

8: Comments and Responses

8.1 Introduction

A total of 11 letters with 40 comments were received from various agencies and members of the public concerning the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the decommissioning and sale of the Montebello Gas Storage Facility.

8.2 List of Comment Letters Received

The comment letters received on the Draft IS/MND have been grouped by agency (federal, state, regional, and local), organizations, and members of the public. The letters are given a letter designation (A for agency and P for public individuals), as are the comments in each letter. The commenter and the letter numbers are listed below.

FEDERAL AGENCIES

- A1. U.S. Fish and Wildlife Service (Carlsbad)

STATE AGENCIES

- A2. California Department of Transportation (Los Angeles)
- A3. California Department of Highway Patrol (Monterey Park)
- A4. California Department of Conservation (Sacramento)
- A5. California Department of Fish and Game (South Coast Region)

REGIONAL AND LOCAL AGENCIES

- A6. Los Angeles County Fire Department
- A7. Los Angeles County Public Works Department
- A8. City of Monterey Park Municipal Service Department
- A9. Los Angeles County Department of Parks and Recreation
- A10. Southern California Association of Governments

PUBLIC INDIVIDUALS

- P1. Harold C. S. Lai

8.3 Responses to Comments

This section contains responses to all of the comments received on the Draft IS/MND during the review period. Each letter of comment is numbered according to the numbering system identified above (Ax and Px). Each comment in each letter was assigned a number (Px-1). Responses are provided to each written comment. Where a response to a comment has been provided in another response, the reader is referred to the previous response.

This chapter provides responses to environmental issues raised regarding the environmental effects of the proposed project, pursuant to §15088 of the CEQA Guidelines. Comments that state opinions about the overall merit of the project are not responded to and instead are forwarded to the decision-maker for consideration as part of their overall evaluation of the proposed project.

All changes to the IS/MND are described in the response and referenced by the page number on which the original text appears in the IS/MND. Added text is underlined; deleted text is ~~stricken~~.



United States Department of the Interior
 Fish and Wildlife Service
 Ecological Services
 Carlsbad Fish and Wildlife Office
 2730 Loker Avenue West
 Carlsbad, California 92008



In Reply Refer to:
 FWS-LA-1566.1

Karen DeGannes, CPUC
 c/o MHA Environmental Consulting, Inc.
 4 West Fourth Avenue, Suite 303
 San Mateo, California 94402

APR 18 2001

AI

Re: Draft Mitigated Negative Declaration for the Southern California Gas Company
 Decommissioning and Sale of the Montebello Gas Storage Facility, City of Montebello,
 Los Angeles County, California

Dear Ms. DeGannes:

The U. S. Fish and Wildlife (Service) has reviewed the Draft Mitigated Negative Declaration (MND) received March 16, 2001, for the decommissioning and sale of the Montebello Gas Storage Facility (MGSF), in the city of Montebello, Los Angeles County. The proposed project is located on two sites south of Interstate 10. The east site consists of 11 acres and is located southwest of the intersection of Jefferson and Montebello Boulevards. The main facility contains 29 acres and is located northwest of Howard Avenue. A small portion of the west site lies within the jurisdiction of the City of Monterey Park.

We offer the following comments and recommendations regarding project-associated biological impacts based on our review of the initial study and our knowledge of declining habitat types and species within Los Angeles County. We provide these comments in keeping with our agency's mission to work "with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people." Specifically, we administer the Endangered Species Act (Act) of 1973, as amended. Section 7 of the Act requires Federal agencies to consult with the Fish and Wildlife Service (Service) should it be determined that their actions may affect federally listed threatened or endangered species. Section 9 of the Act prohibits the "take" (e.g., harm, harassment, pursuit, injury, kill) of federally listed wildlife. "Harm" is further defined to include habitat modification or degradation where it kills or injures wildlife by impairing essential behavioral patterns including breeding, feeding, or sheltering. Take incidental to otherwise lawful activities can be permitted under the provisions of sections 7 (Federal consultations) and 10 (permits) of the Act. We also provide comments on public notices issued for a Federal permit or license affecting the Nation's waters pursuant to the Clean Water Act.

AI-1

Karen DeGannes (FWS-LA-1566.1)

2

The project proposes: 1) the recovery and sale of cushion gas within the facility; 2) the decommissioning of the MGSF facilities including abandonment of wells and removal or demolition of equipment, buildings, and other site improvements; and 3) sale of all MGSF assets including the main facility, east site, and 14 townsite lots. According to the document, a reasonably foreseeable action of the project's full implementation is the subsequent development of the MGSF properties in accordance with existing land use regulations. This potentially includes 22 single family homes within the City of Montebello and a small industrial/manufacturing/service commercial use on the two MGSF lots located within the City of Monterey Park.

The sites consist of 4.94 acres of coastal sage scrub, 1.37 acres of chaparral, 2.62 acres of mulefat scrub, 0.53 acres of willow woodland, 4.31 acres of ruderal/nonnative grassland, and 28.97 acres of developed or ornamental areas. No focused surveys for sensitive plant or wildlife species were conducted. The only site visits by a biologist were on September 12 and December 21, 2000. Because these visits were conducted well outside of the flowering period of most sensitive plants, the status of sensitive plant species on the property remains undetermined. In addition, the significance of the proposed project on sensitive biological resources cannot accurately be assessed due to the lack of focused surveys.

AI-2

Although no protocol surveys were conducted on the property, the federally threatened coastal California gnatcatcher (*Poliopitila californica californica*, "gnatcatcher") was detected on the east site. Any project-related impacts that destroy or modify occupied coastal sage scrub may result in the incidental take of gnatcatchers. As stated previously, take incidental to otherwise lawful activities can be authorized under sections 7 (Federal consultations) and 10 (habitat conservation plans) of the Act. A potential Federal nexus exists for formal section 7 consultation with the U. S. Army Corps of Engineers and their permitting program under the Clean Water Act. However, if a Federal nexus does not exist for this specific project, we recommend that the applicant proceed with the development of a habitat conservation plan and application for an incidental take permit under section 10(a)(1)(B) of the Act.

AI-3

Past projects involving well abandonment and decommissioning of former oil and gas fields in southern California, including the removal of all above and below grade facilities, has resulted in significant adverse environmental impacts. We agree with the conclusion of the Draft MND that abandonment activities on the MGSF represent a significant impact (Page 4.4-16). However, as the status of sensitive plant and animal species on the site has not been adequately assessed, adequate avoidance, minimization, and mitigation measures cannot be proposed at this time. We recommend that the acreages of impacts to each vegetation type be measured based on known locations of infrastructure to be removed. We also recommend that focused surveys be conducted for all sensitive plant and animal species that may occur on the properties.

AI-4

The proposed project has potentially significant adverse environmental effects, and these impacts have not been reduced to a level below significant through the proposed mitigation. Therefore, we recommend that the Draft MND be revised to address the above concerns, or that an environmental impact report be prepared.

AI-5

04/10/2001 10:10 FAX 704319024

US FISH AND WILDLIFE SVC

0004/004

Karen DeGannes (FWS-LA-1566.1)

3

We appreciate the opportunity to comment on the above-referenced Draft MND. If you have any questions pertaining to these comments, please contact Kevin Clark at (760) 431-9440.

