change. Many of the families on the East side have veterans from past wars, have family members who are current active duty or have otherwise worked on Edwards. It is truly cruel for the District to create this situation where such families are faced with the awful choice between losing their homes and hurting the ability of the nation they love to defend itself in this time of war. We will be sending a copy of this letter to General Pearson at Edwards Air Force Base, asking him to cancel the MOU for the storage ponds, so that you can not use this argument to your advantage.

33-18

(cont'd)

It is clear that the LA County Sanitation District No. 14 has little interest in true public service or outreach. While personal letters can be generated to each individual property owner to announce this Nov 20, 2003 meeting letter "to discuss the sale of your property and answer your questions," no such letter was sent on the Notice of Preparation. Further we specifically asked in our October 28, 2003 to be kept informed of all meetings. On November 3, 2003 a public meeting was held to discuss the project and we were not informed. It is but one of many examples in this process of the Districts lack of commitment to comply with CEQA or to have the common decency to inform people that they may lose their homes and property.

CONCLUSION

The DEIR is fundamentally flawed, conclusionary without supportive documentation, fails to discuss and evaluate eminent domain as part of the project and has been tainted by premature implementation of the land acquisition portion of the project before District certification of the DEIR and approval of the project. It is legally inadequate and should be rewritten and recirculated.

The Lancaster East Side Property and Home Owners Association request the following:

33-19

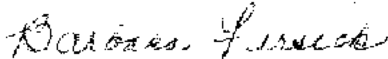
3. That the Board of the LA County Sanitation District No. 14 immediately direct staff to end all attempts to acquire land and cancel all pending escrows.
4. That the CEQA process is placed in suspense, the DEIR be rewritten immediately to remove land acquisition and instead analyze evaporative ponds with Tertiary treatment...
3. That Edwards Air Force Base and LA County Sanitation District No 14, cancel the MOU for the storage reservoirs as the DEIR did not discuss them and therefore they cannot be built.

Please keep Lancaster East Side Property and Home Owners Association informed of any and all notices , reports, hearings, workshops and other activities related to the I.WRP 2020 Plan and EIR at the address below. Please provide a copy of the Response to Comments on the DEIR 10 days prior to the hearing as required by the State CEQA Guidelines

33-19

(cont'd)

Yours truly,



Barbara Firsick
President, Lancaster East Side Property and Home Owners Association
48175 70th St. East
Lancaster, CA 93535
(661) 946-1323

cc: Mayor Frank Roberts Mayor
Mayor James Ledford, Jr
Supervisor Yvonne Burke
Supervisor Michael Antonovich
Senator Knight
Senator Ashburn
Assembly Member McCarthy
Assemblywomen Runner
Regional Water Quality Control Board -- Lahanton
Edwards Air Force Base -- General Pearson

ATTACHMENTS LIST

- October 28, 2003 Letter, re: DEIR
- Pathogens in Reclaimed Water
- Irrigating with Reclaimed Water through permanent Subsurface drip...
- RWQCB Staff Report Item 6
- November 10, 2003 letter from Sanitation District

LETTER 34

November 14, 2003

Sagar K. Raksit , Supervising Engineer
County Sanitation Districts of Los Angeles County
P. O. Box 4998
Whittier, CA 90607-4998

Re: District 14 Water Reclamation Plan 2020

Dear Mr. Raksit:

When I received word of your plans for our community, it was very disturbing to say the least. I came here to this property as a bride in 1933. My husband's father homesteaded this land in 1894. We farmed alfalfa for many years. Our children were born and raised on the ranch. My grandchildren and great grandchildren love to come out here to ride their bicycles and motorcycles and enjoy seeing all the wildlife we have here.

34-1

My home was built in 1956, it is paid for. I have taken very good care of it and continue to make improvements. It will be very difficult for me to move as I have several health problems. I enjoy living here and do not want to sell my home.

I am against this plan of bringing sewer water out here for farming. Our wells have good clean water we do not want the ground water contaminated with sewer water. The water table here is around 110 feet . Palmdale now has contaminated ground water. Rather than spend the money to bring a pipeline out here, use it to build a new plant that will make clean water that can be used for good. With all the building in Lancaster there will soon be a shortage of fresh water, clean reclaimed water can be put to many more uses. Many people are attracted to our area for the beauty and solitude, it keeps growing. But if the sewer water comes out here property value will drop considerably. No one will want to move out here and it will destroy our chances of selling in the future. There are between 75 and 100 homeowners who will be displaced by this project. This is not a good plan for the welfare of our community. There is plenty of vacant land right now west of the current plant and there is a pipeline for distribution of sewer water for farming.

34-2

34-3

34-4

I am pleading with you to reconsider the plan for our area. It will only wreak havoc for our future.

Sincerely,

Jane Firsick, East Lancaster Home & Property Assn.
48157 70th Street East
Lancaster, CA 93535

NOV 17 '03 PM 3:22

DOC #
301968

Raksit S

4 Nov 93

Sagar K Raksit Supervising Engineer
County Sanitation Districts of L.A. County
Box 4998
Whittier, Ca 90607-4998

Lancaster Waste Reclamation Plant 2020 Plan EIR
L.A. County Sanitation District No. 14
Regarding acquisition of homes and land
for waste treatment on Lancaster Eastside.

I am writing to inform you of the
problems you are causing homeowners
and ranchers on the Eastside of Lancaster.

My mother, who is 87 years old, has lived
in this valley since 1948. She has been
living in her home for most of that time
and plans to die here. To uproot her
and buy or "take" her property and home
is cruel.

As I understand you have land and
a facility on the westside of Lancaster which
can be expanded with no loss to home and
landowners. Why then have you set your
sites on us?

There are water problems which have been
associated with use of reclaimed water i.e.

Raksit S

DOC # 312053

NOV 17 05 PM 3:30

35-1

35-2

contamination of great water wells, erosion
facies, wildlife endangerment and an
elementary school which is too close to
your projected border.

35-2

(cont'd)

I am asking you to reconsider your
decision to acquire land (land grab) and
think about what harm this will cause
the homeowners, ranchers and landowners.
There are other alternatives that will not
impact the eastside and the people who
live here, as you well know.

35-3

Member of:

Lancaster Eastside Property and Homeowners Assoc
Judith Gauthier, R.N.
6351 E. Ave. H.
Lancaster, Ca 93535

Sewage causes stink over groundwater contamination

By ALISON GARDNER

The groundwater sampled from monitoring wells in the area

of the Los Angeles basin contains the production of methane and

hydrogen sulfide, which is the cause of the stink that

has been plaguing the Los Angeles basin since the late 1970s.

The Los Angeles basin is one of the most densely populated areas in the United States, and the

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Los Angeles basin is one of the most densely populated areas in the United States, and the

We need to be reasonable, but we need to be firm; we need to be fast.

— Eric Sandoz, Vice Chairman

Los Angeles Regional Water Quality Control Board

The district is now in the midst of a major cleanup effort

to clean up the Los Angeles basin and to protect the groundwater

from contamination by sewage sludge and other pollutants

that have been dumped in the Los Angeles basin since the 1950s

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the head state with Los Angeles, Santa Ana, and Orange counties

to give the district greater control over how the land is used and how the

polluted water is treated. The district is now in the midst of a major cleanup effort

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and 1960s. The district is now in the midst of a major cleanup effort

SEWAGE: Subcommittee formed to monitor district's progress

The pollution "blow" that has hit the Los Angeles basin since the late 1970s and early 1980s is now being monitored by a new subcommittee of the Los Angeles Regional Water Quality Control Board. The subcommittee will monitor the progress of the district's cleanup efforts to clean up the Los Angeles basin and to protect the groundwater from contamination by sewage sludge and other pollutants that have been dumped in the Los Angeles basin since the 1950s and 1960s.

As a continuation of the board's monitoring efforts...

As a continuation of the board's monitoring efforts, the subcommittee will monitor the progress of the district's cleanup efforts to clean up the Los Angeles basin and to protect the groundwater from contamination by sewage sludge and other pollutants that have been dumped in the Los Angeles basin since the 1950s and 1960s. The subcommittee will monitor the progress of the district's cleanup efforts to clean up the Los Angeles basin and to protect the groundwater from contamination by sewage sludge and other pollutants that have been dumped in the Los Angeles basin since the 1950s and 1960s.

LETTER 36

FROM: Jerry Gorman Jr. *East Lancaster Home & Property Owners Assn.*
Beverly Gorman
48500 95th St. East
Lancaster, CA. 93535

DATE: November 13, 2003

TO: SAGAR K. RAKSIT / SUPERVISING ENGINEER
County Sanitation District of Los Angeles County
P.O. Box 4998
Whittier, CA. 90607-4998

RE: ***District #14 Water Treatment Plans 2020***

Dear Sir,

This is a very difficult letter for my wife and I to write, but we want our feelings to be known. First of all let me say that we are against the plans you have to acquire so much land, and the thought of using secondary water to grow crops just sickens us both. What Will become of this land once the ground water is ruined for our kids, and grandchildren? The plan you are proposing will do just that. There are other alternatives that do not include making hundreds of families who love this community, give up their homes, and move. For one thing, finding something comparable is almost impossible. Those who live out here love the beauty and solitude it offers.

I want to express my concerns over your proposal in a "from the heart" letter.

When we bought our home, we never planned to move. My last move was prompted when the county decided to ban single wide mobile homes, I had to chop up my home piece by piece.

I live here with my wife, 3 sons (my oldest is between jobs right now, and has an 18 month old daughter who also lives here, as well as the Mother of his child). My youngest (16 years old) just got out of the hospital last week after suffering a broken neck in August. He is in a wheelchair and has special needs at this time. (Therapy, Home Schooling, etc.) We have built ramps for him to access doors, and so on. My parents live on our property in a "granny house", and one of my brothers lives with them. We are a family who care about each other, and love where we live.

We live on 7.99 acres. When we purchased it about 10 years ago, it was very undeveloped. We have done countless repairs and improvements:

- *Added concrete curbing.
- *A front and back yard with beautiful grass and probably 20 to 30 trees that canopy Over our home for shade.
- *We put up a play area for our grandkids that they love (swings, monkey bars, slide)
- *Brick walls
- *Brick ribbon patios
- *A small track for the kids to ride bicycles and motorcycles on.
- *A "Grandparents House" for my parents who are retired and cannot afford other housing.
- *A "Jam Room" with a bandstand and recording studio..... (It looks like an old fashion western saloon with a porch going ½ way around it.)
- *And there is a horse stable with 6 stalls it (not being used for horses at this time)

36-1

It sounds great doesn't it? Well, it is. It is our retreat. It is our HOME.

All of the improvements we have done as a family.... How many of you can say that? We have spent a lot of quality time, had fun and have invested many memories in this place. So, you see, it isn't just the land or the house as YOU may see it. This is where we have raised our children, (who now have children of their own.) This is the home of our memories.

I was raised in Lancaster, (We lived on 145th St. East) . I went to Eastside Union School and graduated from A. V. High School, I lived here 15 years before moving to Sacramento. (for work) We ended up moving back here so that he could give back to our kids, the experience of freedom and the beauty that the desert has to offer, it is so much different from living in town, I don't know how to explain it, but it is very serene. You don't have to worry about locking everything up.

Please consider this..... What if you were in our place?

Think about what it is in your life that cannot be replaced, as we have to think about this whole procedure. Think about if someone was asking you to give it up.

Then, consider that we are not the only ones who feel this way. Everyone has treasures in their lives. Dreams... and hopes that what they have, and what they have worked so hard for all their lives may one day be passed to their children. Whether it be an old locket, a set of wedding china or a childhood home.

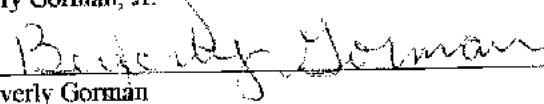
We ask you to search for a better all around solution to this problem. What is being proposed is disastrous for the future of the Antelope Valley.

Thank you for your time,

Sincerely,



Jerry Gorman, Jr.



Beverly Gorman

36-1
(cont'd)

LETTER 37

ATTN: JAGM
Senator William J. "Pete Knight"
100 West Avenue M-17, Suit G
Palmdale, Ca. 93551

Nov.9th, 2003

We attended the hearing on Wednesday, October 29th at the Lancaster City Hall for the public hearing on the proposed Draft LWRP 2020 facilities planned by the L.A. County Sanitation Department. Apparently, the majority of the people who attended the meeting and who are directly affected by the plan are against this proposal for the waste water to be spread on the Eastside of Lancaster (site 3 and 4).

We did not receive a notice in the mail concerning this meeting. Also, the public notice in the paper did not give boundaries of the areas that would be affected by this proposal and those reading it would not now if they were affected. Furthermore, by law, 30 days notice must be given to the public. The notice in the paper did not give 30 days notice prior to the meeting. Also, the few people who received notices in the mail were postmarked with less than 30 days notice to the public hearing. Therefore, this meeting was illegal and does not confirm with the laws. We were informed by telephone from a neighbor who informed us of this land grab.

37-1

Our Grandfather's homesteaded this property in 1895. He brought 5 sons to this area in the 1920's. They started farming and future generations have been here ever since. The Roosevelt and Redmond District was a large alfalfa farming community with many shallow wells drilled. There are many abandoned gravel packed wells in this area (site 4) that by using waste water on this land, it will only be a matter of time that the ground water aquifers will be contaminated.

37-2

Senator Pete Knight, we appreciated your voice during this meeting that the people obviously don't approve of this plan, and that it is clear that the 2005 deadline to stop run off waste water to the dry lake will not be met. Therefore, apply for an extension with Edwards AFB and start over with a more appropriate plan. I believe you are right, because the land owners on the Eastside (site 4) are not ready to move from their homes. This current plan is just a band-aid for an increasing growing problem in the Antelope Valley, especially for the proposed growth of our valley. There are large amounts of land available in the Antelope Valley where no homes would be affected that are available for a large tertiary sewer treatment center. Where the sewer ponds are now is an abundance of open land for this site that could serve all of the Antelope Valley. With the reality of future water shortages, a large tertiary sewer treatment center is the best solution.

37-3

We look forward to your continued support to prevent waste water from being distributed on the Eastside.

37-4

Sincerely,

Leonard W. Griffin
Laura Griffin
48009 70th St. East
Lancaster, CA. 93535

LETTER 38

Sagar K. Raskit, Supervising Engineer
Financial Management Department
County Sanitation District L.A. County

13 Nov. 2003

I attended the hearing on Wednesday, October 29th at the Lancaster City Hall for the public hearing on the proposed Draft LWRP 2020 facilities by the L.A. County Sanitation Department. The items listed below are the reasons I oppose this poorly designed plan.

