

# **Appendix A. Correspondence for Review and Consultation Requirements**

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OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION  
P.O. BOX 942896  
SACRAMENTO 94296-0001  
(916) 653-6624  
AX: (916) 653-9824



December 6, 1994

REPLY TO: EPA941026B

Joe Pope, Cultural Resources Officer  
State Water Resources Control Board  
P.O. Box 944212  
SACRAMENTO CA 94244-2120

Project: Joint Outfall System 2010 Master Plan, Los Angeles  
County Sanitation Districts, SRF# C-06-4001-220

Dear Mr. Pope:

The Office of Historic Preservation (OHP) has reviewed and provides the following comments on the documentation you submitted in support of the cited project.

Your letter and report neglected to address the Atchison, Topeka, and Santa Fe Railroad that crosses the survey area. This property has been determined eligible in other counties. However, I do not believe that the setting is being substantially altered by the proposed changes in the treatment facility. The other aspects of integrity are not being altered either. Consequently, I do not believe the undertaking is having an effect on this historic property.

Your report indicates that reasonable measures were taken to identify historic properties within the project's Area of Potential Effect (APE). While it is seldom possible to guarantee that all cultural resources have been discovered during a survey, your inventory methods are consistent with the Secretary of the Interior's Standards for Identification and satisfy us that you have fulfilled the requirements of 36 CFR 800.4(a and b).

I do not object to your finding of no effect for the project as it is currently designed. Accordingly, you have fulfilled your responsibilities pursuant to 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act.

However, please note that your agency will have additional responsibilities pursuant to 36 CFR 800 under any of the following circumstances: (1) If any person requests the Advisory Council on

Joe Pope  
December 6, 1994  
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Historic Preservation to review your determination in accordance with 36 CFR 800.6(e); (2) if the undertaking changes in ways that could affect historic properties (36 CFR 800.5[c]); (3) if historic properties are discovered during implementation of this undertaking or if a known historic property will be affected in an unanticipated manner (36 CFR 800.11); (4) if a property that was to be avoided has been inadvertently or otherwise affected (36 CFR 800.4[c] and 800.5); or (5) if any condition of the undertaking, such as a delay in implementation or implementation in phases over time, may justify reconsideration of the current National Register status of properties within the undertaking's Area of Potential Effects (36 CFR 800.4[c]).

Your consideration of historic properties in the project planning process is appreciated. If you have any questions regarding our review of this undertaking, please call Gary Reinoehl of our staff at (916) 653-5099.

Sincerely,



Cheryl Widell  
State Historic Preservation Officer



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Field Office  
2730 Loker Avenue West  
Carlsbad, California 92008

March 1, 1995

Christine Bailey, Environmental Services Unit  
State Water Resources Control Board  
Division of Clean Water Programs  
2014 T Street, Suite 130  
P.O. Box 944212  
Sacramento, CA 94244-2120

Re: Joint Water Pollution Control Plant section 7 consultation (1-6-95-1-120)

Dear Ms. Bailey

The Fish and Wildlife Service (Service) has reviewed your January 23, 1995 request, received by the Service on January 26, 1995, for concurrence that section 7 consultation is not required for the proposed upgrade of the Joint Water Pollution Control Plant (JWPCP). The Service concurs that it is unlikely that the species on the list included in your January 23, 1995 request are present on the proposed project site. Given that habitat on site will not be directly impacted, the Service concurs that sensitive species on the enclosed list will not be adversely affected. Therefore, formal section 7 consultation is not required (50 CFR 402.14(b)(1)). This concurrence applies only to the JWPCP portion of the 2010 Joint Outfall System project as described in the Draft Program Environmental Impact Report dated November 1994. If you have any questions regarding this informal consultation, please contact Marjorie Nelson of this office at (619) 431-9440.

Sincerely,

  
for Gail C. Kobetich  
Field Supervisor

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY****REGION IX****75 Hawthorne Street  
San Francisco, CA 94105-3001****DEC 08 1994**

**Gary Yoshida  
Section Head  
Planning and Property Management Section  
County Sanitation Districts  
of Los Angeles County  
1955 Workman Mill Road  
Whittier, CA 90601-4988**

**NOV DEC 12 PM 1:51**

**Subject: Special Appropriation Grant**

**Dear Mr. Yoshida:**

At our November 16, 1994 meeting, you requested that I confirm our discussion concerning the requirements of the National Environmental Policy Act (NEPA). You also requested additional information outlining the eligible grant activities for the proposed project to be funded under the 1994 special appropriation to the County Sanitation Districts of Los Angeles County (Districts) for additional wastewater treatment facilities. This letter addresses your requests.

As you are aware, potential significant air impacts were identified during the District's environmental review process. As a result, the Districts completed an Environmental Impact Report (EIR), as required by the California Environmental Quality Act (CEQA). According to Federal Regulation 40 CFR 6.108(g), if a "proposed Federal action may directly or through induced development have a significant adverse effect upon local ambient air quality..." an Environmental Impact Statement (EIS) must be prepared for the proposed project.

In order to begin preparation of the EIS, a Notice of Intent must be published in the Federal Register. We would appreciate it if the Districts would draft this notice. EPA will complete the paperwork required for publishing in the Federal Register, as well as cover the cost.

We intend to make every effort possible to complete the EIS process by July 31, 1995, in order to meet the Districts' deadline for completion of the environmental review phase. However, as we discussed at the meeting, due to the time constraints associated with the project, it would be very useful if the Districts, or your contractors, would assist us through the EIS process, as well in the preparation of the EIS/ROD.