Sincerely,



Karen A. Evans
Acting Assistant Field Supervisor

cc: Brad Henderson, CDFG

**A1 Karen A. Evans, Acting Assistant Field Supervisor,
Ecological Services Division
U.S. Fish and Wildlife Service, Carlsbad Office**

A1-1

Response Mitigation measures 4.4-1 and 4.4-4 require the conduct of surveys for the federally threatened coastal California gnatcatcher (*Polioptila californica californica*) and other special-status species. Based on the a May 10, 2001 site visit with USFWS and CDFG the Mitigation Monitoring Plan will require that SCG baseline surveys conduct no later than June 15, 2001 for plant species and August 30, 2001 for wildlife species. In the event that plant protocol surveys cannot be implemented by June 15, 2001 because of seasonal timing, they will be completed no later than June 15, 2002 these surveys not more than one year prior to any ground disturbing activities related to decommissioning, and that SCG work with the USFWS to ensure adequate mitigation in the event that any special-status plant or wildlife species are identified to ensure adequate mitigation.

To clarify the reason why full protocol surveys were not conducted during preparation of the IS/MND the following text is added as the first paragraph after the heading "ENVIRONMENTAL IMPACTS" on page 4.4-15:

Decommissioning of the Montebello Gas Storage Facility is projected to span a five year period. During that time frame it is possible that new species may migrate to the site or that other resident species will be newly listed and require special attention/protection during the course of the project's implementation. Ground disturbing activities associated with decommissioning are not expected to begin until one or more years into the five year period. Focused or protocol surveys for plant and wildlife species were not conducted during preparation of the Initial Study and Draft Mitigated Negative Declaration. Reconnaissance surveys were conducted to determine the general range of species that might be encountered during decommissioning and to define a general approach to ensure protection for any special-status species.

To ensure that the interests of the USFWS are adequately addressed in the future focused or protocol surveys will be conducted one year prior to any ground disturbing activities Mitigation Measure 4.4-1 is revised as follows:

To ensure that the interests of the USFWS, CDFG and other relevant resource agencies are adequately addressed in the future focused or protocol surveys will be conducted not more than one year prior to any ground disturbing activities. For the purposes of this analysis the baseline condition is assumed to be the currently permitted levels of operation. Consultation will take place with USFWS and CDFG prior to implementation of these mitigation measures. Mitigation Measure 4.4-1 is modified as follows:

Mitigation shall compensate for adverse effects of other activities discussed below. Impact-reducing measures to be undertaken prior to or during decommissioning shall include:

- a. Baseline surveys of special-status and sensitive species identified during the May 10, 2001 field visit shall be conducted by SCG no later than June 15, 2001 for plant species and August 30, 2001 for wildlife species. In the event that plant protocol surveys cannot be implemented by June 15, 2001 because of seasonal timing, they will be completed no later than June 15, 2002. Future surveys may require alteration of the species list in consultation with USFWS and CDFG.
- b. Protocol surveys shall be conducted for special-status and sensitive species having suitable habitat as identified by CDFG during a site visit on May 10, 2001. The surveys shall be conducted during the appropriate season, and not more than one year prior to the first ground-disturbing activity, the surveys shall clearly identify the precise locations, presence, and degrees/types of use of the species. The surveys shall strictly adhere to all current (at implementation) protocols established or regulated by the USFWS and the CDFG. The USFWS and CDFG shall be contacted prior to commencing the surveys for the purpose of defining protocol requirements. The USFWS and CDFG shall be provided copies of the survey results for the purpose of assessing the need for mitigation and the appropriate mitigation required for the resource type and extent of potential impact.
- c. Isolation and demarcation of special-status plant populations or designated special-status species wildlife habitat prior to and during decommissioning.
- d. Within the decommissioning area, collection of seeds and seedlings for dominant species of sensitive vegetation communities (i.e., coast sage scrub, riparian) that may require restoration. These seeds and seedlings may be suitable for protection and development of nursery stocks by others for relocation and replanting on MGSF sites not planned for development or other lands approved by USFWS and CDFG. Seed collection will not be used for restoration of rare plants. High quality top soil from the impacted site should be segregated and used for any future re-planting efforts.
- e. Provision of suitable gnatcatcher and horned lizard nesting sites on other lands during the decommissioning period. In general, this type of mitigation has not proven highly successful and should not be relied upon as the sole method of offset or mitigation.
- f. Replacement planting of listed trees at replacement ratios determined suitable and appropriate, in consultation with the Cities of Montebello and Monterey Park and the County of Los Angeles.

SCG shall conduct surveys for special-status plant species during the appropriate flowering period prior to surface-disturbing activities.

If impacts to endangered, threatened or special status plants and project impacts to plants cannot be avoided, mitigation alternatives and plans shall be designed based on the specific requirements of the species and habitat involved. The plan shall include a combination of on-site and off-site mitigation:

- a. On-site: Partial avoidance, seed collection with re-seeding, or acquisition of seedlings from a nursery and/or replacement of stockpiled soil, as directed by USFWS and CDFG. Any on-site re-planting plans shall include monitoring for a minimum of five years to determine success of re-seeding

and habitat creation. The mitigation shall be implemented prior to surface disturbance of listed plants.

- b. Off-site: Land acquisition or use of a conservation easement over an existing population of the special-status species that the project eliminated (minimum 1:1 replacement). Establishment of a management endowment as necessary to provide for long-term management of the population.

A1-2

Response Please see response to A1-1.

A1-3

Response Please see response to A1-1.

A1-4

Response Please see response to A1-1. Also, as part of conducting focused or protocol surveys as required by Mitigation Measures 4.4-1 and 4.4-4 delineation of acreage that could be impacted by decommissioning activities will be identified. Please also see Appendix H for a copy of the site delineation completed by LSA Associates.

A1-5

Response Please see response to A1-2.

DEPARTMENT OF TRANSPORTATION
OFFICE OF ADVANCE PLANNING
DISTRICT 7, IGR OFFICE 1-10C
120 SOUTH SPRING STREET
LOS ANGELES, CA 90012
TEL: (213) 897-6536 ATSS: 8-647-6536
FAX: (213) 897-8906



Ms. Karen DeGannes
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA. 94102

RE: IGR/CEQA No. 010373 NY
SCH#2001031061
Decommissioning & Sale of
Southern California Gas Company
IS/MND
Vic. LA/60/5.89

April 17, 2001

A2

Dear Ms. DeGannes:

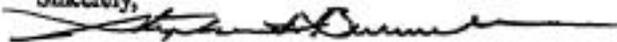
Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Decommissioning & Sale of Southern California Gas Company Project.

We would like to remind you that any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods. We would also prefer to see a construction traffic management plan when the state facilities are utilized for the trucks.

A2-1

If you have any questions regarding this response, you can reach me at (213) 897-4429 and refer to IGR/CEQA No. 010373NY.