- 1.) The public notice in the Valley Press newspaper on Oct, 2nd, did not give 30 days notice prior to meeting required by law. Furthermore, the boundaries of this proposal were not listed as well, and those citizens reading the notice would not know if it applied to their homes and property. Therefore, this meeting was illegal for lack of proper notice. **38-1**
- 2.) The few residents who did receive notices by mail, were postmarked with less than 30 days notice prior to the meeting. **38-2**
- 3.) Vague information has been given concerning the level of treatment the sewer water will receive prior to being used on our land. I am concerned about the contamination of our ground water and aquifers. **38-3**
- 4.) I feel you are taking advantage of a sparsely populated area and preying on our land, lives and homes. **38-4**
- 5.) Many of the residents are elderly, have lived their whole lives on the Eastside (zone 4). Moving would be a hardship for them as well as a financial burden. **38-5**
- 6.) My family has occupied this land we live on for over a 100 years by Homestead. We plan to keep this ranch in the family for future generations. **38-6**
- 7.) Many residents are protected by proposition 13 property tax laws. If they relocate, they will pay higher taxes on their new property. **38-7**
- 8.) Senator Pete Knight stated at the meeting, that your obviously will not make 2005 deadline for preventing sewer water running over on the Rosamond Dry Lake. He further stated, that you need to file an extension with Edwards AFB and start over with a new plan. I agree with him. **38-8**
- 9.) We have many migratory birds and wildlife that will be affected with this plan. **38-9**
- 10.) There is plenty of open land available around the sewer ponds at Ave. D and Sierra highway that have no homes in the vicinity; build a major tertiary water treatment sewer plant that serves the Antelope Valley and conserves water. With the obvious water shortages ahead, this is the best way to use sewer water. Treat the sewer water to the highest quality available and use it for parks, bird sanctuaries, lawns etc. Major cities across the country use major tertiary sewer treatment plants and the cities of Lancaster and Palmdale should be no different. **38-10**
- 11.) I feel this is a land grab and you will use a small portion of the land for your sewer water and later sell the water and land for home developers. **38-11**

- 12.) Most people would not benefit from the prices you are willing to pay for their land and homes, they could not afford the higher taxes and higher property cost purchasing real estate somewhere else. 38-12
- 13.) The land and property owners are being held hostage by the L.A. County Sanitation District because the land is unable to be sold with this proposal in place and decreases the value of the property. The legal term is known as Inverse Condemnation. 38-13
- 14.) This proposal affects approximately 100 homes in and around zone 4. Zone 3 affects a large community as well at Leisure Lake also. 38-14
- 15.) Why has one realtor, Gene Slocam, been chosen for this project? He has been harassing the home/land owners of our area. I find his real estate standards unethical and plan to turn him into the Governing State Real Estate Board. Also, why is property being purchased by L.A. County prior to the approval of the plan? Furthermore, we have been told that assessors will be appraising the land even before the approval has been given by the board. 38-15
- 16.) You are destroying the whole community in this area that has a rich farm history. 38-16
- 17.) A meeting of farmers was held, however they were not local farmers and out of the area concerning this project. 38-17
- 18.) There are many old, shallow, gravel packed wells that have been abandoned by previous farming of years ago. It would be impossible to locate these old wells. With sewer water they are sure to leak into the ground water. 38-18
- 19.) I read in the paper that the proposed budget for this project is 163 million, that seems under budgeted. 38-19
- 20.) If imminent domain is threatened, by law, replacement value must be given at equal or greater value to the land owners. Furthermore, you must use the land for what it was acquired for or the land owners can sue. 38-20
- 21.) I am attending a meeting by the Regional Quality Water Board on Nov.12, 2003 to discuss the toxic contamination of ground water by farms using the toxic waste water, the type of water you want to use here on the Eastside of Lancaster (Zone 4). 38-21
- 22.) We have clean, pure water being drawn from our wells hat will definitely be contaminated by your sewer water. 38-22
- 23.) If you use reverse imminent domain, and use sewer water on land in and around other houses and property that won't sell, you will be held responsible for contaminated wells and illnesses in response to your waste water. 38-23
- 24.) We are in a flood zone that has received many floods. If a major flood occurs, waste water could be carried to other areas and spread disease and further contaminate ground water of other areas. 38-24
- 25.) This is a quick-fix, and it will only create more problems then it will solve. With our shallow wells in this area they will leak sewer water into our aquifers and contaminate our fresh drinking water. 38-25
- 26.) My whole family, my parents and their ranch, my sister and her family with their custom built home, and my home our all going to be affected. 38-26

- 27.) I have lived in this beautiful area of East Lancaster all my life, along with my family, great neighbors, friends, farm animals, wildlife and migratory birds. I'm offended that my home and ranch is called zone 4 and sewer water is to be dispersed by your lack of a more responsible plan.
- 28.) Sewer water used on farms must be flood irrigated, the ranches in my area use sprinklers, therefore, it would cost more money to disc the current ranches fields and create flood dikes for the water. Airborne water will contaminate the air and create disease.
- 29.) Homes, property and wells within 2 miles of this zone will be affected, as well, with a decrease in property values.
- 30.) I think all these concerns gives a crystal clear picture that sewer water is not appropriate for farm use in our Eastside area, also known as zone 4.

38-27

38-28

38-29

38-30

Marleen Griffin
48025 70th St. East
Lancaster, CA 93535

LETTER 39

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

Dear Mr. Raksit:

This letter to you is from two senior citizens and members of the East Lancaster Property and Homeowners Association concerned that our property is being considered for purchase by the Los Angeles County Sanitation District #14.

My wife and I have lived in our home at 47670 65th St. East, Lancaster, CA for eight (8) years and anticipated enjoying our retirement years here in peace and quiet. We have children and grandchildren as well as many family and friends that come here to visit and enjoy family functions with plenty of room to visit and play. They call this home too.

39-1

Nothing can replace our home with like value without costing several hundreds of thousands of dollars more than we have invested.

Furthermore, it seems strange that you selected property so far from where your problem exists. There are many miles of property closer to the Disposal Plant without residents of any kind. These areas are both West and North of the Plant as well as North of Avenue E on the Eastside.

39-2

Then you have the health concerns of people out here. Groundwater contamination and disease from inadequate repurification is another matter you should address. We have the Eastside School that have water wells that will draw from this same area as they are only one (1) mile south of your proposed area purchase. It would seem that in this day of sophisticated Technology, you could come up with much better solutions than this. Since Palmdale is having problems with contaminated groundwater, you should be considering other solutions. This may be a cheap way to temporarily solve a problem till the year 2020, why not address the problem correctly now. We all know that this northern end of L.A. County is given the least consideration since we are outside the L.A. basin, Out of Site, Out of Mind.

39-3

It would be greatly appreciated if you can find a better solution and let the Citizens on the Eastside keep their property intact and not cause undo hardship. We are adamantly opposed to this proposed Land Takeover.

Respectfully;

Karl A. Hoepfner *Doris E. Hoepfner*
Karl A. Hoepfner Doris E. Hoepfner

cc: Supervisor Michael D. Antonovich
Mayor Frank Roberts
Sen. William J. "Pete" Knight

Mayor Jim Ledford
Harold Singer, Lahontan Board
Sharon Runner, Assemblywoman

November 15, 2003

Supervisor Yvonne Burke
Hall of Administration
500 West Temple Street, Room 866
Los Angeles, CA 90012

Dear Mrs. Burke:

I am very concerned about Project 2020. You are planning on displacing many of my friends and neighbors, who have farmed and lived on this land for many generations and wish to continue to live here and work the land.

You are also proposing to dump basically untreated sewage on our land for agricultural reuse. You can not grow food for human consumption on land where this type of affluent water is used. You also can not eat beef/meat or drink milk from cows fed hay that was grown in these fields. What agriculture are we talking about?

Water in this valley is in short supply and you are proposing to kill your own GOLDEN GOOSE by contaminating the water supply of the entire Antelope Valley. This affluent water will not stay in the square miles where it is spread. When it reaches the underground water supply it will disperse and eventually contaminate all the ground water that we all need and use, even Lancaster municipal water that comes from local wells.

Please kill this project. The Federal Government has money available for reclaiming water. Please build a State-Of-The-Art facility and pump the water back into Lancaster to water your parks and lawns.

Sincerely,

Mr. & Mrs. Robert D. Holloway
47661 50th Street East
Lancaster, CA 93535
(661) 946-3209

40-1

40-2

40-3

Janis Huff
1425 Biglarn Rd
Helena, Mt. 59602
Janindh@aol.com
406-442-3445

Nov 14, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Dept. of Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

Concerning: Procurement of properties for the development
of a new water treatment facility on the east side
of Lancaster.

Dear Mr. Raksit,

It has been suggested by the property/home
owners who currently lease/own property designated
for use on the new water treatment site that said
interested parties write letters to you expressing
their concerns.

While I am not a property owner of the east side
site, my mother is. It is on her behalf I write.
Eileen Dickson, 6351 East Ave 6. Imagine my angst
when I had to sit down with my 87 year old
mother and discuss the very real possibility that
she may be forced to leave the home she had
spent the last 50 years of her life. At some when
she has raised three children, married ailing
husband, and wants nothing more than to live out
the rest of life in the home with all her memories.

DOC # 301485 Raksit S

NOV 17 '03 PM 6:20

You will be forcing him to go through the stress of a complete relocation at 87 years of age. This same drama will be forced upon 53 other residents.

41-1

From the meetings of the newly formed Lancaster Eastside Property and Home Owners Association I have become aware of further "impacts" to the targeted community.

(cont'd)

The Eastside school is only one short mile from the project site. Are you sure you can guarantee their health and safety?

41-2

The loss of the Sierra Golf Course would be felt. It is the only such recreational site that serves the area. To re-locate the golf course, as the plan suggests, would take a sizable amount of investment. Is that a wise use of funds? We need it here, not in some other valley location.

41-3

In closing, I think you will find that the "old timers" who live out here will not be easily driven off. They have too much history that will resist being blanketed by fields of alfalfa and reclaimed sewage.

41-4

Respectfully,

Jenifer Hoff (Buckman)

Native of:

6351 East Ave G

Lancaster, CA. 93535

November 17, 2003

David B. Lambert, Esq.
Paul, Hastings, Janofsky & Walker, LLP
515 South Flower Street, 25th Floor
Los Angeles, CA 90071

Mr. Sagar Raksit
Supervising Engineer, Planning & Property management Section
Los Angeles County Sanitation Districts
1955 Workman Mill Rd.
Whittier, CA 90601-4998

Re: Facilities Plan and Draft Environmental Impact Report for Lancaster Water Reclamation Plant 2020 Facilities Plan

I have received and reviewed the subject documents (the "Planning Documents"), each of which sets forth a recommended project alternative for sewerage facilities (including effluent disposal facilities) believed necessary to serve the projected District 14 population through the year 2020, and I have the following comments thereon.

1. FACILITIES PLAN COMMENTS

(a) Wastewater Flow Projections, Water Supply Analysis, Project Phasing, and Elimination of Certain Project Alternatives

While I understand the basis of the population projections that were used to develop a projected year 2020 wastewater flow projection (and I understand why those numbers were selected), I believe the District is too cavalierly assuming that the population projections (and the flow projections) are (or will be) accurate and, in connection with the recommended project alternative, are too eager to commit substantial financial resources (and incur substantial debt) in reliance on population and wastewater flow projections with respect to which there is good reason to impute a fairly significant amount of uncertainty. As such, it appears that the selection of the recommended project alternative (and specifically the phasing of its elements) is fiscally irresponsible.

The source of uncertainty with respect to the population projections and the wastewater flow projections is the uncertainty surrounding the regional water supply. It should be clear that wastewater production is dependent only indirectly upon population and is more directly dependent upon water consumption. It should, similarly, be clear that increased population requires an adequate water supply to support it. It may be possible to increase the regional water supply, but new water supplies will be obtained at higher marginal costs. Increasing water supply costs will, in and of themselves, affect population projections by increasing the cost of building new housing (via increased

42-1

"connection fees") and generally increasing the cost of doing business. In addition, as water supply costs increase, and as it becomes necessary to find new sources of water, municipal reuse of reclaimed water will become more feasible (and needed).

While the District has, to some extent, referenced the water supply issues in the Antelope Valley (and in the District 14 service area) (by referencing, briefly, for example, the ongoing litigation between certain agricultural interests and local water purveyors regarding the ownership of rights to the local groundwater) neither of the Planning Documents adequately addresses the issue as neither provides any analysis or summary of the projected regional water supply and the projected regional water demands. Both documents simply gloss over the issue as if it were not important.

Ultimately, it should be clear: (1) that where there is uncertainty in the water supply there is uncertainty in wastewater production and (2) that where water supplies need to be expanded and where new sources of water supply need to be obtained, greater reuse of wastewater for municipal purposes is likely to materialize. The implications of the above are relatively obvious. Given the uncertainty in water supply and wastewater flow production, it would be prudent to avoid large commitments of capital to additional wastewater management facilities, as it is uncertain when the facilities to which such capital is used will be needed and/or for what type of facilities such capital should be used. Additionally, planning efforts should not assume that existing planning constraints will hold true long term and flexibility should be built into long term planning (by for example developing a long term "program" rather than a long term "project").

The Lancaster Water Reclamation Plant ("LWRP") Facilities Plan accounts for neither of these considerations for the following reasons. First, the District appears bent on identifying a year 2020 "project" based on existing constraints. All of the project concepts (such as large scale municipal reuse and groundwater recharge) that involve reuse of reclaimed water in a manner that would expand local water supplies have been rejected based on: (1) an assumption that today's constraints will be tomorrow's constraints and (2) by imposing an artificial "time" constraint on them. Although there is a need to resolve the Rosamond Dry Lake problem by a date certain, there is no need today, to specifically identify the fix for that problem for the next 16 years. Rather, the prudent course of action would be to segment the plan into a project component capable of resolving the existing problem for the immediate future and a program component which identifies a range of alternatives that will prevent the problem from recurring in the future and from which the District can select from as constraints evolve.

Significantly, the net result of the District's recommended course of action is likely to be an irresponsible commitment of capital (and creation of debt) for facilities, or more likely in this case, for land, that the District quite likely will not need (or of a type the District will not need). As indicated in the planning documents, although the

42-1

(cont'd)

District intends (to some extent) to phase construction of certain facilities, it intends to acquire approximately 7¹/₂ square miles of land immediately, most of which will be dedicated to a specific effluent disposal mechanism. To the extent that it is likely that the regional need for additional water supply sources is likely to create a need for certain types of reclaimed water reuse, the long term commitment of significant public moneys to a single effluent disposal mechanism seems unwise.

42-1

(cont'd)

(b) **Land Acquisition Issues.**

As indicated above, the Planning Documents indicate an intent to acquire all land which the District believes it will need through the year 2020 at once and in the immediate future. Both Planning Documents also recognize that it will be necessary to resort to eminent domain to acquire the subject land. In my January 10, 2003 letter in response to the NOP for the Facilities Plan, I provided comments on this land acquisition scheme. In summary, the thrust of those comments is that significant legal obstacles are associated with the plan to acquire, via eminent domain today, land that will not be needed (if it will be needed at all) for fifteen years. In fact, it is quite clear that the law generally does not permit the eminent domain power to be used in this manner. I have attached a copy of my January 10, 2003 hereto as Exhibit A and I hereby incorporate herein all of my comments in that letter regarding this subject (including, without limitation, the comments provided in Section 4 of my January 10, 2003 letter).

42-2

In addition to the above, the Planning Documents create another issue that is perhaps more immediately significant. The documents identify a recommended project alternative, which identifies an area that is roughly 9,600 acres (15 square miles) in area, within which the District plans to acquire (by eminent domain if necessary) only approximately 4,170 acres of land. There is no indication in the Planning Documents as to which 4,170 acres the District might acquire; all 9,600 acres are potentially subject to eminent domain. Accordingly, the District has clouded title to all 9,600 acres within the area in which it has indicated it plans to acquire land (including the 5,430 acres which it will not acquire). Because the District has indicated that it might take (via eminent domain) any of the land within the identified study area, it will be difficult for any owner of any land located within the identified area to either sell or lease his or her property (a significant area of land in this area is leased by owners to farmers). The net result is that District's staff, by publishing the planning documents in their current form, has exposed the District to liability to the owners of all 9,600 acres located within the eastern study area under a theory of inverse condemnation. See Klopping v. City of Whittier, 8 Cal. 3d 39, 57 (1972) (holding that "recovery for loss of rental income after the condemnor has excessively delayed bringing an action in eminent domain or has otherwise acted unreasonably is permitted irrespective of whether condemnation proceedings are abandoned or whether they are instituted at all").