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The costs involved in providing these planning services can be reimbursed through the special appropriation grant as long as two factors are present. First, the application and workplan must be awarded before the costs are incurred. Second, the scope of work, as outlined in the grant application, must include planning, as well as design and/or construction as applicable. If the Districts intend to contract out for these planning services, and would like to have the costs covered through the grant, procurement procedures must comply with 40 CFR Part 31. An outline of other eligible costs are also identified in 40 CFR Part 31, as well as OMB Circular A-87.

Finally, under EPA's regulations implementing the general conformity provisions of the Clean Air Act, alterations and additions of existing structures, as specifically required by new or existing applicable environmental legislation or environmental regulations, are exempt from the conformity requirements (see Section 93.153(d)(4) of the general Federal conformity rule). Therefore, any upgrades to an existing facility would not be subject to conformity, but expansions to a facility (i.e. increased flows) would be subject to this rule.

It will be a pleasure working with you on this project. If you have any questions regarding this letter, please feel free to contact me at (415) 744-1950.

Sincerely,

*Elizabeth Borowiec*  
Elizabeth Borowiec  
Environmental Planner



# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400  
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998  
Telephone: (310) 699-7411, FAX: (310) 695-6139

CHARLES W. CARRY  
*Chief Engineer and General Manager*

June 9, 1994

File No: 31-380.10

Robert Pallarino  
U.S. Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

Dear Mr. Pallarino:

**Impact of Environmental Protection Agency's (EPA) Final Rule on General  
Conformity (Rule) on the Joint Outfall System (JOS) 2010 Master Facilities Plan/EIR**

This is a follow-up letter to our conference call of May 11, 1994 with Glen Blossom (SCAG), Connie Day (SCAQMD), Al Herson (Jones & Stokes Assoc.), Bob Moyer (EPA's counsel), Terry Parker (CARB), and Wayne Shijo (Jones & Stokes Assoc.). During the call, your May 2, 1994 letter on EPA's Rule (40 CFR Parts 6, 51, and 93) was discussed. This is a letter that states the facts relating to the JOS 2010 Master Facilities Plan/EIR and requests your concurrence with our understanding of how the Rule impacts this project.

As you are aware, the County Sanitation Districts of Los Angeles County (Districts) are in the process of preparing a Program Environmental Impact Report for the JOS 2010 Master Facilities Plan (Facilities Plan) in compliance with the California Environmental Quality Act (CEQA). The Facilities Plan will identify a program to provide wastewater management for the JOS service area through the year 2010. Based on the Rule, only federal actions require conformity determinations. The Districts, at this time, are pursuing State Revolving Funds (SRF) and federal grants only for one specific project under the Facilities Plan, which will provide full secondary treatment at the Joint Water Pollution Control Plant (JWPCP).

The JWPCP has a current NPDES permitted capacity of 385 million gallons per day (mgd), although it is designed for 400 mgd. Of that capacity the JWPCP provides only 200 mgd of secondary treatment. Additional facilities for secondary treatment must be constructed in order to provide full secondary treatment at the JWPCP by the year 2002 as required by a consent decree negotiated with the EPA. This proposed project, which is included in the Facilities Plan, will upgrade the secondary treatment capacity at the JWPCP up to a total of 400 mgd by adding an additional 200 mgd. The reason for building 200 mgd of secondary treatment facilities is secondary treatment facilities at the JWPCP must be built in 50 mgd modules in order to achieve optimum cost efficiency. This does not mean, however, that the upgrade project is accompanied by an expansion since the design capacity of the plant can treat flows up to 400 mgd and no new primary treatment facilities will need to be constructed in order to treat the 400 mgd of flow. The full secondary project proposed by the year 2002 is not, therefore, a capacity enhancing project.



The approximate cost of building the 200 mgd of secondary treatment facilities is \$400 million. Potential funding from the SRF program and/or a federal grant is expected to range between \$10 to \$50 million. These funds will constitute only 2.5 to 12.5 percent of the total cost. The federal funding will, therefore, fund only a small portion of the entire full secondary treatment project. The Districts would agree to use these federal funds only for components of the project which will upgrade the level of treatment at the JWPCP, not for increasing capacity.

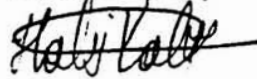
The provision of full secondary treatment is an existing federal requirement under Section 301(b)(1)(B) of the 1972 Clean Water Act (further modified in the 1977 amendments to the Act). Under Section 93.153(d)(4) of the Rule, therefore, the federal funding to help upgrade to full secondary treatment under the Facilities Plan appears to be exempt from a conformity determination since this section exempts a federal action from a conformity determination if the action is required by new or existing applicable environmental legislation or regulations.

In addition, NPDES permits for the Districts' treatment plants do not constitute federal actions. Based on discussions with Theodore Cobb, legal counsel of the State Water Resources Control Board, NPDES permits issued in the State of California are issued under a federally approved State program.

The Districts request EPA's opinion as to whether the Districts' proposed project requires a conformity determination based on the Rule. In order for the Districts to meet the JOS 2010 Master Facilities Plan July 1, 1994 deadline, a response will be needed as soon as possible.

Very truly yours,

Charles W. Carry



Habib A. Kharrat  
Project Engineer  
Financial Planning &  
Property Management Section

HAK:rc

cc: Terry Parker, California Air Resources Board (CARB)  
Christine Bailey, State Water Resources Control Board (SWRCB)  
Bob Moyer, Environmental Protection Agency, Region IX (EPA)  
Gerri Pomerantz, Environmental Protection Agency (EPA)  
Glen Blossom, Southern California Association of Governments (SCAG)  
Al Herson/Wayne Shijo, Jones & Stokes Associates, Inc. (JSA)  
Connie Day, South Coast Air Quality Management District (SCAQMD)