Sincerely,


STEPHEN J. BUSWELL
IGR/CEQA Program Manager
Transportation Planning Office
Caltrans, District 7

A2 **Stephen J. Buswell, Transportation Planning Office**
California Department of Transportation, Los Angeles

A2-1

Response If the project requires transportation of heavy construction equipment and/or materials that use oversized-transport vehicles on State highways, SCG will apply for and obtain a Caltrans transportation permit in accordance with provisions of the California Motor Vehicle Code and other applicable California laws. Prior to use of state facilities for these trucks, SCG will prepare a construction traffic management plan for Caltrans' review as noted in mitigation measure 4.15-1.

APR-24-2001 11:29

CPUC

415 783 2288 P. 03/03

State of California—Business, Transportation and Housing Agency

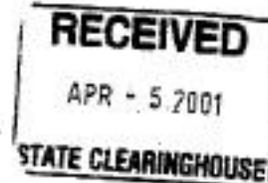
GRAY DAVIS, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

East Los Angeles Area
1601 Corporate Center Drive
Monterey Park, CA 91754
(323) 980-4600
(800) 735-2929 (TT/TDO)
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*Clear
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March 29, 2001

File No.: 535.11745.9552

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, AC 95814

Subj.: Environmental Impact Document Review - SCH #2001031061.

A3

To Whom it May Concern:

East Los Angeles Area has reviewed the study document, SCH #2001031061, regarding the decommissioning and sale of Southern California Gas Company's Montebello Gas Storage Facility in Montebello, CA. The facility in question is located at the central northern section of the city, bordering the south city limits of Monterey Park. It is approximately ¼ mile south of State Route (SR) 60, the only roadway within the jurisdiction for the California Highway Patrol (CHP) that is within the facility's sphere of concern.

The facility is situated on the southern slope of a hill and is not in view of traffic on SR 60. Therefore, none of the decommissioning activity at the facility will be seen by motorists on the freeway. Consequently, the decommissioning of the facility will not visually impact traffic flow on SR 60.

Hazardous Material / Fire Concerns

The decommissioning of the gas storage facility creates the potential for the release of hazardous materials into the atmosphere or an accidental fire that could spread to the surrounding brush. In either event, traffic on SR 60 may be impacted. However, it is anticipated that the environmental concerns will not be significant, due to mitigation measures in place. Montebello Fire Department holds the permits for the facility and the decommissioning operation.

A3-1

Area management will contact the Fire Departments for the Cities of Montebello and Monterey Park to ensure that the appropriate protocols and procedures are in effect to facilitate the CHP's response, if necessary, in the event of a release of hazardous materials into the atmosphere or a fire.

A3-2

H. A. ACEVEDO, Captain
Commander
East Los Angeles Area

cc: Office of Special Projects



A3 **H. A. Acevedo, Captain Commander**
California Department of Highway Patrol (CHP)
East Los Angeles Area

A3-1
Response Comment noted.

A3-2
Response In the event of a release of hazardous materials into the atmosphere or a fire SCG will notify the City of Montebello and City of Monterey Park Fire Departments to ensure that appropriate protocols and procedures are in effect to facilitate CHP's response, if necessary.



DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

April 17, 2001

• • •
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• • •
GRAY DAVIS
GOVERNOR

Ms. Karen DeGannes, CEQA Project Manager
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

A4

Dear Ms. DeGannes:

Subject: Draft Initial Study/Mitigated Negative Declaration (MND) for
Decommissioning and Sale of Southern California Gas Company's
Montebello Gas Storage Facility – SCH #2001031061

The Department of Conservation's Division of Oil, Gas and Geothermal Resources (Division) has reviewed the MND for the referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas and geothermal wells in California. We offer the following comments for your consideration.

Numerous references are made to the Division's involvement in gas monitoring and mitigation during the various project phases. Please review these references, and, as necessary, revise them to be consistent with the Division's authorities. Specifically, references to the Division in the MND's proposed mitigation measures should conform to the information contained in the following paragraph.

A4-1

The Division does not have authority over general soil gas monitoring; only monitoring directly related to wells falls within the Division's authority. The Division is, however, available to meet with Southern California Gas (SCG) to review well monitoring procedures and data during the gas recovery and decommissioning phases (until the wells are plugged and abandoned properly). Following cessation of gas withdrawal operations, and well plugging and abandonment, further monitoring would be the responsibility of the landowner(s) and the cities of Montebello or Monterey Park. If, during post-abandonment project monitoring, anomalous gas measurements are recorded, they should be reported immediately to the Division. Upon investigation, the Division will determine whether well reabandonment is necessary.

A4-2

A4-3

Ms. Karen DeGannes
March 16, 2001
Page 2

The Division recommends that if structures are to be built over or in the proximity of plugged and abandoned wells, the wells are vented. (It should be noted that mitigation measure 4.6-1, which states, "...with[in] 3 ft of the casing," differs from the recommended standard well vent cone design parameter of "...within 2 ft of the casing.") Additionally, a gas leak test of the surface plug should be witnessed and approved by the Division immediately after plugging and abandonment, and prior to installation of a well vent system.

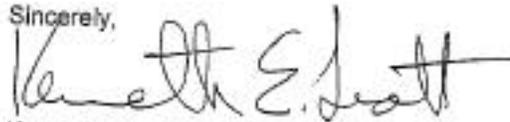
] A4-4
] A4-5

Finally, the reference to "DOGGR" in mitigation measure 4.6-18 and the paragraph titled *On-Going/ Post-Transfer Measures*, should be deleted.

] A4-6

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information, please contact David Sanchez at the Cypress district office: 5816 Corporate Avenue, Suite 200, Cypress, California 90630-4731; or, phone (714) 816-6847. If you have other questions you may contact me at (916) 445-8733.

Sincerely,



Kenneth E. Trott
Environmental Coordinator

cc: David Sanchez
Division of Oil, Gas and Geothermal Resources, Cypress

Linda Campion
Division of Oil, Gas and Geothermal Resources, Sacramento

A4 **Kenneth E. Trott, Environmental Coordinator,
California Department of Conservation,
Division of Oil, Gas and Geothermal Resources,
Sacramento Office**

A4-1
Response Comment noted.

A4-2
Response As noted in the IS/MND, SCG will enlist an independent expert to conduct general soil gas monitoring. SCG will coordinate with DOGGR to review well monitoring procedures and data during the gas recovery and decommissioning phases.

A4-3
Response Comment noted.

A4-4
Response Mitigation measure 4.6-1 is changed to read: "...the systems shall use some means of concentrating gases released from the well within 2 ft of the casing..."

A4-5
Response After plugging and abandonment, and prior to installation of a well vent system, a gas leak test will be witnessed and approved by DOGGR in accordance with applicable California Codes and regulations.

A4-6
Response The reference to DOGGR in mitigation measure 4.6-18 is deleted, as follows: "...systems shall be approved by the City of Montebello ~~and by DOGGR~~ in order that building permits and approvals can be issued before construction..."