42-3

(c) **Overstatement of Land Requirements.**

In my January 10, 2003 letter in response to the NOP for the Facilities Plan, I provided comments on the area of land that the District has indicated it needs to acquire in connection with the Facilities Plan. In summary, I questioned why the area indicated as needed in the NOP exceeded the area indicated as needed in the District's prior, February 2001, NOP (4,100 acres), especially, in light of the fact that the District has identified an alternative effluent disposal mechanism in the form of the City of Lancaster's reuse project. The Planning Documents now indicate that the District believes that it needs to acquire 5,270 acres in connection with the recommended project alternative. Accordingly, I have attached a copy of my January 10, 2003 letter to this letter as Exhibit A, and I do hereby incorporate herein all of my comments in that letter regarding this subject (including, without limitation, the comments provided in Section 3 of my January 10, 2003 letter).

42-4

2. **COMMENTS ON EIR**

(a) **Water Quality - Groundwater**

The EIR identifies potentially significant impacts associated with potential contamination of groundwater supplies as a result of agricultural activities associated with the recommended project alternative. The EIR then concludes that this impact can be mitigated to a less than significant impact via implementation of a "Farm Management Plan." (See EIR, pp. ES-18, 4-66 through 4-71) The basis of this conclusion is apparently "applied-water infiltration modeling." Aside from the fact that the manner in which this modeling was done is not identified (and whether or not any modeling that was done was, to any extent, calibrated or verified against any empirical data), it is not clear that the modeling took into account all applicable variables. The efficacy of any "Farm Management Plan" depends not only on water application rates, but also, critically, upon the crop yield. Nitrogen is removed only to the extent that it is actually used by alfalfa (or the cultivated crop) that is then harvested and hauled away. Accordingly, assuming any particular irrigation rate and assuming any particular nitrogen concentration in applied water, there is a minimum crop yield that is necessary to effectively remove the applied nitrogen.

42-5

The ability to obtain this minimum yield is a function of a number of variables including soil type and suitability and best management type farming practices. There has apparently been no effort to quantify the minimum crop yield required to effectively remove nitrogen from effluent applied as irrigation water and nothing in the EIR indicates that any consideration has been given to ensuring that the farm management plan achieves this result. Instead the "Farm Management Plan" is, in the EIR, treated as a sort of magic black box. No parameters are provided to ensure that it will work (i.e. that it will adequately mitigate the potential significant impact on groundwater quality associated with the recommended project alternative). To this end, the experience gained at the District 20 agricultural reuse operation, at which a "Farm

Management Plan” has been implemented, is relevant. To the extent that there is empirical evidence with respect to the extent to which this operation is (or is not) successfully removing nitrogen from applied effluent, it should be provided. Ultimately, at minimum, the parties who are going to be asked to certify the EIR should be provided sufficient information to ensure that they are satisfied that the potentially significant impacts to groundwater quality that are associated with the recommended project alternative will be adequately mitigated.

42-5

(cont'd)

The EIR (at p. 4-69) also provides a single average nitrate concentration for LWRP effluent and, although the EIR acknowledges that other nitrogen forms in effluent tend to convert to nitrate when applied to soils, provides no additional data on total nitrogen concentrations in LWRP effluent. This is misleading to the extent that: (1) nitrate concentrations in effluent from oxidation pond facilities tend to vary quite widely on a seasonal basis, and (2) the potential for the recommended project alternative to cause groundwater contamination is more a function of the concentration of total nitrogen in effluent than a function of only nitrate concentrations in effluent.

(b) Water Quality - Piute Ponds

The EIR also identifies a potentially significant impact to water quality at Piute Ponds as a result of the loss of the regular “flushing flows” that are currently provided by way of effluent-induced overflows. The EIR ultimately concludes, based on a proposed monitoring program and an assertion that the District will, if necessary act to correct water quality problems that occur at Piute Ponds, that this impact can be mitigated to a less than significant level. There is, however, no effort to actually quantify the impact on Piute Ponds. Rather the impact is treated as a complete unknown. This is rather disingenuous and misleading as it is fairly simple (based on statistical rainfall data, runoff models, and the size and volume of Piute Ponds) to estimate the impact that the altered flow regime could have on Piute Ponds. District staff clearly have the capability of conducting such analyses. To this extent, the failure to so try to quantify this impact coupled with the “wait and see mitigation measure” is misleading and amounts to deferred mitigation. (I hereby incorporate herein all of my comments in my January 10, 2003 letter (including, without limitation in Section 7 thereof) relating to the need to adequately flush Piute Ponds).

42-6

(c) Land Use - Impacts Associated with Elimination of SEA Area

The EIR concludes with little analysis that the location of facilities associated with the recommended project alternative (particularly, with respect to planned agricultural operations) within an area designated by the County of Los Angeles as a “Significant Ecological Area” will result in only a “less than significant” impact (See pp. ES 27 and 4-15 through 4-18, and 4-22 through 4-23). This result seems counterintuitive at best given the designation of the area as a “significant ecological area” (assuming that the County had a reason for such designation) and the scale of the potential conversion (on the order of square miles of land) of native desert habitat to

42-7

other uses (agricultural and/or effluent storage). In fact, the recommended project alternative appears to directly conflict with a number of the County's policies relating to development within designated significant ecological areas. The fact that the recommended project will require a CUP hardly means that the project will have no significant impacts as a result of its location in a significant ecological area. Accordingly, this conclusion appears unfounded, and as such, with respect to this impact, it appears that the EIR does not and will not adequately inform the general public and the political decision makers (who will be asked to certify the EIR) of the impacts associated with the recommended project alternative.

I trust that the District will carefully consider all of the above comments. If you should have any questions about any of the foregoing, I may be reached at (213) 683-6278.

Very truly yours,



David B. Lambert

ATTACHMENT "A"

January 10, 2003 Letter Re: NOP

January 10, 2003

David B. Lambert, Esq.
Paul, Hastings, Janofsky & Walker, LLP
515 South Flower Street, 25th Floor
Los Angeles, CA 90071

Mr. Sagar Raksit
Supervising Engineer, Planning & Property management Section
Los Angeles County Sanitation Districts
1955 Workman Mill Rd.
Whittier, CA 90601-4998

Re: December 6, 2002 Notice of Preparation for an Environmental Impact Report for District 14 Facilities Plan for Year 2020

I have received and reviewed the subject document and have the following comments.

1. ALTERNATIVES INVOLVING INTENTIONAL DISCHARGE TO ROSAMOND DRY LAKE

One-half of the identified project alternatives include the discharge, between December 1 and March 31 of each year, of 1,573 million gallons ("MG") or 4,827 acre-feet of effluent to Rosamond Dry Lake. In the past, Edwards Air Force base ("EAFB"), which owns Rosamond Dry Lake, has repeatedly indicated that it is not willing to consider this as an option. Although the NOP makes reference to a letter of intent in which EAFB has agreed to "cooperate in the assessment of project alternatives that that involve construction of effluent storage facilities in the southwest corner of the [B]ase" and to "the possible leasing of EAFB property for construction of effluent management facilities" on EAFB, there is no indication that EAFB has reconsidered its long-standing opposition to intentional discharges of effluent from the Lancaster Water Reclamation Plant ("LWRP") to Rosamond Dry Lake. As such, it seems at least a bit odd that fifty percent (50%) of the alternatives purport to rely on such intentional discharges of effluent to Rosamond Dry Lake.

42-8

2. ALTERNATIVES 5 & 6 ARE EITHER NOT PHYSICALLY POSSIBLE, OR IF POSSIBLE, WILL INCLUDE LARGE-SCALE DISCHARGES TO THE GROUNDWATER BASIN

Alternatives 5 and 6 basically purport to substitute an additional large area of land (approximately three thousand (3,000) additional acres) on which effluent may be spread (or used to irrigate winter crops) for effluent storage facilities. In order to

42-9

understand the mechanism by which these purported alternatives might be able to physically dispose of all LWRP effluent, it is first necessary to understand that the irrigation of crops with water does not appreciably increase the rate at which water is evaporated. In other words, crop evapotranspiration rates are not appreciably greater than the rate of evaporation from a bare area of land or from an open water surface. For example, the water required by an alfalfa crop is typically only about 10% greater than the reference evapotranspiration rate.¹ Thus, growing a "winter" crop does not significantly increase the ability of an area of land to dispose of water through evaporation or evapotranspiration, and any water in excess of the evapotranspiration rate that is applied to any such cultivated land must either (a) run off the surface of the land or (b) infiltrate into the ground and to the groundwater basin.

Thus, for Alternative 5, (1) during the month of December, when evapotranspiration rates in the Lancaster area are only 1.71 inches and alfalfa water demands are only 1.88 inches, identified effluent management facilities (including the 830 acres of existing facilities; the Piute Ponds plus the existing LWRP ponds) are capable of disposing of, at most, between 1,262 and 1,402 acre-feet (411 to 457 MG) of effluent;² (2) during the month of January, when evapotranspiration rates in the Lancaster area are only 1.95 inches and alfalfa water demands are only 2.15 inches, identified effluent management facilities are capable of disposing of, at most, between 1,143 and 1,603 acre-feet (470 to 522 MG) of effluent and (3) during the month of February, when evapotranspiration rates in the Lancaster area are only 2.65 inches and alfalfa water demands are only 2.92 inches, identified effluent management facilities are capable of disposing of, at most, between 1,960 and 2,178 acre-feet (639 to 708 MG) of effluent.

Similarly, for Alternative 6, (1) during the month of December, identified effluent management facilities (including the 830 acres of existing facilities; the Piute Ponds plus the existing LWRP ponds) are capable of disposing of, at most, between 718 and 860 acre-feet (234 to 280 MG) of effluent; (2) during the month of January, identified effluent management facilities are capable of disposing of, at most, between 821 and 984 acre-feet (268 to 321 MG) of effluent and (3)

¹ See Goldhamer & Snyder, Irrigation Scheduling.

² Sample calculation: $(7,225 \text{ ac} + 400 \text{ ac} + 430 \text{ ac.}) * (1.88 \text{ inches/mo.}) * (1/12 \text{ ft/inch}) = 1,262 \text{ acre-feet}$. All evapotranspiration rates are from Goldhamer and Snyder's text, Irrigation Scheduling, as are all alfalfa water demands. Total evaporation/evapotranspiration is estimated using the alfalfa water demand rate. This should generate a conservatively high disposal capacity because evaporation from a body of water is generally slightly lower than evaporation/evapotranspiration from an agricultural operation.

during the month of February, identified effluent management facilities are capable of disposing of, at most, between 1,116 and 1,336 acre-feet (364 to 435 MG) of effluent.

Thus, for alternative 5, assuming 26 million gallons per day ("MGD") influent to the LWRP, (or 806 MG, 806 MG and 728 MG total influent for December, January and February respectively), each year there will be an excess (1) of between 349 and 395 MG during December (2) of between 283 and 336 MG during January and (3) of between 20 and 89 MG during February. Similarly, for alternative 6, assuming 26 MGD influent, each year there will be an excess (a) of between 123 and 169 MG during December, (b) of between 82 and 135 MG during January and (c) of 0 MG during February.³ All of this identified excess effluent must either (1) percolate to the groundwater or (2) run off of the application/irrigation area. Because areas identified in the subject NOP as sites for potential effluent disposal sites are located in portions of the Antelope Valley in which the clay content of the underlying soils is generally high, it is very possible that the soils underlying any given site will not have the capacity to allow all applied effluent to percolate. If so, then runoff will be inevitable. If, on the other hand, the soils can accommodate percolation of this scale, then the operation will create a large scale discharge of (undisinfected?) secondary effluent to the local groundwater basin.

42-9

(cont'd)

Additionally, it must be noted that, even at 26 MGD, the LWRP will not produce enough effluent to support an agricultural operation of the scope anticipated by either Alternative 5 or Alternative 6. During the month of July, for example, when evapotranspiration rates are approximately 9.89 inches and alfalfa water demand is approximately 10.88 inches, Alternative 5 facilities would require between 7,303 acre-feet (2,380 MG) and 8,115 acre-feet (2,645 MG) of water, while plant influent would provide only 2,473 acre-feet (806 MG) of water. There would be similar water shortages during other months as well, and current LWRP storage capacity (approximately 600 MG total) cannot accommodate such demands. Similarly, although the water shortages would not be so severe as under Alternative 5, the LWRP would not produce enough effluent to support the agricultural operation anticipated under Alternative 6 (primarily because there would not be sufficient storage to accommodate summer demands). Accordingly, in order to support either the Alternative 5 or the Alternative 6 agricultural operations, it would be necessary to use large amounts of groundwater in addition to reclaimed water from the LWRP. Given the water supply situation in the Antelope valley and the current overdraft of the local aquifer, this would not be

³ Alternative 6 excess calculations assume 13 MGD discharge to Rosamond Dry Lake during December, January, and February, and further assume that all water discharged to the Dry Lake eventually will evaporate (rather than percolate).

prudent and would, moreover, be contrary to the interests of the local populace (for further discussion of this issue, see item 4 below).

(cont'd)

3. THE AREA OF LAND REQUIRED FOR PROPOSED FACILITIES UNDER ALL ALTERNATIVES APPEARS TO BE OVERSTATED

- (a) The February 2001 NOP identified the need to acquire up to about 4,100 acres of land in order to develop effluent management facilities capable of managing effluent produced by about 26 MGD of influent. Not including alternatives 5 and 6 (which, for the reasons set forth above should not be considered at all). In comparison, the subject NOP identifies the need to acquire up to 4,990 acres of land in order to manage the same quantity of water (26 MGD influent to the LWRP). If there is there some reason why the number of acres required to manage the same volume of water increased by almost twenty two percent (22%) (or by approximately one and four-tenths of a square mile), it is not provided in the subject NOP. Furthermore, the subject NOP includes a 1.5 MGD (or about 550 MG each year) municipal reuse project by the City of Lancaster which was not included in the February 2001 NOP. This additional reuse should eliminate the need to acquire 320 of the acres identified as needed in the February 2001 NOP (assuming application at 6 ft per acre per year and a 15% "buffer" area requirement). Unless the laws of thermodynamics have changed over the past two years, there is no apparent reason why the District needs to acquire the additional acreage. As such, the land required numbers in the subject NOP appear to be grossly inflated.
- (b) Similarly, the February 2001 NOP identified a need to acquire only 300 acres of land for construction of the additional oxidation ponds required to treat 26 MGD of influent at the LWRP. The subject NOP identifies a need to acquire 950 acres of land for construction of the additional oxidation ponds required to treat 26 MGD of influent at the LWRP. No reason is provided in the subject NOP for the two hundred percent (200%) increase in the area required for additional oxidation ponds. Is there one?
- (c) Finally, the roughly six hundred acre difference between the area required for the activated sludge variations of the alternatives and the oxidation pond variations of the alternatives makes no sense. There is absolutely no reason why a variation of an alternative that calls for secondary treatment via an activated sludge process as opposed to via oxidation ponds will require almost 600 less acres to dispose of all water tributary to the LWRP. Thus, it appears that the District might not be counting evaporation from oxidation pond facilities as a disposal mechanism. If so, this is improper as it improperly inflates area of land required to manage LWRP effluent. If so, then this failure to account for losses from LWRP

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42-12

treatment facilities would explain, to some extent, the overstatement of the land required numbers in the subject NOP.

(cont'd)

4. LAND ACQUISITION AND PROJECT PHASING

The reference to the possibility of resorting to eminent domain in the "Land Use" section of the NOP would appear to be more of an inevitability than a possibility. The land required to support construction of storage reservoirs must be contiguous. Similarly, the land required to support operation of large scale agricultural reuse operations will, practically, have to be more or less contiguous (or could include a number of large contiguous areas). It would appear almost impossible that the District will be able to acquire all of the land it wishes to acquire in the contiguous or semi-contiguous configurations that will be required without resorting to eminent domain.