STATE OF CALIFORNIA-THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
 South Coast Region
 4949 Viewridge Avenue
 San Diego, California 92123
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 FAX (858) 467-4238

GRAY DAVIS, Governor



April 12, 2001

Karen DeGannes, Project Manager
 c/o MHA Environmental Consulting, Inc.
 4 West Fourth Avenue
 San Mateo, CA 94402

**Comments on the Southern California Gas Company Montebello Gas Storage Facility
 Decommissioning and Sale Mitigated Negative Declaration, Montebello and Monterey
 Park, Los Angeles County, California
 (SCH#2001031061)**

A5

Dear Ms. DeGannes:

The Department of Fish and Game (Department) has reviewed the above-referenced Draft Mitigated Negative Declaration (MND). The Department is identified as a Trustee Agency pursuant to California Environmental Quality Act (CEQA) Section 15386 and is responsible for the conservation, protection and management of the state's biological resources.

The project area consists of approximately 43.2 acres consisting of existing facilities, disturbed areas, landscaping, and native vegetation including coastal sage scrub, mule fat scrub, willow woodland, sycamore woodland, and mixed chaparral on four sites. The site supports the federally-listed threatened coastal California gnatcatcher (*Poliopitila californica californica*) as identified during a September 2000 site reconnaissance survey. The proposed project is the decommissioning and sale of the Montebello Gas Storage Facility (MGSF) located in the cities of Montebello and Monterey Park. The proposed project includes the recovery and sale of cushion gas, decommissioning of the facility, including demolition of existing facilities and possible soil remediation, and the sale of all facility assets. Portions of the property may be developed pursuant to existing land use designations of the cities of Montebello and Monterey Park. The future development may include 22 single family homes within the City of Montebello and industrial/manufacturing/commercial use on the two MGSF lots located within the City of Monterey Park.

The Department offers the following comments and recommendations:

The MND is missing pages 4.4-7 through 4.4-8 in the copy supplied to the Department. In order to facilitate the Departments' review of the project, please provide the Department with the

A5-1

Karen DeGannes

April 12, 2001

Page 2

missing pages. The Department may provide additional comments on the project following its review of the missing pages.

A5-1

On page 4.4-12 of the MND, the document states that any fully protected species may not be taken or possessed without a permit. Pursuant to Section 3511 of the Fish and Game Code, fully protected species may not be taken or possessed at any time. No provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected bird. The white-tailed kite (*Elanus leucurus*), identified on the site, is a fully protected species, and may not be taken.

A5-2

On page 4.4-15 of the MND, the document states that "allowances have developed for relocation, restoration, and other related compensatory measures" for impacts to special-status species. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.

A5-3

Stream and Riparian Resources

The project will require a Streambed Alteration Agreement, pursuant to Section 1600 *et seq.* of the Fish and Game Code, between the applicant and the Department prior to the applicant's commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or use material from a streambed. The Department's issuance of a Streambed Alteration Agreement for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department as a responsible agency under CEQA, may consider the local jurisdiction's (lead agency) Negative Declaration or EIR for the project. To minimize additional requirements by the Department pursuant to Section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. A Streambed Alteration Agreement form may be obtained by writing to The Department of Fish and Game, 4949 Viewridge Avenue, San Diego, CA 92123, or by calling (858) 636-3160, or by accessing the Department's web site at www.dfg.ca.gov/1600.

A5-4

The MND states that no wetlands were identified on the site (page 4.4-16), but goes on to say that future development could impact "small riparian or wetlands habitats (e.g. small springs or seeps with wiregrass of less than 100 sq ft)"(page 4.4-17). The Department has responsibility for wetland and riparian habitats and opposes any alteration of a natural watercourse that would result in a reduction of wetland acreage or wetland habitat values. Alterations include, but are not limited to: conversion to subsurface drains, placement of fill or building of structures within the wetland and channelization or removal of materials from the streambed. All wetlands and

A5-5

Karen DeGannes

April 12, 2001

Page 3

watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.

A5-5

Survey Methodology

The Department is concerned that no thorough floristic or wildlife surveys have been conducted beyond the September 2000 reconnaissance visit to the site. Likewise, no focused surveys have been conducted for special-status plants or animals including the coastal California gnatcatcher. To provide adequate public and agency review of the biological impacts of the proposed project, the Department recommends that adequate biological information be made available for public and agency review. This information, along with public and agency comments relating to the new information, should be included in the final MND. The Department recommends that the following information be obtained:

- I. A complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.
 - a. A thorough assessment of rare plants and rare natural communities, following the Department's May 1984 Guidelines (revised May 2000) for Assessing Impacts to Rare Plants and Rare Natural Communities (Attachment 1).
 - b. A complete assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.
 - c. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).

A5-6

Because many of the decommissioning activities may be delayed until 2006, the Department recommends updated focused surveys for special-status species with the potential to occur on the site. Surveys should generally be performed no more than one year prior to disturbance of the ground, whether associated with the decommissioning or future development.

A5-7

Impacts

Karen DeGannes

April 12, 2001

Page 4

The discussion on page 4.4-15 lists several "Checklist Questions" denoted with bullet points. However, the subsequent text refers back to the checklist questions using letters as a form of abbreviation. The impact discussion should refer to the checklist topics by name to avoid this confusion. **A5-8**

The Department is concerned about the lack of specific information and impact analysis in the MND. Because the Biological Resources section of the MND does not provide a discussion of specific impact locations or a map depicting areas of impact, the Department cannot provide a detailed analysis of project impacts at this time. The Department recommends revising the MND to include a discussion of specific areas supporting native vegetation or special-status species that may be impacted by decommissioning with appropriate avoidance and mitigation measures. Detailed maps depicting native vegetation communities, locations of special-status species, and habitat buffers would facilitate review of the project. **A5-9**

Impacts to active nests of raptors and non-raptor migratory birds are considered significant. The destruction of an active nest of any raptor is prohibited pursuant to California Fish and Game Code 3503.5. Construction, grading, or clearing activities within 300 feet of any active nests of raptors should be avoided. **A5-10**

Pursuant to California Fish and Game Code 3503 it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this [Fish and Game] code or any regulation made pursuant thereto. In order to avoid impacts to active nests of migratory and non-migratory birds, the Department recommends that vegetation is not disturbed during the nesting season, typically between March 15 through July 15. However, if sensitive species, such as the coastal California gnatcatcher are present the breeding season should be considered as February 15 through September 15. **A5-11**

Special Status Species and Habitats

The project site and the nearby Montebello Oil Field HCP area support coast prickly-pear (*Opuntia littoralis*). In addition to the species listed in Table 4.4-1, coastal cactus wren (*Campylorhynchus brunneicapillus couesi*) should be the subject of focused surveys. **A5-12**

Both the Main Facility and the East Site support coastal sage scrub. According to the MND, only the East Site supports potential habitat for the San Diego Coast horned lizard (*Phrynosoma coronatum blainvilliei*). However, according to the MND, the Main Facility does not support potential habitat for the horned lizard nor the coastal California gnatcatcher. Please identify the reasoning behind this assessment. **A5-13**

Coastal sage scrub is a Rare Natural Community (S.2.1). The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. **A5-14**

Karen DeGannes

April 12, 2001

Page 5

Avoidance, minimization, and mitigation measures should be described in detail for coastal sage scrub. **A5-14**

Mitigation Measures

Mitigation for impacts to coastal California gnatcatcher should not include "relocation" (page 4.4-19). The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful. **A5-15**

Mitigation Measure 4.4-1

The Department recommends that general and focused biological surveys are performed prior to the preparation of the final MND for public and agency review. The Department recommends that buffers/avoidance be provided in as much detail as possible in the Final MND. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful. Proposed mitigation measures and conceptual plans should be discussed in the Final MND. **A5-16**

Mitigation Measure 4.4-2

The Department recommends that impacts to streams, wetlands, and riparian habitat are disclosed prior to the preparation of the final MND for public and agency review. **A5-17**

Mitigation Measure 4.4-3

The Department recommends that at least a conceptual wetland mitigation and monitoring plan be included in the Final MND. Mule fat and other riparian vegetation may also be subject to mitigation for losses of riparian resources. **A5-18**

Mitigation Measure 4.4-4

Because both the East Site and the Main Facility support coastal sage scrub, the Department recommends that coastal sage scrub impacts are mitigated at both locations. The Department recommends that specific areas subject to avoidance/disturbance are analyzed and quantified in the FMND. The Department recommends that gnatcatcher surveys are conducted prior to the preparation of the Final MND. The bottom of page 4.4-21 is missing the discussion of steps to be taken if nest sites, eggs, etc. are located on the site. Please revise and clarify this **A5-19**

Karen DeGannes
April 12, 2001
Page 6

section. The Department recommends that specific mitigation measures are developed prior to decommissioning and prior to the preparation of the Final MND.

A5-19

To assist the lead agency in improving the Biological Resources section of the document, the Department has provided specific comments. For the reasons outlined in this letter, the Department cannot adequately review the environmental effects of the proposed project at this time. We recommend revisions to the MND and would be happy to review any subsequent documents related to this project.

A5-20

The Department appreciates the opportunity to comment on your project. If you have any questions or comments pertaining to this letter, please contact Brad Henderson at (310) 214-9950.

Sincerely,



For
William E. Tippetts
Environmental Program Manager

cc: Department of Fish and Game
File
Kevin Clark, U.S. Fish and Wildlife Service
State Clearinghouse

**A5 William E. Tippets, Environmental Program Manager
California Department of Fish and Game (South Coast Region)**

A5-1

Response The biology section of the IS/MND was emailed to Brad Henderson on April 16, 2001 with the two missing lines that did not print on page 4.4-6 of the IS/MND. The two missing lines are:

“...vegetation and habitat map. The results of the mapping effort are shown in Figure 4.4-1 and a list of plant species found at the Main Facility is in Appendix D.”

The comment that there are two missing pages is inaccurate. Pages 4.4-7 and 4.4-8 are the page numbers for Figure 4.4-1, which is the vegetation map for the project site.

A5-2

Response The text on page 4.4-12 has been modified to read “The Department is not authorized to issue permits for either the taking or possession of species so designated.” It is also noted that the white-tailed kite (*elanus leucurus*).

A5-3

Response Mitigation Measure 4.4-1d has been revised as follows:

Within the decommissioning area, collection of seeds and seedlings for dominant species of sensitive vegetation communities (i.e., coast sage scrub, riparian) that may require restoration. These seeds and seedlings may be suitable for protection and development of nursery stocks by others for relocation and replanting on MGSF sites not planned for development or other lands approved by USFWS and CDFG. Seed collection will not be used for restoration of rare plants. High quality top soil from the impacted site should be segregated and used for any future re-planting efforts.

A5-4

Response The wetland delineation report by LSA is now included as Appendix H. currently no impacts are identified to Waters of the US that may also require a Section 1601 Agreement from the CDFG.

A5-5

Response Please see response to A5-4. A scrivener’s error stated that there are no wetlands on the site. Figure 4.4-1 correctly identifies a total of 0.10 ac of wetland on the Main Facility and East Site. The response to Checklist Question c on page 4.4-16 is revised to correct the error:

Checklist Question c) “Blue-line streams” did once occur on the Main Facility. Other drainages on the Main Facility and East Site contain mulefat scrub and willows vegetation. Given the past disturbance for these features, the value of these drainages as functional wetlands may be limited. ~~Although no “blue line streams” remain on any MGSF site, some riparian habitat and trees suggest that remnant wetlands may still persist within the Main Facility site~~

~~and East Site~~ A reconnaissance survey of the Main Facility and East Site was conducted for the purpose of determine the presence of wetlands or other waters of the United States. The survey concluded that a total of approximately 0.10 ac exists between the two sites along the historic drainage courses.

A5-6

Response As agreed with USFWS and CDFG, baseline surveys will be completed for special-status and sensitive plant and wildlife during 2001. Additional surveys will be conducted no more than 1 year prior to decommissioning activities.

A5-7

Response Please see response to A5-6.

A5-8

Response The significance criteria used to assess potential environmental effects of the proposed Project and connected actions were defined by Checklist Questions a through f. The bulleted items identify additional significance criteria.

A5-9

Response Comment noted.

A5-10

Response Raptor surveys will be conducted prior to any ground disturbing activities to avoid impacts.

A5-11

Response Comment noted.

A5-12

Response Coastal cactus wren will be included in the focused surveys.

A5-13

Response The biological assessment conducted during preparation of the Initial Study and Draft Mitigated Negative Declaration preliminarily concluded that the extent and density of coastal sage scrub was too small and dispersed to provide adequate habitat for the San Diego coast horned lizard (*Phrynosoma coronatum blainvillei*). As commented in the response to A1-1, Mitigation Measures 4.4-1 and 4.4-4 require the conduct of surveys for the federally threatened coastal California gnatcatcher (*Polioptila californica californica*) and other special-status species. The Mitigation Monitoring Plan will require SCG to conduct baseline surveys in addition to surveys not more than one year prior to any ground disturbing activities related to decommissioning, and that SCG work with the Department of Fish and Game in the event that any special-status plant or wildlife species are identified to ensure adequate mitigation.

A5-14

Response Mitigation Measure 4.4-1 describes in detail the avoidance and minimization techniques for coastal sage scrub.

A5-15

Response Relocation shall not be included as a mitigation measure.

A5-16

Response As agreed to with USFWS and CDFG baseline surveys will be conducted before August 2001.

A5-17

Response No impacts are anticipated to wetlands, etc. at this time. If nesting sites, eggs, etc. are found on site SCG will notify and consult with USFWS and CDFG.

A5-18

Response Commented noted.

A5-19

Response Please see revised Mitigation Measures 4.4-1 and 4.4-4.

A5-20

Response A CDGF representative toured the project site on May 10, 2001 and has assisted in providing clarifications to text and mitigation measures.



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

LA

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

April 11, 2001

Karen DeGannes, CPUC CEQA Project Manager
c/o - MHA Environmental Consulting, Inc.
4 West Fourth Avenue, Suite 303
San Mateo, CA. 94402

A6

Dear Ms. DeGannes:

DRAFT MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY AND MITIGATED PROGRAM FOR THE DECOMMISSIONING AND SALE OF SOUTHERN CALIFORNIA GAS COMPANY'S MONTEBELLO GAS STORAGE FACILITY, MONTEBELLO" - (EIR #1104/2001)

The Draft Mitigated Negative Declaration and Initial Study and Mitigated Program for the decommissioning and sale of Southern California Gas Company's Montebello Gas Storage Facility has been reviewed by the Planning, Land Development, and Forestry Divisions of the County of Los Angeles Fire Department. The following are their comments:

PLANNING SECTION:

The subject property is totally within the cities of Montebello and Monterey Park and does not appear to have any impact on the emergency responsibilities of this Department. It is not a part of the emergency response area of the Consolidated Fire Protection District.