In order to acquire land by eminent domain, the District's Board of Director's will have to first adopt a Resolution of Necessity that establishes the "necessity" of such eminent domain action and sets forth the reasons for such "necessity" See generally Cal. Code Civ. Proc. § 1245.230 (West 2002) (providing that a public entity may exercise its power of eminent domain only if it adopts a resolution of necessity and setting forth the content of such resolution of necessity). The District will then have to file a complaint in eminent domain that complies with the mandates of the California Eminent Domain Law.⁴ Where a public entity seeks to exercise its eminent domain power to acquire property that it does not plan to use within seven (7) years of the date on which the complaint is filed, the complaint (and the resolution of necessity) must state the estimated date on which the property will be used. See Cal. Code Civ. Proc. § 1240.220(b) (West 2002). And, when the complaint states an estimated date of use that is not within seven (7) years of the date on which the complaint is filed, the burden of proving that the proposed taking for future use satisfies the substantive requirements of the Eminent Domain Law falls on the party seeking to exercise its eminent domain power to acquire the property. See Cal. Code Civ. Proc. § 124.230(c) (West 2002). In other words, the party seeking to acquire property via eminent domain must affirmatively plead and prove that "(a) [t]he public interest and necessity require the project[,] (b) [t]he project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury [and] (c) [t]he property sought to be acquired is necessary for the project." Cal. Code Civ. Proc. § 1240.030 (West 2002). Thus, when a public entity seeks to acquire property it does not intend to use within seven (7) years via eminent domain, the burden of proof, which is ordinarily placed on an owner of such property (an owner defendant), is reversed, and the resolution of necessity is not treated as

42-13

⁴ Codified at Cal. Code Civ. Proc. §§ 1230.010 *et seq.* (West 2003).

conclusive with respect to the "necessity" of the acquisition.⁵ See Cal. Code Civ. Proc. § 1245.250(a) (West 2002).

Accordingly, because the District (1) will not, according to its own projections, need to make use within seven (7) years of all of the land it has indicated is needed to accommodate year 2020 projected influent at the LWRP, (2) has apparently, for the reasons set forth above, overstated the land area required to manage the year 2020 projected influent rate and (3) has tacitly acknowledged at p. 10 of the NOP that "[a]dditional municipal reuse projects," might materialize which, "would reduce the acreage requirements for agricultural land," it would not appear prudent to attempt to acquire all of the land identified as needed in the NOP in one single eminent domain action. For all of these reasons, any such action will be vulnerable to a defense that the District has not and cannot establish the necessary prerequisites to exercise of its eminent domain power set forth in California Code of Civil Procedure section 1240.030.

42-13

(cont'd)

In order to fully appreciate the nature of this risk, it is necessary to understand that a land acquisition effort of the scale anticipated will most likely involve a very large number of owner defendants and that some of these owner defendants should be expected to resist the District's efforts to acquire their property.⁶ Thus, although many owner defendants might not contest the District's right to acquire their property (and may contest only the appropriate compensation they should receive), some number of owner defendants should be expected to do so. If even a few such owner defendants are successful in such challenge, then the result will be acquisition by the District of a large area of land that includes a patchwork of smaller privately owned "island" parcels within its bounds. Because the District's planned effluent management/disposal uses for such land would most likely not be compatible with uses to which such private individuals might reasonably be expected to put their "island" parcels, this would significantly limit the District's ability to use any land it does acquire. Ultimately, this would place the owners of such island parcels in a position in which they will be able to name the price at which they will sell their property to the District, and the District in a position in which it must pay such price.

⁵ It should also be noted that where a local public entity is seeking to acquire property that (like the land identified in the NOP as that which the District may potentially acquire) is not entirely within the bounds of its jurisdiction, a resolution of necessity, at best, only establishes a presumption which shifts the burden of producing evidence to the defendant party. See Cal. Code Civ. Proc. § 1245.250(c) (West 2002).

⁶ It should, at minimum, be expected that some such owners will resist for tactical (bargaining position) reasons.

As such, given the legal framework within which the District must operate, it appears clear that the District should implement any large-scale land acquisition program in a number of discrete phases. Accordingly, since land acquisition will almost certainly have to be implemented in phases, it would seem prudent to implement the entire planning program in phases. Thus, the subject 2020 planning effort should be approached in a "programmatic" manner in which the District should (1) identify a relatively short-term "project" to be implemented immediately to resolve short-term issues (the need to comply with the Waste Discharge Requirements for the LWRP) and (2) identify and discuss a range of possible alternatives for long term projects that might be implemented to solve longer-term problems. Review of the longer-term alternatives and the selection of appropriate future programmatic elements should, however, in the year 2020 planning document that is presently being prepared, be deferred to some later date. In other words, rather than engaging in a one-time and necessarily rushed planning effort to supposedly resolve "today" all of the District's needs and problems for the next seventeen years, the District should make long-term planning a long-term and ongoing commitment.

42-13

(cont'd)

This is not only the approach which will be least risky from a legal standpoint, but is also the most appropriate and wisest approach to long term planning in the Antelope Valley. The District should be aware that (1) water supply will be a major concern in the future in the Antelope Valley, (2) that the Antelope Valley groundwater basin is and has been overdrafted for several years and (3) that a lawsuit which may result in adjudication of the local groundwater basin has been filed and is pending. In short, the District should understand that the Antelope Valley has either already entered, or is on the verge of entering a period in which rapid changes in water supply economics will occur. As such, the ways in which water and reclaimed water are used in the Antelope Valley are likely to change drastically in the foreseeable future. Accordingly, an attempt by the District to acquire all at once and/or in the near future all of the land identified as "needed" in the NOP would be myopic. It would appear prudent to anticipate that in the foreseeable future there will be a real need to use more of the LWRP effluent for municipal reuse purposes. As such, it would appear likely that monies which might be spent today on land that might not be needed in the future will quite possibly represent a waste of public funds (or at best, a very speculative real estate investment). It is, for example, my understanding that a City of Lancaster official has already indicated that the City believes that municipal reuse of reclaimed water in the Lancaster area could eventually approach 20 MGD.⁷

⁷ See "Water Board Approves New Waste Rules," Antelope Valley Press, September 13, 2002.

5. STORAGE PONDS OR EVAPORATION PONDS?

All of the identified alternatives call for the construction of (deeper) "Storage" ponds rather than (shallower) "Evaporation" ponds (see description at page 8 under subheading "Storage Reservoirs"). However, in the "Visual Resources" section of the subject NOP, the levees required for the ponds are described as "5 to 12 feet high." Please explain this discrepancy.

42-14

6. SCHEDULE AND DEADLINE FOR ELIMINATION OF DISCHARGES TO ROSAMOND DRY LAKE

Given the nascent status of the subject planning effort and the lack of any real progress toward constructing any actual effluent management facilities over the past two years, it does not appear that the District will be able to meet the deadline of completing construction of the facilities necessary to eliminate effluent-induced overflows to Rosamond Dry Lake on or before August 25, 2005. Even if such facilities may be located on EAFB, the schedule appears overly ambitious. Please provide schedules indicating how such deadline can be met for each of the alternatives.

42-15

7. ISSUES RELATING TO PIUTE PONDS

- (a) Need to Flush Piute Ponds in Lieu of Overflow: The District should be aware that, if the current regime of effluent induced overflows from Piute Ponds is terminated, water quality in the Ponds will be adversely affected unless the Ponds are flushed by some other mechanism. The average depth of the Piute Ponds is no more than three to four feet, evaporation from the Piute Ponds is on the order of five and one-half feet per year, and the Ponds receive no or almost no runoff in dry years and sometimes in consecutive dry years.⁸ As a result, the water in the ponds will become very briny very rapidly if they are not flushed in some manner. This could effectively kill the wetlands habitat that has developed at the Piute Ponds. Additionally, selenium concentrations in the briny water could rise to levels that could be fatal to waterfowl at the Ponds. Accordingly, provisions need to be made to continue to adequately flush the Piute Ponds in order to maintain water quality at the Ponds. Although this can be accomplished quite simply by allowing water pass through the ponds and then pumping it back to LWRP storage facilities, none of the project

42-16

⁸ It has been reported by District staff that Amargosa Creek does not flow into Piute Ponds unless rainfall approaches or exceeds one and one-half inches in a single rainfall event.

alternatives include any facilities to allow for such flushing of the Piute Ponds.

(cont'd)

- (b) Possible Modifications of Piute Ponds: On page 10 of the NOP, the District indicates that it intends to consider "ways of enhancing Piute Ponds in order to provide greater storage capacity," and that such "enhancements" may "reduce the acreage requirements for storage reservoirs and agricultural reuse operations." This raises a number of issues. First, unless the "enhancements" at issue will increase the area of Piute Ponds, such "enhancements," cannot possibly reduce the area of agricultural reuse operations. In order to manage a given quantity of LWRP effluent (without overflow to Rosamond Dry Lake and without discharge to the groundwater basin) the District needs (1) a fixed area – for disposal via evaporation and (2) a fixed storage volume – to store water during months when evaporation is low. Storage and area are not interchangeable, and increasing storage capacity without increasing the area of storage facilities does not affect area requirements. Similarly, increasing storage capacity in existing effluent management facilities does not and cannot alter the area of additional effluent management facilities that is required to manage a given quantity of effluent. Second, the District needs to identify what it means by "enhancements" to Piute Ponds. "Enhancements" that might increase storage capacity in the Ponds might adversely affect the wetlands habitat at the Ponds and conflict with uses of the Ponds. Any plan to dredge the Piute Ponds to make them deeper so as to increase their capacity would most probably cause destruction of existing wetlands habitat in the Ponds. A plan to empty or dry out the Ponds during summer and/or fall months and then refill them in late fall and/or early winter months would similarly cause destruction of existing wetlands habitat at the Ponds and would, furthermore, result in little net benefit. The loss of water surface area during summer and/or fall months (when evaporation is highest) would offset any storage capacity gains. As such, it is questionable whether any such plan would even provide any real benefit in terms of reduced area and/or storage capacity requirements.

42-17

8. HAS DEMAND SIDE MANAGEMENT BEEN CONSIDERED

Has demand side management been included as a variation of the project alternatives? Specifically, in formulating its 26 MGD flow projection for the year 2020, has the District accounted for expected water conservation that is likely to occur (especially given water supply constraints) in the Lancaster area over the next fifteen years? Has the District considered participating in local water purveyor's demand side management programs in order to reduce water

42-18

consumption within the District's service area and thus reduce per capita wastewater production?

(cont'd)

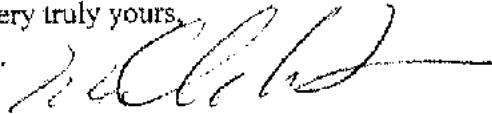
9. AGRICULTURAL REUSE: METHOD OF IRRIGATION

Please identify the method in which reclaimed water will be applied at the anticipated agricultural reuse sites. Is spray irrigation anticipated? If so, will the applied water be disinfected prior to application? The environmental impact report should identify the impacts that might be associated with the manner of irrigation that is ultimately chosen.

42-19

I trust that the District will carefully consider all of the above comments. If you should have any questions about any of the foregoing, I may be reached at (213) 683-6278.

Very truly yours,



David B. Lambert

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

Dear Sir,

I own 5 acre property at the
south-west corner of 138 x 14 intersection

I would like to know any effects
from the proposed water reclamation proposal
& storage reservoir on my property
including air quality, odor, ground water
quality, building restriction etc.

43-1

I thank you attention in this matter

Sincerely,
C. M. [Signature]

Chao I x Myoung S. MAH

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RAKSIT S

LETTER 44

BETHANY MCGARRY
5163 EAST AVENUE F
LANCASTER, CA 93535

November 13, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O Box 4998
Whittier, CA 90607-4998

Sagar K. Raksit:

This is Bethany McGarry, daughter of John and Gayleen McGarry. I am 13 years old (turning 14 one week from tomorrow) and half way through my ninth grade year. We home school in our wonderful house, of which we have done so much work to improve the way it is on the inside as well as the outside.

My mom has informed me about your plan: LWRP 2020 Plan EIR. We live at 5163 East Avenue F of which is part of "Study Area 4." Our property and many other properties, some of which are dear neighbors of ours, are in the area as well as the other "study areas." I love my property so much and don't want to move away.

44-1

I believe that what you are planning to do is wrong. The first reason is because you are forcing people out of their homes. (Even if you are giving "fair market value" for our property. If you do go on with the plan we can't say no and not move because you are going to poison the water.) The second reason is that the poisonous water will probably infect the cows and other livestock. The third reason is because there are probably different ways to solve this problem.

44-2

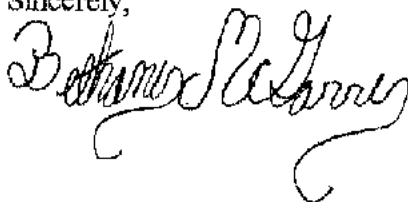
44-3

This house has been a place of healing from our loss of my brother who left us June 7th 1997. We moved here four years ago this upcoming Tuesday. We have 22 chickens, 3 cats, 2 dogs (Retriever/black lab mix and a Queens land healer/ Australian Shepherd mix), 2 goats, 1 horse (brown and white paint mare), 1 rat, and 1 bird (parakeet). If we move and don't find another house with enough acreage like the one we are in, we will have to sell the horse, chickens, and goats.

44-4

So please consider my small letter from a small individual. Thank you.

Sincerely,



LETTER 45

Hannah McGarry
5143 East Ave F
Lancaster, CA.
93535

To whom it may concern,

I love my home very much. I hope you don't take it away from me, because that would ruin my life. My birthday is coming up real soon, and I'm turning twelve. Please don't ruin the best part of my life.

I hear that you're planning on taking sewer water and watering the alfalfa fields. I think that's a BIG mistake. Since alfalfa feeds our cows, goats, and other animals, that when we eat them, we will get very sick.

I have lots of critters to take care of and love. But that's perfectly fine with me as long as I get to love on them as long as I want. I have lots of chickens, a horse, goats, dogs, cats, a bird, and a rat. I love them all very much. And if you make us move somewhere else, we would have to sell some of them.

I know you think I'm just a kid and have nothing to do with this, but I do. Because you're going to make us move out of the house we worked so hard on and love very much.

45-1

Sincerely,
Hannah
McGarry

*Hannah
McGarry*

West Wind Acres Ranch

John and Gayleen McGarry

5163 East Avenue F * Lancaster, California 93535
(661) 946-2458 * E-mail WWindAcresRanch@aol.com

November 13, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

Dear Sagar K. Raksit:

It is of our concern to write regarding the proposed project **LWRP 2020 Plan EIR**. Said proposal is understood to expand the Lancaster Water Reclamation Plant. This plan is unacceptable entirely due to the environmental impacts listed by your own research. It amazes us that even with these impacts known to the Sanitation District, there would be consideration to move ahead with this plan.

46-1

These issues are not of little consequence environmentally; these effects are devastating to our environment. The degradation of the ground water resulting from long-term land application of recycled water will threaten our very lives, as we live and depend on the water pulled from our well derived directly from the ground water. We're sure you are aware of the problems that the Palmdale Water District is facing because of their reuse of effluent water.

46-2

West Wind Acres Ranch, our home, is located in the zone marked as "Proposed Agricultural Area" and "Study Area 4." Upon reading through the County Sanitation District's Summary provided on their website, it sounds as if there are plans to acquire our land. We hope it won't come to this. If we do not sell, our ground water will be "poisoned" by this degradation referred to in the environmental report, putting at risk the health of our children, our livestock, and ourselves. If we do sell, we would not be able to replace our home and land with the monies from the "fair market value" offered.

46-3

We purchased this home and land just four years ago with the hopes of renovating the house and developing the land. Doing so would attain enough equity to help out our children as needed and provide a family haven for years to come.

Work is ongoing out here, but we have done an awful lot of work and have spent a small fortune doing so. The approach of "fair market value" goes only so far. We purchased our five acres and home out here because it was the only place where we could afford such a place. "Fair Market Value" is laughable, how about "Full Replacement Value in an area within 10 miles in Lancaster with same amenities, acreage, etc., plus the cost to move!" And even then, forcing us to move is devastating and unsettling. Our children are so upset at the thought of leaving our home! Will we be safe where we move to or will the eminent powers come there in a couple of years with another big project and do this again?!