A6-1

LAND DEVELOPMENT UNIT:

This project is located entirely in the City of Montebello. Therefore, the City of Montebello Fire Department has jurisdiction concerning this project and will be setting conditions. This project is located in close proximity to a jurisdictional area of the County of Los Angeles Fire Department. However, the project is unlikely to have an impact on our ability to respond to any incidents.

A6-2

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CLUHAH	HAWTHORNE	LA BARRADA	MALIBU	POMOVA	SIGNAL HILL
ARTESA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLENDALE	IRVINGDALE	LOMITA	PARAMOUNT	ROSELAND	

Karen DeGannes, CPUC CEQA Project Manager
April 11, 2001
Page 2

The County of Los Angeles Fire Department, Land Development Unit appreciates the opportunity to comment on this project. Should any questions arise please contact Inspector Michael McHargue at (323) 890-4243.

FORESTRY DIVISION:

The statutory responsibilities of the County of Los Angeles Fire Department Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources and the County Oak Tree Ordinance. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department have been addressed.

A6-3

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



DAVID R. LEININGER, ACTING CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:lc

A6 **David R. Leininger, Acting Chief,
Forestry Division Prevention Bureau,
County of Los Angeles Fire Department**

A6-1
Response Comment noted.

A6-2
Response Comment noted.

A6-3
Response Comment noted.



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

900 SOUTH PRIBMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1311
Telephone: (626) 458-5100

LA

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE T-2

April 11, 2001

Ms. Karen DeGannes
MHA Environmental Consulting, Inc.
Four West Fourth Avenue, Suite 303
San Mateo, CA 94402-1619

Dear Ms. DeGannes:

A7

**MITIGATED NEGATIVE DECLARATION (MARCH 12, 2001)
DECOMMISSIONING AND SALE OF SOUTHERN CALIFORNIA GAS COMPANY'S
MONTEBELLO GAS STORAGE FACILITY
CITY OF MONTEBELLO**

We have reviewed the above-mentioned document. The proposed project is generally located northwest of Montebello Boulevard at Lincoln Avenue in the City of Montebello.

The proposed project involves recovering and selling cushion gas, decommissioning its Montebello Gas Storage Facility, and selling all facility assets, including the property under California Public Utilities Code 851.

We do not believe the proposed project will have a significant impact on County roadways or intersections. No further information is required.] **A7-1**

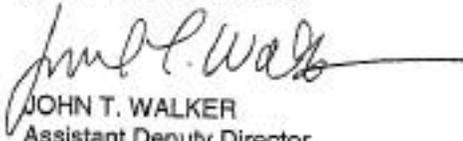
We recommend the State of California Department of Transportation and City of Monterey Park review this document for significant impacts/mitigations within their jurisdictions.] **A7-2**

Ms. Karen DeGannes
April 11, 2001
Page 2

If you have any questions, please contact Mr. Keith Hoey of our Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4867.

Very truly yours,

JAMES A. NOYES
Director of Public Works



JOHN T. WALKER
Assistant Deputy Director
Traffic and Lighting Division

KH:
ER01022

A7 **James A. Noyes, Director of Public Works**
John T. Walker, Assistant Deputy Director, Traffic and Lighting
County of Los Angeles Department of Public Works

A7-1
Response **Comment noted.**

A7-2
Response **Both the State of California Department of Transportation and the City of Monterey Park have reviewed the IS/MND and provided comments.**

CITY OF MONTEREY PARK
320 west newmark avenue • monterey park, ca 91754-2896
• municipal services center



April 16, 2001

Karen DeGannes
CPUC CEQA Project Manager
c/o MHA Environmental Consulting, Inc.
4 West Fourth Avenue, Suite 303
San Mateo, CA 94402

RE: Draft Mitigated Negative Declaration – Decommission and Sale of the
Montebello Gas Storage Facility – Montebello and Monterey Park, CA

A8

Dear Ms. DeGannes:

Thank you for providing the City of Monterey Park the opportunity to comment on the subject document. A small triangular portion of the facility is located within the jurisdiction of Monterey Park. This portion has a current zoning designation of Manufacturing (M) and a General Plan designation of Industrial. The City of Monterey Park is currently undergoing a comprehensive update of the General Plan, and the suggested land use designation is called for Open Space. This designation will likely be confirmed later this year. The Draft General Plan and environmental documents were presented to the Southern California Gas Company for review and comments. The City of Monterey Park received no particular comments or concerns as it pertains to the subject site.

A8-1

As indicated in the Mitigated Negative Declaration document, the purpose of its preparation was to analyze potential environmental impacts and identify appropriate mitigation measures for the proposed action of the Southern California Gas Company to decommission and sell the Facility. In the review of the Mitigated Negative Declaration, the following comments are provided:

1. Pages 8-14, Geology and Soils. The Facility abuts the OII Landfill, a recognized Superfund site in Monterey Park. Gas Company degassing activities may influence wells associated with the OII site. Any results of monitoring and analyses should also be reported to the City of Monterey Park. Also, for any monitoring upgrades, City of Monterey Park staff should be included for review and evaluation input. All well abandonment documentation should also be provided to the local agencies. Related issues pertaining to potential impacts from possible subsidence due to degassing should be identified and discussed at greater detail.
2. Pages 14-16, Hazards and Hazardous Materials. Again, due to the close proximity of the OII site, it is imperative that monitoring and degassing activities are so conducted to confirm safe environmental levels and to prevent

A8-2

A8-3

Karen DeGannes
April 16, 2001
Page 2

- any disruption to the landfill. All reports should be provided to the cleanup operator of the landfill and the City of Monterey Park.] **A8-3**
- 3. Page 3-15, Conclusions. With the anticipated changes to the Monterey Park General Plan, the scenario for Monterey Park should change to open space.] **A8-4**
- 4. Figure 4.4-1, Vegetation Map. This exhibit should be amended to describe the portion in Monterey Park.] **A8-5**
- 5. Page 4.6-12, Subsidence. This limited discussion should be expanded to address potential impacts to the landfill area components, such as any protective subsurface cover layers and gas and leachate distribution pipes.] **A8-6**
- 6. Appendix A. Identify the legal descriptions for the Monterey Park parcels.] **A8-7**
- 7. Pages 5-1 to 5-3. Was the cleanup operator of the landfill, New Cure, and the EPA contacted for input?] **A8-8**
- 8. General comment-The document should state that any future development on the subject sites require separate environmental review and documentation.] **A8-9**

These comments have been provided in response to the mandated review and comment process. This letter attempts to provide a single response from this agency, however, there is the possibility that other City Departments transmitted separate letters within the prescribed comment period. If you have any questions regarding the responses, please contact me at (626) 307-1463.

Sincerely,



Ray Hamada
Planning Manager

A8 **Ray Hamada, Planning Manager**
City of Monterey Park Municipal Services Center

A8-1
Response Comment noted.