Certainly this project was in the works since before we purchased this place four years ago; BUT, this was not disclosed to us or we never would have purchased out here! I know that our neighbors purchased within the last year, and paid quite a bit for their property -- did they know? Hardly! Neither the sanitation department nor any other public entity should have the right to hurt people like this. It's unfair frankly.

Furthermore, and on a more sentimental note, our purchase of this home and property was the direct result of a won lawsuit against the hospital and doctors responsible for the demise of our only son. Along with our three daughters, we decided to purchase our "dream home" with some of the proceeds of the lawsuit. Our hopes and dreams are being fulfilled here, in somewhat of a living testament to the life of our son. We are surrounded with life out here. Our youngest daughter, Hannah, was probably the most touched by the loss of her brother. Hannah is now so happy to spend time with her animals -- a horse, some goats, dogs, and a whole slew of chickens. Her heart has somewhat repaired, but she still often speaks of her sadness from the loss of her brother. Please, help us! Do not take this little piece of land from her!

Last night we attended a meeting out in Palmdale at the Palmdale Water District. This meeting was called to consider a plan to clean the ground water in Palmdale. The whole reason the ground water is dirty is because of the effluent water problem caused by the reuse of effluent water and inadequate storage of such water. It is going to cost millions of dollars to clean the water and prevent the same thing from happening again. Astonishingly, District 14 is planning to do this same dirty thing out here in

46-3

(conf'd)

46-4

Lancaster as proposed by LWRP 2020 Facilities Plan. If this plan is approved, this same situation WILL occur in Lancaster. Are we really stupid enough to do this again and cost our community millions of dollars in the future to clean it up? What about the health issues this plan will cause? Has there been a dollar figure placed on that? There's an old saying, "An ounce of prevention is worth a pound of cure." It will undoubtedly cost more to do something else as prevention instead of this proposed plan, but the cure will definitely save dollars and lives in the long run.

46-4

(cont'd)

Please reconsider and re-evaluate this project. There is a better way. One suggestion is to clean the water to decent pot ability so the reuse will not cause harm. It has been done successfully by other agencies.

No one wants to fight. We all just want to live and let live in our respective little corners of the world. We all want safe and healthy environments for our children and grandchildren. Please, please think long and hard before proceeding with this plan. Please, for the sake of our sweet children and our future grandchildren. Reconsider this plan for your children's sake, for the sake of yourselves, for the sake of all of our futures.

46-5

Sincerely and Respectfully,



Gayleen McGarry

ATTN: SAGAR RAKSHI

West Wind Acres Ranch

John and Gayleen McGarry

5163 East Avenue F * Lancaster, California 93535
(661) 946-2458 * E-mail WWindAcresRanch@aol.com

November 13, 2003

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, California 95814

Dear Mr. Schwarzenegger:

First, you are my absolute favorite action hero, I'm not even kidding! I wish I could close my letter here; however, I have a very serious matter that needs to be brought to your attention. I'm so sorry for the issues that you are faced with today, the economy being so poor, and now the fire disasters in Southern California. Please know I wish you the best.

The issue of my utmost concern and of the concern of all of my neighbors is as follows: the Sanitation District of Los Angeles County has put out a proposal entitled Lancaster Water Reclamation Plant 2020 Plan EIR. This proposal is targeted to expand the Lancaster Water Reclamation Plant by adding more "ponds" to hold effluent and/or tertiary water plus pipe this water out to be used for agriculture. The proposal has marked a 15 square mile section of land to be used as agriculture where this water will be used.

There are many flaws with this proposal, far too many for me to address in this first correspondence; but, I will address a few key flaws for you. First, the 15 square miles of land chosen for agriculture is owned by many private home and landowners. Many of these people's families have lived on their land for over a century, some even back to the days when there was homesteading out here. The proposal intends to purchase these acres, at "fair market value," then lease out the land to farmers to grow alfalfa using the effluent water produced. The threat of eminent domain law has been used already. Of course, this will be a horrifying experience for these families. Many home and landowners have already experienced worry and fear from what they have heard about this proposal. We are among these families, but I will refrain from putting too much personal sentiment in this letter.

Secondly, the environmental danger of using such water is devastating. Over time, the ground water will be degraded. This has been addressed in the Sanitation District's own Environmental

LETTER TO: Schwarzenegger
PAGE TWO

FR: McGarry

11-13-2003

Impact Report; yet, they are still planning to move forward with this ludicrous idea. The diseases and other biological issues that will be caused by using this water are too numerous to mention at this time.

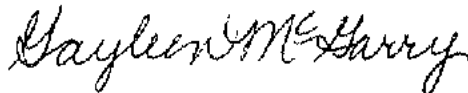
Our Antelope Valley is a "closed basin," meaning once the water is toxic, it will remain so because there is no inlet or outlet. Mind you, this same water is being used to water the alfalfa, which is fed to the cows, the cows produce meat and milk, and then we serve it up with a baked potato to our families. What are they thinking?

Just a side note, the Palmdale Water district implemented a project very similar to this one back in 1957. I attended a meeting two nights ago at the Palmdale Water District where the main topic was a plan to clean up the ground water due to effluent water usage. They are using the effluent water on only about 300 acres, and the clean up will cost between 200 and 400 million dollars! To clean up the water, the District will have to pull the water out of the ground, clean it, and then return to the ground. The plan out here in Lancaster is approximately five times greater! Besides the health impacts, can we really afford to allow this?

Please, Mr. Schwarzenegger, please look into this issue. I've enclosed a copy of the Draft Environmental Impact Report that was sent to all of the homeowners located in the 15 square mile area chosen for agriculture. I hope it sheds more light on this issue, and pricks your heart in such a way as to take action for us. Be our "action hero!"

It is obvious that if the water goes bad, the Antelope Valley will die, the people will leave, or at least who's left of them. For the sake of our children who drink the milk produced by the cows fed on alfalfa grown using effluent water, and the children who live near the areas where this effluent water is sprayed into the air with all it's toxins, please use your influence to stop this plan.

Humbly and respectfully,



Gayleen McGarry

Enclosure:

Draft Environmental Impact Report for the Lancaster Water Reclamation Plant 2020 Facilities Plan

LETTER 47

West Wind Acres Ranch

John and Gayleen McGarry

5163 East Avenue F • Lancaster, California 93535
(661) 946-7458 • E-mail W.WindAcresRanch@aol.com

November 13, 2003

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

REFERENCE: LWRP 2020 Plan EIR

Dear Mr. Raksit:

We owe you a debt of gratitude. Thank you for making it necessary to meet our neighbors. We have found them to be the salt of the earth. Our new friends represent the American way in the classic sense today.

Thank you for waking us up to a conscientious goal worthy of our full attention. You will not have to bear the pain of repeating history. The water in Palmdale has been poisoned. The water in Lancaster will not – WILL NOT – be poisoned.

We are not second-class citizens. Land with inhabitants who earn more money than we do is just as valuable in the Antelope Valley. Their waste is as fragrant as ours. Treat it the same. I will personally pay an extra tax as a sincere commitment to our welfare.

Thank you for causing us to appreciate our homes. Stand among the wildflowers in April; breathe that sweetness inside our wonderful sunsets; be still and watch life greet you there.

Thank you for bringing out the best in us. The GOD who created us will spare us from this de-evolution because HE answers the prayers of our children.

I believe you must benefit from this exchange with us. You must be better off than you were after this experience as well. What greater way could there be than to stand among yourselves and vow to perform this huge task for the good of ALL the people.

Remember the prayers of our children and do not let this become the "BACKFIRE HEARD 'ROUND THE WORLD."

Sincerely,



John McGarry

47-1

LETTER 48

Sarah McGarry
5163 East Ave. F
Lancaster CA 93535
WWindAcresRanch@aol.com

November 14, 2003

To: Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

Dear Sagar K. Raksit:

My name is Sarah McGarry and I live at 5163 East Ave. F in Lancaster California. I am 17 and a senior in high school. I will be going to the Bible college at West Coast Baptist College in the fall of 2004.

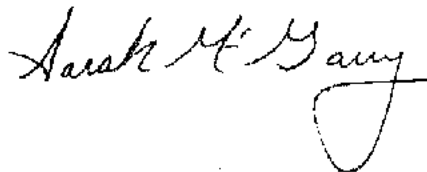
This address has been my home for the past four years. We've had Christmas and Thanksgiving and birthday parties in this house. We prayed for the new millennium and watched fire works from our front window on every Fourth of July. We watched Tower 1 fall on 9/11 in our living room the morning it happened.

I am writing concerning this plan: LWRP 2020 Plan EIR. This plan proposes the expansion of the Lancaster Water Reclamation Plant. This would be okay if the "Proposed Agricultural Area" and "Study Area 4" were not the areas in which my home is located. Your own studies and research have proven the fact that this plan is environmentally devastating. Effluent water will, in time, poison the water table. Effluent water being sprayed into the air will cause health issues among the surrounding residents. The use of effluent water to grow the foods for livestock that are milked and/or butchered for our benefit may very well become a detriment. This fact alone is hazardous to the community as a whole. Children drink milk every morning in their cereal. I know this plan is necessary for the growth of our community but there are hundreds of acres to choose from elsewhere. There is no reason that a way cannot be found to clean the water to the point that it is no longer harmful. It's been done. If we can send people to the moon and bring them back, we can make our water harmless. If we'd go to all the trouble to make sure that our moon is composed of merely dust, how much more trouble is it worth to be sure of our own health?

Please reconsider this plan. We are all affected by it.

Sincerely and Respectfully,

Sarah McGarry



48-1

48-2

48-3

48-4

LETTER 49

November 12, 2003

Sagar K. Raksit
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA. 90607-4998

Re: Lancaster Water Reclamation Plant 2020 Plan Environmental Impact Report
County Sanitation District No. 14 of Los Angeles


Mr. Raksit,

I was born and raised on the East Side, my children and their children have lived on the east side. My mother is Donna (Firsick) Mischka and my grandfather was John Firsick who farmed alfalfa and other crops along with his brothers and children. My grandfather taught me to always be fair and always do what is right.

I believe that the proposed plans by the Los Angeles County Sanitation District #14 is not fair nor is it right. The DEIR is flawed and biased, it is based on half truths and conjecture. I believe it was haphazardly completed as the County has been in need of new wastewater facilities for the past thirty years as stated by Senator Pete Night at the October 29th 2003 meeting held by your office. Some of the proposed conceptual effluent management alternatives that the County proposed are ridicules at best and some border on absurd. It appears that the only plan the county likes is moving the effluent away from Lancaster (out of site out of mind) where it would cause the displacement of some 50 to 80 families.

I believe the County should keep their problem on the west side of Lancaster where the problem is caused. There is property available on the west side near the current Wastewater Plant. I have attached a map showing at least 25 square miles of land that could be used for agriculture use without displacing as many families as the current plan. There are properties to the north and east of the plant that could be used for retention basins. The use of secondary treated water for agriculture really needs to be investigated thoroughly, as per the groundwater contamination partially if not entirely caused by the County Sanitation District #20 in Palmdale. I think the two County Sanitation Districts should combine as one and build the required treatment facilities for both Lancaster and Palmdale with the effluent going to municipal reuse and other more suitable uses of reclaimed water.

I ask that the County Sanitation District #14 Board reject the project and require that the County Engineers investigate less evasive approaches to the problems of plant effluent reuse.


Donald E. Mischka

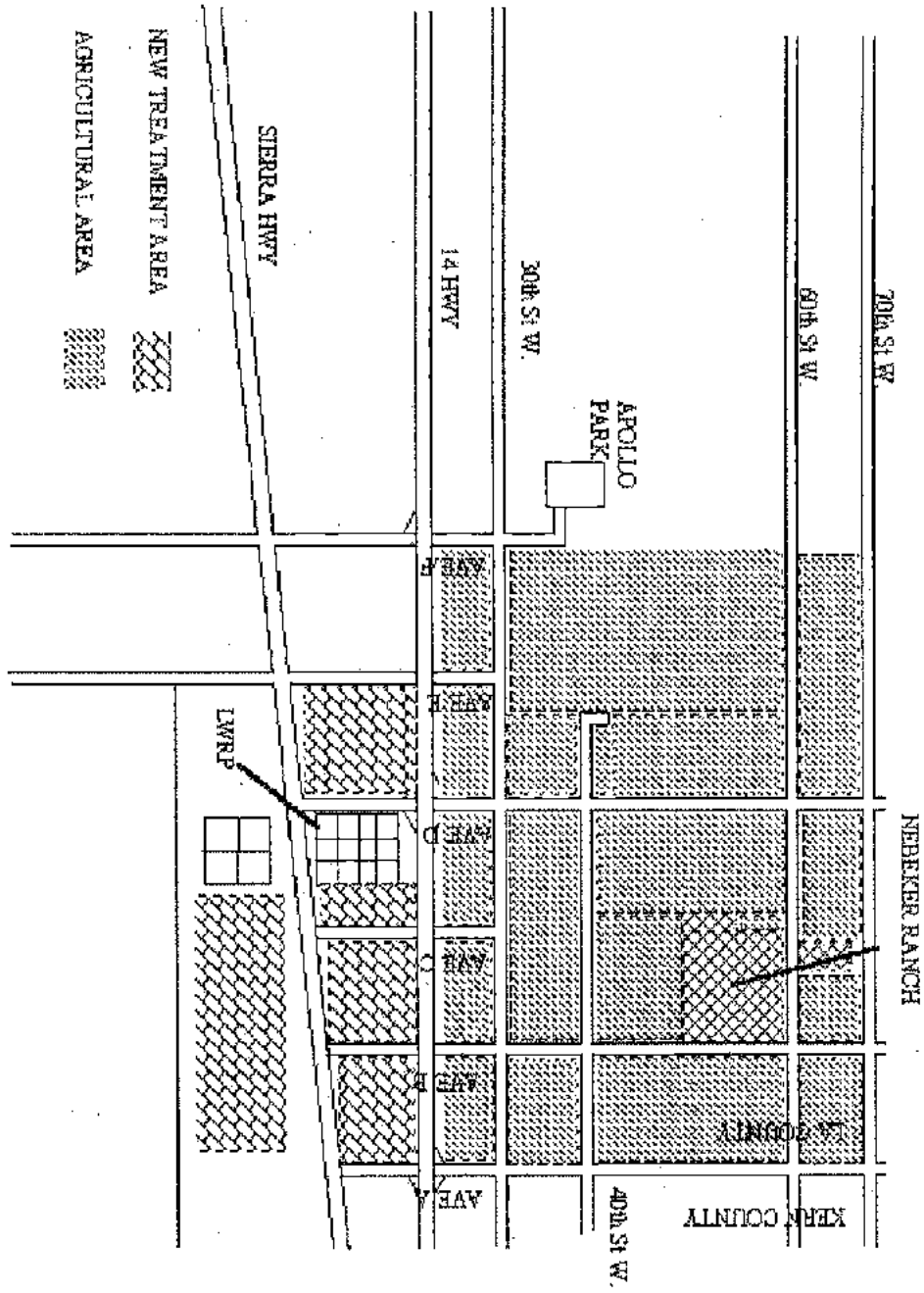
8525 East Ave. F
Lancaster, CA. 93535
Lancaster East Side Property and Home Owners Association

cc:

Mayor F. Roberts
Mayor J. Ledford
Supervisor Y. Burke
Supervisor M. Antonovich
Senator P. Night

49-1

NORTH



LETTER 50

November 17, 2003

Sagar K. Raksit
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA. 90607-4998

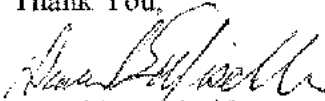
Re: Lancaster Water Reclamation Plant 2020 Plan Environmental Impact Report
County Sanitation District No. 14 of Los Angeles

Mr. Raksit,

Enclosed are letters from residents that will be affected by your proposed plan to make the East Side of Lancaster an agricultural Reuse area. You should also be receiving other individual letters from residents. We would like you to record these letters as comments to the Lancaster Water Reclamation Plant 2020 Draft Environmental Impact Report (DEIR).

50-1

Thank You,


Donald E. Mischka
8525 East Avenue F
Lancaster, CA 93535

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Raksit S

LETTER 51

November 12, 2003

Re: Lancaster Waste Reclamation Plant 2020 Plan EIR
LA County Sanitation District No. 14

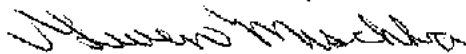
To Whom It May Concern:

With all due respect, what in the world are you trying to do? Why are you trying to "buy out" and "move residents" from their homes and property? We live on the Eastside of Lancaster by choice. We cherish our solitude and space. We do not want to move from our homes. We do not want to sell our property. We will not sell our homes and property.

My husband and his siblings grew-up on the Eastside of Lancaster. They attended Eastside School from grades K-8. They attended and graduated AV High School.

My mother-in-law, age 68, grew-up on 70th Street East. This is her home. This is where her memories are. Her mother and father, Jones and Firsick, grew-up on the Eastside. We have generations of life and memories on the Eastside of Lancaster.

I find it very shameful and disturbing that politics is trying to move and "dislocate" American citizens from their homes when there are other alternatives to solve your "waste" problem.



East Lancaster Home & Land Owners Ass.
Gwen Mischka
8525 East Ave F
Lancaster, Ca 93535
(661) 946-8770

cc: Sagar K. Raksit
Michael D. Antonovich
Frank Roberts
William J. Knight
Jim Ledford
Harold Singer

51-1

LETTER 52

November 14, 2003

Sagar K. Raksit
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA. 90607-4998

Re: Lancaster Water Reclamation Plant 2020 Plan Environmental Impact Report
County Sanitation District No. 14 of Los Angeles

Mr. Raksit,

My name is Kory Mischka and I grew up in the Antelope Valley. To be more specific I grew up on the east side of Lancaster, Ave F and 85th Street East to be exact. I lived with my mother and father on my grandparent's property, along with my uncle and cousins. This is a place where I camped out in the summer time, and made mud/snowmen in the winter, when it kind of snowed. I learned how to ride horses, and drive a car on that property. One summer I even picked onions for five dollars a bucket. I hunted for snipes with my b-b gun; I never actually got any though. I think what I'm trying to get across here, is that this land is my childhood. It holds some of my fondest memories, and most defining moments of my life. Eventually that land would be passed down to me, and I would have the opportunity to show my wife and children what it was like for me growing up in the desert. Now this is just a brief view of my own personal feeling towards the east side, it does not even begin to describe how the residents of the area feel. Most of these people have resided there for most of their lives and have nowhere else to call home. Most of these people are people like my grandparents Bob and Donna Mischka who have called the east side there home for the last forty years. To vacate these people from their land, their home is an injustice of immeasurable proportions. I always thought that one thing in this life would be concrete. That if anything ever went wrong in my life I would always have somewhere to go, some place I could always call home. Please don't take that away from me; please don't take that away from my family.

52-1

Thank You,

Kory Mischka, AM1 US Navy
55 Tranquilo Lane, Apt. A
Chula Vista, CA. 91911

cc:

Mayor F. Roberts
Mayor J. Ledford
Supervisor Y. Burke
Supervisor M. Antonovich
Senator P. Night

LETTER 53

Susan Mischka
8525 East Avenue F
Lancaster, CA 93535
November 12, 2003

Mr. Sagar K. Raksit
Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998, Whittier, CA 90607-4998

Re: Lancaster Water Reclamation Plant 2020 Plan Environmental Impact Report
County Sanitation District No. 14 of Los Angeles

Dear Sir,

Hello, my name is Susan Mischka and I am a resident on Lancaster's east side. The area that has been selected to be acquired by the Los Angeles County Sanitation District #14. Since this is a period of time set aside for comments on the district's Draft Environmental Impact Report (DEIR), I will respond to that first. Secondly, I will provide you with some family history and statistic, and some general history on the land.

I don't know how it was determined (the documentation received was inconclusive) to select this portion of land that I call home for distribution of secondary treated wastewater, but I will comment on some issues in your DEIR. First, I would like you to look at the pictures that you used in the DEIR to portray the dwellings on the West Side of Lancaster as compared to the East Side of Lancaster. The pictures show obvious dwellings on the west side in the area near Nebeker Ranch. Your pictures even go so far as showing business dwellings in Kern County on the Avenue A county boundaries. There are no pictures just west of the Lancaster Water Reclamation Plant (LWRP), that offers approximately 25 square miles of land that has hardly any dwellings. The pictures for support of using land on the east side of Lancaster for what is your current alternative for purchase and agriculture reuse show no dwellings. Of course there wouldn't be any dwelling to see based on the pictures in your DEIR. They only show views of strictly desert (is that not deceiving to someone who is going to approve your DEIR). If you were to take pictures from say Avenue F and 70th Street looking north you would see at least 10 dwellings. Point the camera toward the east on Avenue F and 70th Street you would see at least 14 dwellings. Where do you come up with selecting this land? Next, I will discuss the obviously incorrect maps you utilize in your DEIR for wells, especially on the east side of Lancaster.

53-1

What are you trying to portray to the approving board for this DEIR? The maps of wells are very incorrect and the citizens who have lived here for decades passed can tell you where to find some of those abandoned wells, as well as to point out where current wells are in operation. I think since there are so many known and unknown (abandoned) wells on the east side of Lancaster, this should eliminate the eastern agricultural study area. Just one of those unknown abandoned wells could allow drainage of secondary treated wastewater into the aquifer. I really don't understand why you are going so far east to dispose of secondary treated wastewater when you have pipe installed already that goes to the west side of Lancaster. Also, if this is to eliminate the encroachment on Edwards AFB, say it in your DEIR. Please don't use the excuse that Rosamond Dry Lake is needed (or used) for an emergency landing area. It is a low flight corridor. I think that they use Rogers Dry Lake as their primary emergency landing area. I think what is happening on the area extending from Piute Ponds is that this creates a hazard to aircraft in a low fly

53-2

53-3

53-3

(cont'd)

zone resulting in Bird Air Strike Hazards. This is something that would be considered in the base realignment program with Edwards Air Force Flight Test Center being in competition with Eglin Air Force Flight Test Center. Another thought is, did you consider what the employees driving to work along Avenue E and also 90th Street East to work at Edwards AFB would feel about breathing in airborne pathogens everyday on the way to work and back. All this is being done to stop the encroachment on Edwards AFB, but yet it could be detrimental to the employees working there.

53-4

You are planning this expansion based on numbers reported about the future growth in Lancaster and Palmdale. It may be ignorant of me to ask, but do you know about the current problem in Palmdale because of the very same thing you are proposing to do on the east side of Lancaster (degradation of the ground water). You do know that with growth in the demand to dispose of wastewater there is also a demand in the use of water. I'm sure that supplies from Antelope Valley East Kern Water Agency may lower based on availability and may increase costs when supplies are limited. The Antelope Valley needs to use wells to meet the demand for current water usage and future growth in the surrounding areas. I can just imagine that you looked into this as well, and reviewed the contamination problems in our local ground water (Palmdale) that basically has the same possible effect as your proposal in the DEIR.

53-5

I would like to see the data that is collected at the monitoring wells by the LWRP. Monitoring wells were a requirement in my husbands previous business where sewer ponds were used. Has the data you have collected ever presented contamination issues? If so, how did you mitigate and resolve the contamination issues? Was the public informed? If so, how did you address their concerns?

53-6

I know you didn't consider this in your DEIR, but what about the impact to the film industry. I recognize the area out here on the east side whenever I watch a movie or commercial. I am also proud to point out to my sisters (that yeah this was filmed on the east side). I even remember that "The Right Stuff", was filmed out here on the east side in the 1980's. Kind of ironic that your doing this to appease the Air Force. There have been several films made out here but you probably concluded that they can film elsewhere. I don't remember any films being made on the west side. What I do remember is, there were two girls kidnapped and nearly killed. How about you? What do you remember?

53-7

Now that I have addressed your DEIR, I would like to focus on the land you want to acquire that is rich with history and that you want to use for wastewater disposal. There is something that you should know, I have never had a more informative history class than the one I received from my husband's grandparents. It was fantastic and more importantly part of Americana, our roots. I use to listen avidly to all the stories about the homesteading of this property. I can still look at pictures today and show my children and grandchildren their great, great-great, and great-great-great grandparents. This is something that I didn't have from my family. I cherish what I have learned about our ancestors here and I would like to see you show me another area of land (in the Antelope Valley) that still has the number of descendants from the original homesteaders that were here a century ago.

53-8

By approving this DEIR, the board will displace a close nit family that has been here over a hundred years. There are approximately 25 relatives living on and associated with this land that you want to acquire. My husband's uncle even lives in the house where he was born (he is now in his 70's). Where can you find that in the Antelope Valley now? Family members still own the original homestead, that's four generations and possibly five. What you will destroy is a family heritage and personal memories from our years of growing up and living in this area.

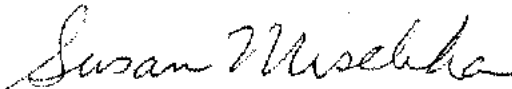
My mother-in-laws uncle attended the Redmond School located on 90th Street East in between Avenue E and F, that by all means should have been preserved as a historical landmark and still can be. He attended this school in the 1920's. Lancaster has preserved other school historical landmarks with the East Side Union School district or back then Lancaster Grammar School. My children are the fourth generation of this family that attended East Side Union

School District. They participated in Future 4-H, sports, school plays, kids groups like Cub Scouts and Girl Scouts. They spent their free time on stay-overs at other children's houses that were residents in the area. This all culminates into extensive childhood memories I don't want to see that destroyed for my children.

Out here on the East Side of Lancaster my grandfather-in-law use to farm alfalfa. They would flood irrigate and my husband would tell me about their front yard filling up so they could cool off during the summer. Later on my husband's grandfather built a swimming pool on the property where we now live. This was in the 1950's and my husband learned to swim in that pool and twenty-five years later my children learned to swim in the same pool. As a young teenager my husband would ride his horse into the desert and camp cowboy style watching the stars and the beautiful sunsets that we have. He would find arrowheads and antique bottles. He found old license plates and displayed them with pride. What you are going to take away from this family is extensive. It is safe and secure in this area since so many neighbors are relatives. We don't have the congestion, crime, and chatter from living in the city. It's very peaceful here away from Lancaster and I really don't want to leave this area. I am glad that the history here can be passed down from my children to theirs and from them to their children. This area of land will always be a part of our family history.

53-8
(cont'd)

Respectfully yours,


Susan Mischka

cc:

Mayor F. Roberts
Mayor J. Ledford
Supervisor Y. Burke
Supervisor M. Antonovich
Senator P. Night

LETTER 54

November 17, 2003

Mr. Sagar K. Raksit
Supervising Engineer
Financial Management Department
County Sanitation Districts of Los Angeles County
P. O. Box 4998
Whittier, CA 90607-4998

Subject: Comments Regarding the Draft Environmental Impact Report (DEIR) and Draft Lancaster Water Reclamation Plant 2020 Facilities Plan (LWRP 2020 Facilities Plan)

Dear Sagar:

Thank you for soliciting my comments on the two subject documents when we talked over the telephone on October 29th. I hope this input will assist the Districts in designing a project that will be more acceptable to the public and will further the long term interests of the Districts.

As you know, I am a member of the Lahontan Regional Water Quality Control Board that regulates District No. 14. Ever since I became a Board Member in 1989, I have disqualified myself from participating in any matter directly concerning the Districts. Therefore, I am writing this letter as an individual concerned citizen, property owner and user of water in Antelope Valley. I am not writing as a representative of the Regional Board.

I am deeply concerned about the content, and therefore the validity of both the DEIR and LWRP 2020 Facilities Plan. Both are riddled with factual errors, miscalculations, misstatements and misleading information that I believe the Districts should correct. In its present form, the DEIR cannot be certified without making extensive substantive changes. As it stands, I believe it is significantly flawed in most significant areas.

My discussions of the more significant shortcomings are as follows. My intention is not to nit-pick or dwell on small details. I, University of California Extension Farm Advisors, and many of the Districts' staff have made many of these recommendations to the Districts in the past.

GENERAL COMMENTS

Other Alternatives

Since the Districts are trying to meet the August 25, 2005 deadline to eliminate the threatened nuisance condition created by overflows from Piute Ponds to Rosamond Dry Lake, a wise and prudent approach at this time may be to acquire only the land needed to develop the agricultural land and storage ponds needed to achieve this immediate goal. Presently, the wastewater flows projected in 2020 are speculative because of the uncertainty of the source of future water. In addition, the regulation of the groundwater basin may change.

54-1

Best Alternative Considered

I agree, Alternative 1 is the preferred alternative of those selected for analysis.

54-2

Cost Effective and Environmentally Sound Manner

The first objective of the DEIR states "Provide wastewater treatment and effluent management capacity adequate to meet the needs of District No. 14 through 2020 in a cost effective and environmentally sound manner." I do not believe the project, as outlined, is cost effective because the agricultural land is assumed to not generate any income for the community/Districts (some positive cash flow should be generated), the agricultural land is assumed to have zero value in the future (whereas it should be very valuable) for the community/Districts, and sprinkler irrigation is planned which is costly initially, costly to operate, and costly to provide the energy to pressurize the water. The Districts are also planning, because of sprinkler irrigation, to waste money disinfecting the effluent. The approach is also not environmentally sound because the Districts do not appear to understand the fundamental concepts of irrigation with effluent (see below). I have been advised that sprinkler irrigation with secondary effluent, even disinfected, has a potential of broadcasting viruses for the community to inhale. Finally, the use of storage reservoirs, lined with local clay material, has the strong potential to leach nitrogen and salts into the groundwater. I believe the Districts should thoroughly investigate these concerns.

54-3

Cultural or Farming Concepts

A great majority of the agricultural discussion in the DEIR and LWRP 2020 Facilities Plan is too elementary and superficial to be of much assistance. For instance, these documents indicate that the Districts do not understand the principles of farming with effluent, irrigation with effluent, agricultural site selection to use effluent, public health concerns in using effluent, management and farmer capabilities required to use effluent, and the ability to financially analyze an effluent reuse operation. Under these circumstances, I believe the proposed operation is doomed to failure. A discussion of more specific comments follows.

54-4

SPECIFIC COMMENTS

Maintaining Adequate Production of Alfalfa

In reading the subject documents, I have concluded that the Districts do not understand perhaps the most important concept in using plants such as alfalfa to dispose of wastewater. To be sure to protect the groundwater, the production of alfalfa every year needs to be maintained at a sufficiently high level to use all of the nitrogen in the effluent. As a numerical example, if 6.5 to 7.0 acre-feet/year of effluent with 24.5 mg/liter as N is applied per acre, the production must be at least 7.6 to 8.2 tons of alfalfa/acre every year. If more water is applied, the production must be greater. Given crop rotation, weather vagaries, varying soils, irrigation system deficiencies, etc., this goal is not easy to attain. As discussed later, not all farmers can do this. Definite performance standards dealing with production must be applied to any farmer using effluent

54-5

Irrigation and Water Balance Fundamentals

Many of the irrigation fundamentals are seriously flawed. For example, Figure 3.8 of the DEIR, which shows evaporation from ponds and evapotranspiration from alfalfa is incorrect. The absolute magnitude of these parameters and their relationship with each other is incorrect. As a numerical example, evaporation from ponds is equal to or about 10% greater than evapotranspiration from alfalfa (depending on the reference), not 50% higher.

54-6

Also, the on again, off again nature of irrigation should be explained and contrasted with a constant head situation which is present in ponds.

As a result, Table 4-3 of the LWRP 2020 Facilities Plan, which discusses estimated losses from the Lancaster Plant are incorrect.