A8-2
Response The Montebello Oil Field produced oil from sandstone reservoirs deep beneath the surface. Shale beds cap each sandstone reservoir. These rock layers form a geologic structure shaped like an elongated dome. Maximum subsidence occurred when oil and associated fluids were withdrawn during field production. Injection of gas during use as a storage field is unlikely to cause significant uplift of the geologic structure. Therefore, only very minor surface subsidence associated with degassing is anticipated.

Southern California Gas Company's degassing activities are unlikely to affect monitoring wells at the OII site. An expert in rock mechanics (Terralog Technologies USA Inc., 2000) conducted an evaluation of potential subsidence resulting from gas depletion of the storage reservoir. Based on his calculations, he provides an "order of magnitude estimate" of 0.44 inch for the maximum subsidence anticipated. This "order of magnitude estimate" is a range from as little as 0.044 inch to as much as 4.4 inches. Based on expert analysis and professional experience, a conservative value of about 2 inches was used for the purpose of environmental review.

Maximum subsidence would occur at or near the center of the field structure or elongated dome. Since the OII landfill is located on the flank of this geologic structure, the amount of subsidence encountered at the landfill would be less than at the center of the field structure. Even if 2 inches of subsidence occurred near the field center, subsidence at OII landfill would be substantially less, probably much less than 1 inch at the base of the landfill.

Normal landfill operations result in significant surface subsidence. Depending on the depth of fill, typical landfill settlement can range from a few feet to several feet. Landfill monitoring wells, and other facilities, including intermediate and final covers, and leachate collection systems, should be designed to withstand subsidence of this magnitude. In comparison to normal landfill settlement, less than an inch of relatively uniform bedrock movement associated with degassing would not contribute significantly to the overall site subsidence. Therefore, no impacts to OII landfill monitoring wells are anticipated due to the storage field degassing.

Results of monitoring and analyses will be reported to the City of Monterey Park. SCG will include the City of Monterey Park staff for review and evaluation input to any monitoring upgrades. SCG will

provide all well abandonment documentation to the appropriate local agencies.

A8-3

Response SCG has indicated that it will provide reports to New Cure, which is conducting remedial actions at OII, and to the City.

A8-4

Response The analysis of development opportunities for the portion of the MGSF lands within the City of Monterey Park were based on the currently adopted General Plan Land Use Element and Zoning Ordinance. Analysis of potential uses other than that allowed by a properly adopted General Plan and zoning ordinance would be presumptive of future legislative decisions of the Monterey Park City Council. It is noted that Monterey Park City staff have indicated a potentially favorable future decision to revise the General Plan Land Use and zoning ordinance designations for the subject property.

A8-5

Response Please see response to A1-1. The focused and protocol surveys required by mitigation measures 4.4-1 and 4.4-4 will include that portion of the MGSF located within the City of Monterey Park.

A8-6

Response Please refer to the response to A8-2 above. No measurable impacts to the landfill protective cover or other facilities are anticipated as a result of degassing and associated subsidence. As discussed in response A8-2, it is anticipated that degassing operations would cause approximately 1 inch or less of surface subsidence at OII. Landfill gas and leachate collection and conveyance systems, as well as protective cover layers, should be designed to withstand substantially greater subsidence than this. Therefore, no impacts to OII landfill facilities are anticipated.

A8-7

Response Copies of the legal description of that portion of the MGSF located within the City of Monterey Park may be requested from SCG.

A8-8

Response New Cure was not contacted for input to the IS/MND. As the OII landfill is a Superfund site, the agency responsible for oversight of the remediation activities is the United States Environmental Protection Agency (EPA). A public notice was sent to the EPA regarding publication of the draft IS/MND.

A8-9

Response The future development of any of the MGSF lands may or may not be subject to separate environmental review. Subsequent future environmental review would only be required if a proposed use or development was defined as a project under the provisions of CEQA. If a

subsequent future proposed use or development does not require any discretionary review and conforms to all applicable local land use regulations, such a proposal may be regarded as ministerial in nature. Ministerial projects are not defined as a project under the provisions of CEQA and not subject to its requirements. A determination of whether or not a future proposed use or development is subject to the provisions of CEQA will be made by the cities of Monterey Park and Montebello at a later time.



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION



Rodney E. Cooper, Director

April 4, 2000

Ms. Karen DeGannes
CPUC CEQA Project Manager
MHA Environmental Consulting, Inc.
4 West Fourth Avenue, Suite 303
San Mateo, California 94402

Dear Ms. DeGannes:

**DRAFT MITIGATED NEGATIVE, INITIAL STUDY, AND MITIGATED PROGRAM
FOR DECOMMISSIONING AND SALE OF SOUTHERN CALIFORNIA GAS
COMPANY'S MONTEBELLO GAS STORAGE FACILITY
MONTEBELLO, CALIFORNIA**

A9

The subject draft environmental document has been reviewed for its potential impact on the parks and recreation facilities under the jurisdiction of this department. The project will not impact the park and recreation facilities of this department, as described. Therefore, we offer no comment on the planned development of the project.

A9-1

Thank you for including this department in the review of the draft environmental document. If we may be of further assistance with this planned project, you may contact Ms. Lillie Lowery, Park Planner, at (213) 738-2977.

Sincerely,

Larry Hensley
Acting Chief of Planning

Executive Offices • 433 South Vermont Avenue • Los Angeles, CA 90020-1975 • (213) 738-2961

A9 **Larry Hensley, Acting Chief of Planning**
County of Los Angeles Department of Parks and Recreation

A9-1
Response Comment noted.



ASSOCIATION of GOVERNMENTS

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 818 West Seventh Street
 12th Floor
 Los Angeles, California
 90017-3435
 T (213) 236-1800
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 City of Los Angeles • Second Vice President:
 Councilmember Hal Beckman, Los Angeles •
 Interim Vice President: Supervisor Don
 Tansworthy, Los Angeles County

Imperial County: Tom Vetter, Imperial County •
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 Patricia Ross, Pico Rivera • Mark Staley-Thorne,
 Los Angeles • Richard Stovall, Los Angeles • Eric
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 Alhambra • Sidney Tyler, Jr., Inglewood • Paul Wicks,
 Los Angeles • Rita Wilson, Los Angeles • Dennis
 Wolfson, Culver City • Bob Wells, Long Beach

Orange County: Charles Smith, Orange County •
 San Bern. Los Alamitos • Ralph Boser, Huntington
 Beach • Art Brown, Brea • Bob Elliott, Costa
 Mesa • Calroy DeYoung, Laguna Hills •
 Richard Dixon, Lake Forest • Mike Deke, La Habra •
 Shirley McCracken, Anaheim • Ben Perry, Brea

San Bern. County: Bob Butler, Riverside County •
 Ben Greenidge, Riverside • Greg Peña, Calverton
 City • Robert Page, Calicut • Ben Roberts,
 Riverside • Charles White, Riverside Valley

San Bern. County: Bill Alexander, Redondo
 Beach • Jim Aguirre, Torrance • David
 Blumenthal, Torrance • Joe Ann Garcia, Compton •
 Dennis Harris-Perry, Costa Mesa • Judith Miller,
 San Bernardino

San Bern. County: Judy Wilkins, Ventura County •
 Donna De Rada, San Bernardino • Glen Bodoni,
 San Valley • Don Young, San Francisco

San Bern. County: Transportation Committee:
 Bobbi Lewis, Irvine

San Bern. County: Transportation Committee:
 Bill Davis, San Valley

April 4, 2001

Ms. Karen DeGannes
 CPUC CEQA Project Manager
 MHA Environmental Consulting, Inc.
 4 West Fourth Avenue, Suite 303
 San Mateo, CA 94402

**RE: SCAG Clearinghouse I20010148 Decommissioning and Sale of
 Southern California Gas Company's Montebello Gas Storage Facility,
 Montebello California**

A10

Dear Ms. DeGannes:

We have reviewed the above referenced document and determined that it is not regionally significant per *Areawide Clearinghouse* criteria. Therefore, the project does not warrant clearinghouse comments at this time. Should there be a change in the scope of the project, we would appreciate the opportunity to review and comment at that time.