Method of Irrigation

As you know, I prefer flood irrigation because it does not broadcast pathogens into the air to enter the respiratory tracts of unsuspecting individuals. Even if the secondary effluent is disinfected, my understanding is that encapsulated viruses may still be a threat. My discussion with environmental microbiologists indicates a problem will exist. Page 4-170 of the LWRP 2020 Facilities Plan briefly discusses this issue. It needs to be examined in more detail and data presented to the public. Certainly, sprinkler irrigation has a public perception problem regarding airborne pathogens. Also, center pivots, a type of sprinkler irrigation, require more land than flood irrigation because the corners of a field are usually not irrigated. As I and many farm advisors have discussed with the Districts already, sprinkler irrigation presents many practical problems not encountered in flood irrigation.

54-7

Quantity of Land Required

Please review your water balance and show the calculations determining the agricultural acreage and storage and treatment pond acreages. I suspect these are overstated.

54-8

Storage and Oxidation Pond Design

Several sections in this document discuss percolation through the bottom of these ponds to the groundwater. Perhaps small areas have a minimal impact, but in these documents, you are considering very large areas. Clay liners do not stop the transport of nitrogen to the groundwater, they merely slow down the transport. Using hydraulic conductivities of clay published in the literature, a nitrogen content in the effluent of 25 mg/l, the area of your projected reservoirs and ponds, and an assumed background level of nitrogen in the aquifer (e.g. about 4 mg/l), you can calculate the volume of groundwater that the reservoirs and ponds can possibly contaminate above the drinking water standards. I recommend that you do these calculations, present them in the DEIR, and discuss.

54-9

Agricultural Site Selection

As mentioned earlier, many soils in Antelope Valley are not expected to support the production levels required to take up the nitrogen in the effluent. I feel strongly that soils east and southwest of our ranch in the Western Agricultural Area are not adequate for this purpose. By inspecting the "indicator plants" in the Eastern Agricultural Area, one concludes that many of these locations are also not suitable. By selecting "land that has been farmed before" is not a very good indication of site selection. Many abandoned ranches in Antelope Valley should have never been farmed because of their soil problems. Also, land that has been farmed before may present most difficult weed problems. As an example, dodder seeds can remain in the soil and germinate 40 years after they were deposited. This weed has motivated some farmers to abandon their fields.

54-10

The U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) 1970 mapping program is not sufficient to identify suitable areas. The NRCS maps are only general indicators of agricultural suitability. The maps of depth to root restrictive layer, salinity, and soil expansiveness are of marginal value. Sodicity is important, but is not considered. The most important siting criteria are the chemical and physical characteristics of the soil. Physical characteristics include the depth of the topsoil, the nature of stratum and layers beneath the topsoil, etc. Topography is an important criterion of site selection that has not been considered. The production requirement discussed above cannot be achieved with the best farmer in the world using many locations you have identified in the DEIR.

Financial Analysis

The cost estimates in the LWRP 2020 Facilities Plan are significantly flawed because assumptions are made that are not realistic. For example, the assumption that agricultural land has no value in the future is obviously not correct. In reality, this land

54-11

may be very valuable, an order of magnitude greater than present day value. Also, no income or positive cash flow is projected from agricultural operations. Agricultural operations, in contrast to treatment plants, should earn money for the Districts or the community. I would assume that the yearly costs of agricultural land to this project are only the carrying costs, e.g. interest on money invested, etc. Please discuss more fully.

54-11
(cont'd)

Management

The DEIR and LWRP 2020 Facilities Plan assume that any farmer can successfully use secondary effluent. As stated above, the required production levels make this assumption incorrect. Also, the public realizes that risks regarding groundwater contamination and airborne pathogens exist. I believe that the public will demand that whoever uses this water are respected individuals who have accepted their responsibilities to the community to be environmental stewards and are not primarily motivated by financial gain or other inappropriate intents.

54-12

Transparency to the Community

The DEIR and LWRP 2020 Facilities Plan should discuss how the public will be educated to the true benefits and risks of using effluent in their community. Also, any operation of this type should not hide data and facts but should be transparent to the community. I recommend that the Districts plan a data management system with high public visibility.

54-13

Responsibilities to the Neighbors and the Community

In addition to the above comments, I strongly believe that any project of this type should provide benefits, not liabilities to the neighbors. I recommend that the Districts develop this concept before approaching individuals that may be in or have property close to this project. A variety of useful conservation and wildlife projects could be incorporated into any agricultural operation if planned correctly.

54-14

Earlier in this process, some farmers in Antelope Valley have been concerned about the effect on the Antelope Valley market from extensive production. I would suggest that the hay produced as a result of this project be marketed outside of the Valley. This is the practice that I have always observed.

54-15

Misstatements and Factual Errors About Nebeker Ranch

In the future, I would appreciate it if you would not release information about our ranch before I have an opportunity to review and remove errors from the material. As examples, our ranch is 680 acres in area, not 667. The efficiency of our irrigation system significantly exceeds 75%. We do not irrigate during December and January and also do not rely on rainfall to satisfy irrigation requirements in the winter because it often does not rain. As you point out, Table 4-6 is only approximate. This is not purely alfalfa irrigation but includes irrigation of grain, sorghum and sudan crops. However, it does not

54-16

54-17

54-18

54-19

approximate the irrigation philosophy that we employ. The disparity between the predicted irrigation rate and the actual irrigation rate also reflects the fact that the pipeline to the ranch was undersized and not enough water can be pumped during certain times of the year. Table 4-7 includes years that Districts did not have enough water to deliver to us and therefore, the "historical rates" have questionable meaning.

54-19
(cont'd)

54-20

Finally, the Districts may want to educate the community about the benefits they have enjoyed as a result of our operation at our ranch so the community will consider a farming operation as something to welcome, not reject out of hand. You might want to include the money we have saved the Districts in added treatment costs, the money we have saved the community by keeping 1.3 billion gallons of groundwater in the aquifer, the fact that we have kept 1.3 billion gallons off Edwards Air Force Base, and the fact that we have disposed of the effluent in an environmentally safe manner. You may also want to mention that over 80 species of birds have been sited at our ranch. In the last few weeks, the President of the Western Field Ornithologists, a student from Pomona College, and the Director of Bird Conservation from Audubon California with some UCLA students visited the ranch.

54-21

I hope these comments will be constructive and helpful to the Districts. Please telephone me at (310) 440-8862 if you have any questions or comments.

Yours truly,

Eugene B. Nebeker, Ph.D., P.E.
President

LETTER 55

Sagar K.Raksit, Supervising Engineer
Financial Management Department
County Sanitation District of L.A. County

12 Nov 2003

The attached letter is written by my 6 ½ year old niece. She has been attending the meetings concerning the sewer water proposal to be used on and near her home with her parents. She is aware that some people want her to move from her home. She is very happy living in her house, with her parents, animals and wide open spaces. She voiced she would like to write a letter also.

55-1

Marleen Griffin for Brianna Nye

Brianna Nye
8690 E. Ave. F
Lancaster, CA. 93535



11/10/03

I Love My Home
and don't want to
move

55-1
(cont'd)

Brianna Nye
#MB1/2

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, Ca. 90607-4998

Mr. Raksit,

I am writing in opposition to Sanitation District 14's plan for future distribution of treated waste water. I had the opportunity to speak at the public hearing on October 29 at Lancaster City Hall covering a few points as time allowed. I understand all comments made at that meeting are already on the record but I have a few more questions.

56-1

Wouldn't it make sense to treat the water to a level where it could be used safely for a wider array of uses? In the L.A./Orange County area there are no alfalfa fields to distribute the proposed level of water. I understand the water there

is treated to a higher level and is used on golf courses, common areas, public landscape and the recharge of the ground-water basin. You may say it is cost prohibitive but for the long term anticipated growth in this area it appears that it would be well worth it. I understand you are required by a timeline to have a project plan in place but it doesn't seem to me that the loss of private homes and property is justified for the sake of meeting a deadline. The pursuit of an extension of that deadline is in order.

56-2

If you purchase properties, agricultural and residential, and lease them back to farming interests and sell them water, doesn't that constitute taking away ones private business/residence so a government agency can go into business? Are you in a position with this plan to have the district profit from the plan? What happens if insufficient farmers are found to use the land? I have yet to speak to a local farmer who thinks your total plan is a good one. I'm sure if you had a meeting where interest was expressed, which I understand you did, I'm sure they were only asked if they would be interested in using the water but were most likely not aware of the BIG LAND GRAB and the loss of private homes and property.

56-3

My wife and I purchased our property sixteen years ago and built our home with plans of staying here and raising our family. It's not our plan to be removed for your project. I'm confident your FAIR MARKET VALUE for our property will not come close to replacing our property or that of the others in the area.

56-4

Thank you for your consideration in this matter

Jim and Diane Nye
8690 East Ave. F Lancaster 93535

NOV 17 '03 AM 9:44

DOC #
301578

LETTER 57

October 31, 2003

Mr. Sagar K. Raskit
Supervising Engineer
County Sanitation Department
P.O. Box 4998
Whittier, Calif. 90607-4998

Dear Mr. Raskit,

I along with a number of property owners in my tract in the area of 80th St. E. and Ave. "E", attended the meeting at Lancaster City Hall on Oct. 29, 2003. A soil engineer attended with our group.

In the main, your plans make absolutely no sense, as the cost would be prohibitive, because of many reasons. Did you, as far an example, figure in your plans the cost of the destruction of existing wells? About \$2,000.00 per well is an estimate that I have had from two water well drillers.

We have studied the EIR report and it is ludicrous and needs to be addressed more thoroughly. The engineer that attended the meeting with us noted that the proposal that Senator Pete Knight made at the meeting was probably the most practical plan that was made at the meeting, including your engineer's plan. He noted that the 163 million dollars cost of your plan would go a long way in building a treatment plant, and would preclude your having to purchase so much land. I believe that the EIR was made by students of the M.A.I. college: "Made as Instructed", as very little in the EIR made practical sense and could not have been completed in such a short period of time. It would be very interesting you see the white papers of the studies if any exist.

57-1

57-2

57-3

NOV 3 '03 AM 9:31 DOC # 297079 Raskit S.

One major question exists in our minds. Why weren't the Sanitation's district board members, present at the meeting, so that they might have heard first hand the property owners concerns?

57-4

Senator Pete Knight was at the meeting, and I am sure that he had, because of the fires, worrisome thoughts on his mind. We purchased our property for the purpose of retirement and have spent over \$42,000.00 on the property, not including a water well, that we paid \$11,000.00 for.

57-5

We live on a fixed income, but will do everything within our power to retain possession of our property.

As I understand, numerous property owners will jointly fight any attempt of acquisition.

Sincerely,

Mr. E. O'Shea
Mr. E. O'Shea

P.S. We were not notified of the meeting of the 29th; A neighbor told us about the Meeting. Hopefully we will be notified of any new developments, or meetings in the future, so that we can express our concerns.

57-6

C.C. SENATOR PETE KNIGHT

MARNIE PFEFFER

42104 MOHAVE ROSE DRIVE
LANCASTER, CALIFORNIA 93536
PHONE: (661) 722-3234
EMAIL: MARNIENED@MSN.COM

November 16, 2003

Sagar K Raksit, Supervising Engineer
Financial Management Department
County Sanitation District of L.A. County
P.O. Box 4998
Whittier, CA 90607-4998

Re: Comment on Lancaster Water Reclamation Plant

To Whom it May Concern,

I have recently been made aware of the above project that has been proposed. It affects my parents Marian and Tom Firsick who live at 47851 N. 70th Street East, Lancaster, CA as well as countless others. This letter is being written to voice my discontent and disagreement. There are many reasons why I would not like to see my parents forced from their home.

The hardship that goes along with relocation is difficult, more so for those who are retired and have disabilities. Where does one relocate to? How will they afford a new home equal to what they have? How do you ask someone to give up something that is so important? How do you ask someone to leave the only home they have ever known?

Thomas Firsick was born and raised right here in Lancaster. His family homesteaded this land in 1894. They have the signed copies from President Grover Cleveland. This is his home, his heritage, his to pass on to his children. How can you take that away from someone? How do you put a price on something priceless?

This home is where we have all our family parties, all reunions. His grandchildren love to go to this home and play. It is surrounded only by desert and open land. There is not a lot of traffic and you feel safe and enjoy the peace and quite. This is where we go to see the stars on a clear night. Taking this home away from us would be like burying someone alive.

I hope with all my heart that there will be another solution to your project that will not involve such drastic measures as removing people from their homes and life as they know it. It would be asking entirely too much from anyone, especially seniors who are in retirement and just asking to live out the rest of their lives in the only home they have ever known, where they are surrounded by family and friends.

Very truly yours,



Marnie Pfeffer

58-1

MARNIE PFEFFER

42104 MOHAVE ROSE DRIVE
LANCASTER, CALIFORNIA 93526
PHONE: (661) 722-2234
EMAIL: MARNIENED@MSN.COM

November 17, 2008

Sagar K. Raksit, Supervising Engineer
Financial Management Department
County Sanitation District of L.A. County
P.O. Box 4998
Whittier, CA 90607-4998

Re: **Comment on Lancaster Water Reclamation Plant**

To Whom it May Concern,

I have recently been made aware of the above project that has been proposed. It affects my parents Marian and Tom Firsick who live at 47951 N. 70th Street East, Lancaster, CA as well as countless others. This letter is being written to voice my discontent and disagreement. There are many reasons why I would not like to see my parents forced from their home.

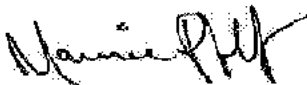
The hardship that goes along with relocation is difficult, more so for those who are retired and have disabilities. Where does one relocate to? How will they afford a new home equal to what they have? How do you ask someone to give up something that is so important? How do you ask someone to leave the only home they have ever known?

Thomas Firsick was born and raised right here in Lancaster. His family homesteaded this land in 1894. They have the signed copies from President Grover Cleveland. This is his home, his heritage, his to pass on to his children. How can you take that away from someone? How do you put a price on something priceless?

This home is where we have all our family parties, all reunions. His grandchildren love to go to this home and play. It is surrounded only by desert and open land. There is not a lot of traffic and you feel safe and enjoy the peace and quite. This is where we go to see the stars on a clear night. Taking this home away from us would be like burying someone alive.

I hope with all my heart that there will be another solution to your project that will not involve such drastic measures as removing people from their homes and life as they know it. It would be asking entirely too much from anyone, especially seniors who are in retirement and just asking to live out the rest of their lives in the only home they have ever known, where they are surrounded by family and friends.

Very truly yours,



Marnie Pfeffer



Raksit S

NOV 18 '08 08:01

59-1

LETTER 60

Sagar K. Raksit, Supervising Engineer
County Sanitation Districts of Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

Dear Sir:

My husband and I are members of the Eastside Landowners Association in Lancaster, California. I am writing to protest the proposed Lancaster Waste Reclamation Plant 2020 Plan EIR LA County Sanitation District NO. 14.

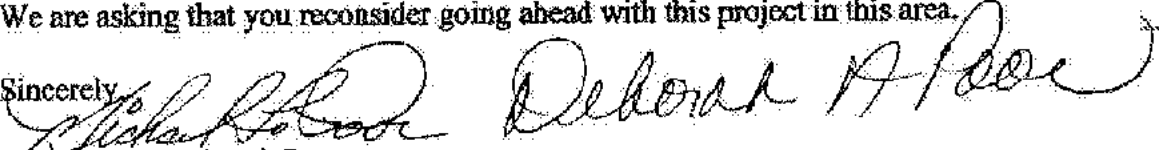
We have lived on the Eastside area for only one year, but are very happy with our home and property. We have a beautiful 2300 sq. foot house and almost five acres of surrounding land. We moved here from the city of Lancaster to get away from the constant building of homes which was resulting in families practically living on top of each other.

If this proposed plan is approved, we will have to give up our home and move to another location. We do not know where we will be able to find a comparable property for the price we paid for this one. My husband will be retiring in a few years, so we moved here with the intention of this being our retirement home. Now it seems we may have to move again which would be not only monetarily detrimental but also emotionally trying. We have made many improvements to our property in the year we have lived here and do not want to see all this effort and money go to waste.

We believe there are better sites for this project. Further east of Lancaster there is much less population and much open land. From 240th St. East to the county line, there would be plenty of property for this project with little need to relocate many people.

We are asking that you reconsider going ahead with this project in this area.

Sincerely,


Michael and Deborah Poor
7025 E Ave F
Lancaster, Ca. 93535

60-1

LETTER 61

17 November 2003

Mike San Miguel
Citizens for Plute Wetlands
2132 Highland Oaks Drive
Arcadia, CA 91006

Dr. Sagar Raksit
County Sanitation Districts of Los Angeles County
11955 Workman Mill Road
Whittier, CA 90607-5422

Dear Dr. Raksit,

Thank you for sending a copy of the Draft Environmental Impact Report (EIR) for your facilities expansion project at Lancaster. In addition to your much-needed new facilities your agency has an opportunity to greatly benefit the citizens of the county by incorporating amenities and habitat enhancements for education and wildlife viewing. As we have discussed in the past, I urge you to carefully consider my suggestions and comments. The following are provided in response to the Draft Water Reclamation Plant 2020 Facilities Plan EIR.

GENERAL COMMENTS

The EIR does not consider that each of the individual alternatives has substantial merits that could be incorporated into the preferred alternatives. For example, rather than outright rejection of constructed wetlands, evaporation ponds and other alternatives as infeasible, the LACSD should consider that components of several alternatives could be integrated into the overall project.

61-1

Educational and Recreational Opportunities

During the course of discussing and receiving input for the EIR, Los Angeles County Sanitation District (LACSD) was presented with many ideas to take advantage of the potential to provide substantial educational and recreational opportunities to the citizens of Antelope Valley and for the Los Angeles County as a whole. The EIR ignores this potential even though it was made aware of it. The proposed waste-water storage basins should be constructed to provide habitat for wildlife. Walkways/trails and interpretive facilities could be constructed to provide students and nature lover's opportunities to view the substantial wildlife that would be attracted to the facility if they were constructed to attract waterfowl, shorebirds and native habitat. There are many such facilities throughout California and the west that have such facilities incorporated into

61-2

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303057

Raksit S.

their waste water treatment plants that could be used as a model for this project. Depending on their size and scope, these amenities could be incorporated at little or no expense to the project.

This issue is relevant and has much potential to benefit the LACSD's constituency and should be addressed in the EIR. The document does not recognize nor does it address the potential educational and economic benefits brought by students, bird watchers and other visitors coming to the Antelope Valley. During the scoping meetings several speakers suggested examples of educational and wildlife viewing facilities that could be built in conjunction with the proposed project. They were not addressed in the EIR either.

61-2

Wildlife watching (particularly bird watching) has rapidly become a major leisure activity for many people. A recent 2001 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation determined there were 34.1 million anglers, 13 million hunters, and 21.8 million people who traveled away from their home to view wildlife. These trips away from home resulted in expenditures of \$23.5 billion for the purchase of equipment, \$8.2 billion for food and lodging, and \$6.7 billion for other expenditures such as books and magazine subscriptions. Bird-watching is by far the most popular wildlife watching activity, representing 18 million of the 21.8 million wildlife watchers.

(cont'd)

In California bird watchers in 2001 spent \$.88 billion for travel and lodging, \$1.2 billion in equipment, and \$.46 billion on other items such as books and magazine subscriptions. These were monies spent in California, which is the number one state for wildlife watching expenditures. The same survey also analyzed the types of habitats that visitors tended to visit. Lake and stream sides were visited by 63% of those who took trips, while Marsh, wetland, and swamp habitats were visited by 42%. The type of habitats that would be created by a constructed wetland would represent two of the top four favored wildlife viewing habitats. We believe that Lancaster and Palmdale would benefit greatly from wildlife viewing facilities that should be incorporated into the LACSD's planned facilities.

The Constructed Wetlands Alternative

The EIR does not adequately address the potential for constructed wetlands to be incorporated into the treatment facilities. The analysis presented in the document is inadequate and flawed because it assumes water would be required to be discharged year-around and that most or all of the treatment facilities would be constructed wetlands. The typical and naturally occurring wetland in southern California receives water during the winter and spring and dries out in the summer. The timing of the requirements for treated water are compatible with naturally occurring wetland systems; i. e. deliveries to meet the City of Lancaster's irrigation needs during summer and the need for water for wetlands in the winter and spring when there is surplus treated water. Moreover wetlands are naturally occurring treatment systems that would further clean the waste water flowing through them. The entire proposed acreage need not be converted to wetlands but rather I suggest that a small acreage could be incorporated into the proposal. Because treated

61-3

water will be conveyed to the proposed agriculture areas, wetlands and habitat could be integrated into the operations.

(cont'd)

Discharge to Evaporation Ponds Alternative

The discharge-to-evaporation-ponds-alternative is deemed unfeasible because it could not be constructed by August 25, 2005. That analysis is flawed because it does not recognize the long-term potential for that alternative to be utilized at a later date. Wastewater storage ponds could be constructed to handle the short-term requirements for treated water to meet the August 25 mandated deadline and until such time as evaporation ponds could be constructed.

61-4

SPECIFIC COMMENTS

Page 4-85: Birds identified in the assessment area outside of marsh-type areas include . . . American Crow (*Corvus brachyrhynchos*) etc. Throughout the dry land portions of the assessment area, other resident bird species include . . . California Towhee (*Pipilo crissalis*) . . .

61-5

Comment Neither the American Crow or California Towhee occurs in the project area nor should they be expected there. I suspect that the person who conducted the surveys for the EIR misidentified the many Common Ravens that are common residents in the study area by calling them American Crows. It is likely that the California Towhee has never been observed in the study area. They simply don't occur there because there is not suitable habitat for them nor are they prone to wander far from their preferred habitat. They are not listed on the checklist of birds for Edward's Air Force Base, which is referenced in the Draft EIR. These errors bring to question the accuracy of other portions of the document.

Page 4-92: The desert scrub habitat that occurs in the proposed storage area. . for Loggerhead Shrike, Le Conte's Thrasher and Horned Lark.

61-6

Comment The shrike, thrasher and lark have all been confirmed as breeders in the study area. You should contact Kimball L. Garrett at the Los Angeles County Natural History museum for precise locations of their occurrence.

Page 4-113/116: The elimination of effluent-induced overflows onto Rosamond Dry Lake for each alternative would cause loss of mudflat habitat.

61-7

Comment The document states, "The increased land application of effluent for agriculture would not add foraging habitat for shorebirds or water fowl". That conclusion is not true and the EIR does not inadequately address the issue. Nebeker Ranch provides ample proof of the inaccuracy of that statement. For many years I have conducted bird surveys at Nebeker Ranch and discovered it to be a very important foraging area for many species of wading birds (White-faced Ibis, Egrets), waterfowl, raptors and

shorebirds. During the spring, summer and fall hundreds of White-faced Ibis feed in the alfalfa fields at the Ranch. During the nesting season the Ibis can be observed flying from Piute Ponds to Nebeker in search of food for their nestlings. Moreover, it is the most reliable place in Los Angeles County to observe Long-billed Curlews, which can be found in the hundreds during the summer and fall searching for food at the Ranch. During the spring hundreds of Whimbrel utilize Nebeker to feed and stage for their long migration to the Arctic. Small number of Snow geese and waterfowl also spend the winter at Nebeker.

61-7

(cont'd)

Replicating the conditions, which are obviously important for a large number of birds, that now exist at Nebeker, and incorporating them into the design of LACSD's proposed agricultural areas would provide much additional habitat for these species. Since the system and technology at Nebeker is well proven and effective it should be easy and straight forward for the LACSD to construct and operate in the proposed agricultural operations. A few additional enhancements, such as drainage ditches, ponds for runoff and native vegetation planting would greatly increase habitat for many species of birds and wildlife.

Copies of my field notes for the birds observed at Nebeker are available for your use for any additional analysis.

Page 4-116: Mitigation measures, "None Available"

Comment What analysis was conducted to reach the conclusion that "This would not be feasible"? Ample opportunity exists to replace the wetlands that will be lost as a result of the proposed project. By allowing treated water to flow through open fields before entering the proposed agricultural areas, conditions similar to those that now exist at delta of Rosamond could be created. Moreover, as has been suggested in discussions with the LACSD the mud flats that once existed at Little Piute Ponds but are now filled in with silt could be graded to restore those mudflats. Some additional grading might be required to maintain those mudflats. I urge the LACSD to seriously review these suggestions and provide the analysis to prove their conclusions before dismissing them as not viable.

61-8

Page 4-116: These unique characteristics would be very difficult to duplicate elsewhere.

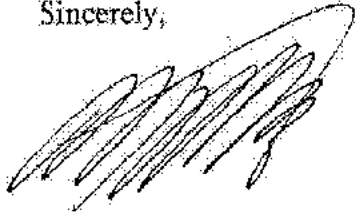
Comment The richest and most important area for migrating shorebirds at Rosamond Lake is the 100-200 acres at the delta of Amargosa Creek. Large concentrations of shorebirds utilize that habitat when conditions are right. Providing mudflats to replace the 100-200 acres of lost habitat should not be difficult to duplicate nor onerous given the 13,000+ acres that the LACSD proposes to convert onto agricultural lands. A prime example of how shorebird habitat can be replaced is the South Base Ponds at Edwards Air Force Base. The Base once utilized them as evaporation ponds in their waste water treatment facility. They are now used to take excess treated water during the winter and

61-9

spring when the base does not require irrigation water. They provide prime habitat for waterfowl and migrating shorebirds throughout most of the year. Moreover, it is not necessary to exactly duplicate the "unique characteristics" at the delta to provide habitat and substantial benefits for migrating shorebirds. I would be happy to share my notes with the LACSD to demonstrate the rich variety of birds that utilize the habitat at that facility.

As we have discussed in the past I am available to serve on a technical committee that addresses the potential for wetlands and other enhancements associated with this project. Please feel free to contact me if you have any questions about my comments.

Sincerely,

A handwritten signature in black ink, appearing to be 'Garry George', written in a cursive style.

CC: Dan Cooper, California Audubon
Todd McGrath, California Audubon
Kristie Grubb
Garry George

LETTER 62

Rosalina P. Seward
1389 Firststone Loop
San Jose Ca. 95116

To Mr. Sagar K. Raksit.

I received a letter from your office about public hearing notice of DEIR for Lancaster Water Reclamation Plant 2020 Fac. Plan. I would say that your project was so interesting, but if you will occupy my 2.5 acres property at NE 1/4 of NE 1/4 of NW 1/2 of SE 1/4 of Sec 24 T8N R11W and the Broker said it was located in Ave. D-8 and 77 East.

So I would say that you have to buy my property.

If you will agree to this amount four hundred thousand Dollars, call me at 408-926-4710 or 408-802-9274 or send me Email to R.Seward@vishay.com.

Thank you.
seward

OCT 31 '03 PM 12:37

DOC #
290957 RAKSIT 5

62-1

LETTER 63

Cont 700310100001 13501890

October 16, 2003

Sagar K. Raksit
Supervising Engineer
County Sanitation Districts of
Los Angeles County
P.O. Box 4998
Whittier, CA 90607-4998

RE: File # 14.00-00.00

Dear Mr. Raksit:

Your Environmental Impact Report clearly states that my (5) acre property will be completely worthless for use and impossible to sell.

Since there are only a few parcels of land in the middle of your plan, you should buy these parcels for a reasonable price. I hope you will be able to give me an offer on my (5) acres of land, which I have been holding for my retirement. I have been paying escalating property taxes for decades on this land.

In case the district refuses to buy the property I will be forced to contact the other owners and file a joint lawsuit against the district.

I look forward to your reply at your earliest convenience.

Sincerely,



Suzanne Sokol
2080 Kerwood Ave
Los Angeles, CA 90025

E-mail: srsokol@aol.com

OCT 22 '03 AM 9:35

DOC #
296077

Raksit S.

63-1

LETTER 64

October 27, 2003

To whom it may concern:

We are writing about our concern for the property we have located on 70th Street and Avenue B - A14th.

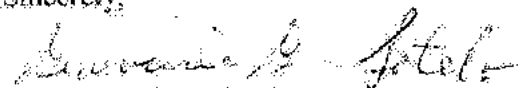
Will you require an acquisition for the property above? Since there will be large amounts of water and sludge in this area, want that attract lots of mosquito's and other type of bugs. Also after paying taxes on this property well over fifty years we feel that the evaluation of this property will take even more of a down trend, with the plant so close.

64-1

64-2

64-3

Sincerely,



Mrs. Genevieve Sotelo
Mrs. Camellia Serrano
Mrs. Rosemary Airhart

P.O. Box 93245

L.A. CA 90093-0245

OCT 28 '03 AM 11:04

DOC #
296128

Robert S.

LETTER 65

Phone: 818 778-0530
Fax: 818 778-0730
Cellular: 818 691-2724
email: PTYMON@AOL.COM

PHILIP & ROBERTA TYMON
22222 CRAGGY VIEW STREET
CHATSWORTH, CALIFORNIA 91311

October 13, 2003

From : Deborah Tymon Lent, Adrienne Tymon Kentor,
Nacine Tymon Little, c/o Philip and Roberta Tymon

To: County Sanitation Districts
of Los Angeles County
James F. Stahl Chief Engineer and General Manager
1955 Workman Mill Road
Whittier, California 90601

Re: File Number 14.00-00.00
County Sanitation District 14 of Los Angeles County
State Clearinghouse No: 2001021127
Lancaster Water Reclamation Plant 2020 Facilities Plant

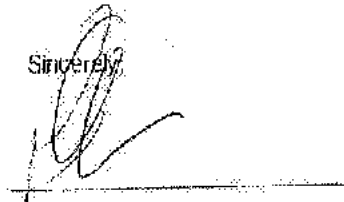
Dear sir,

We received your letter dated September 30, 2003 in reference to the above mentioned project. We received said notice on October 10, 2003. According to the notice, the period for review and comments starts on October 1, 2003. Is there a reason why we did not receive this notice in-time? Moreover, both the letter and the diagram enclosed are very unclear and difficult to understand. We are completely opposed to the idea that the property we own will be used for your purposes unless we are paid for said use, or your agency buys the property from us at a reasonable price. It seems that your agency is planning to use our property without compensating us. We will not be available for the Public Hearing Scheduled for October 29, 2003. We believe we live in a Democracy where property can not be effectively taken from us or rendered unusable without just compensation.

65-1

65-2

Sincerely,



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291561

OCT 15 '03 AM 11:27

TSJ
Le Brun
10/16/03
Rohit
10/16/03

J.F. STAHL

Stephen R. Maguire

Oct 14-03

Dear Sonstutun/Victoria

In Writing in response to a letter my husband received in the mail about that WRP. With out having to go to our Safty deposit Box in LA I would like for you to tell me if this is on our property? If so what do you plan to pay per acre for this land, we were offered 120,000 in the early 90's to build houses. We can't remember what overes. We don't have our tax papers for this decenget?

you have a number on the envelope of 315-009-007 We don't know if this is the property number or the mailing number. I will call a realstate Co. to see what is going on - we haven't been to Lancaster for four years. We also own 2 1/2 acres across from the place where the City Buses are repaired near the old drive in theater. We will ch into this to see what is going on in Lancaster. We are retired and may see all property there

Thank for all the help you may give us

Sincerely

Hellen and Joseph High

66-1

LeBuen
10/21/03

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OCT 21 '03 AM 11:48 293269

J.F. STAHL
Stephen R Maguin

Oct 14 03 10:21:03