A10-1

A description of the project was published in the **April 1, 2001** Intergovernmental Review Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1867.

Sincerely,

JEFFREY M. SMITH, AICP
 Senior Planner
 Intergovernmental Review

A10 **Jeffrey Smith, Senior Planner, intergovernmental Review**
Southern California Association of Governments

A10-1
Response Comment noted.

Harold c. s. Lai
CERTIFIED PUBLIC ACCOUNTANT
1400 EL CAMINO
MONTEBELLO, CALIFORNIA 90640-3221

Handwritten initials and a stamp in the top right corner.

Telephone: (323) 721-1234

Fax: (323) 890-1888

April 16, 2001

Karen DeGannes, Project Manager
c/o MHA Environmental Consulting, Inc.
4 West Fourth Avenue, Suite 303
San Mateo, California 94402
Facsimile: (650) 373-1211
E-mail: montebello@mha-inc.com

Re: NOTICE OF PUBLICATION DRAFT MITIGATED NEGATIVE
DECLARATION AND INITIAL STUDY FOR DECOMMISSIONING
AND SALE OF THE MONTEBELLO GAS STORAGE FACILITY

PI

Dear Ms. DeGannes,

I am in receipt of your letter. Since I am a resident of Racquet Mountain Community and have made inquiries with my neighbors, who did not receive this letter, I don't understand the reason why I have received it from you.

PI-1

However, I understand that there exists an underground gas well underneath my back yard. My concern to you about this matter is that if in the future should a leak occur from it, who will be responsible in light of the pending sale of MGSF facility. I'm aware that in the past, homeowners with gas well under their property, were compensated when the gas company had to buy their property in order to access the gas well.

PI-2

Should MGSF site facility sale take place, who will be responsible to me regarding this matter in future. I would appreciate hearing from you about the impact this will have on me.

Sincerely,

Harold Lai
1400 El Camino Rd.
Montebello, Ca. 90640

P1 Harold C. S. Lai
Montebello, CA

P1-1
Response Notification of the proposed project and availability of the Initial Study and Draft Mitigated Negative Declaration was sent to over 3,500 members of the Montebello/Monterey Park community. The distribution list included only those owners of properties listed on the most recent equalized property tax role as required by provisions of the California Government Code. As such, the list may not have included individuals and households that recently acquired property in the area nor did it include individuals and households who are renters.

P1-2
Response Currently, if any abandoned well leaks due to the effects of SCG gas injection activities, SCG is responsible for repairing or re-abandoning the well. Because SCG will be removing essentially all of the injected gas during decommissioning, it is unlikely that there will be any delayed effects from gas injection that would cause a well to leak. However, SCG will remain responsible for any abandoned well leaks that are caused by its previous injection of gas.

If a well leak is not caused by effects of injected gas, liability for well repair or re-abandonment is specified by California Public Resources Code sections 3208.1, 3250, 3251 and 3251.5.

Section 3208.1 states:

3208.1. (a) To prevent, as far as possible, damage to life, health, and property, the supervisor or district deputy may order the re-abandonment of any previously abandoned well if the supervisor or the district deputy has reason to question the integrity of the previous abandonment. The operator responsible for plugging and abandoning deserted wells under Section 3237 shall be responsible for the re-abandonment except in the following situations:

(1) The supervisor finds that the operator plugged and abandoned the well in conformity with the requirements of this division in effect at the time of the plugging and abandonment and that the well in its current condition presents no immediate danger to life, health, and property but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem. In this situation, the owner of the property on which the well is located shall be responsible for the re-abandonment.

(2) The supervisor finds that the operator plugged and abandoned the well in conformity with the requirements of this division in effect at the time of the plugging and abandonment and that construction over or near the well preventing or impeding access to it was begun on or after January 1, 1988, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion

from the supervisor or district deputy as to whether the previously abandoned well is required to be re-abandoned or to follow the advice of the supervisor or district deputy not to undertake the construction. In this situation, the owner of the property on which the well is located shall be responsible for the re-abandonment.

(3) The supervisor finds that the operator plugged and abandoned the well in conformity with the requirements of this division in effect at the time of the plugging and abandonment and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, and the supervisor is able to determine based on credible evidence, including circumstantial evidence, the party or parties responsible for disturbing the integrity of the abandonment. In this situation, the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the re-abandonment.

(b) Except for the situations listed in paragraphs (1), (2), and (3) of subdivision (a), nothing in this section precludes the application of Article 4.2 (commencing with Section 3250) when its application would be appropriate.

Sections 3250, 3251, and 3251.5 state the following:

3250. The Legislature hereby finds and declares that hazardous and certain idle-deserted oil and gas wells, as defined in this article, are public nuisances and that it is essential, in order to protect life, health, and natural resources that such oil and gas wells be abandoned, re-abandoned, produced, or otherwise remedied to mitigate, minimize, or eliminate their danger to life, health, and natural resources.

The Legislature further finds and declares that, although the abatement of such public nuisances could be accomplished by means of an exercise of the regulatory power of the state, such regulatory abatement would result in unfairness and financial hardship for certain landowners, while also resulting in benefits to the public.

The Legislature, therefore, finds and declares that the expenditure of funds to abate such nuisances as provided in this article is for a public purpose and finds and declares it to be the policy of this state that the cost of carrying out such abatement be charged to this state's producers of oil and gas as provided in Article 7 (commencing with Section 3400).

3251. For the purposes of this article, an oil or gas well is a "hazardous well" if the supervisor determines that the well is a potential danger to life, health, or natural resources and there is no operator determined by the supervisor to be responsible for plugging and abandoning the well under subdivision (c) of Section 3237. Also, for the purposes of this article, an oil or gas well is an "idle-deserted well" if the supervisor determines that the well is deserted under Section 3237 and there is no operator responsible for its plugging and abandonment under Section 3237.

3251.5. (a) Notwithstanding Section 3251, a well shall be deemed a hazardous well if it has been determined by the supervisor to pose a present danger to life, health, or natural resources and has been abandoned in accordance with the requirements of the division in effect at the time of the abandonment 15 or more years before the date of the supervisor's determination that it poses such a danger.

(b) Re-abandonment initiated by the supervisor shall not be affected by the timeline established in this section.

