3.8 HYDROLOGY AND FLOODPLAIN ANALYSIS

1. The Hydrology and Floodplain Analysis in Section 3.8 is misleading and demonstrates a bias toward the Freeway Tunnel Alternative in violation of NEPA (*40 CFR §1502.1)*.

The DEIR/DEIS incorrectly characterizes the Freeway Tunnel Alternatives encroachment on the Laguna Regulating Basin as a nominal environmental impact that requires no mitigation, CEQA (*§15126.2, §15126.4*). In fact the encroachment is a major impact unique to the Freeway Tunnel Alternative that requires a USACE Section 404 permit as finally disclosed in Section 3.17. The DEIR/DEIS should disclose the impact in Table ES-1, Section 3.8 and Section 3.17 Wetlands and Other Waters and identify the mitigation that will be necessary to possibly qualify for a 404 permit (i.e. construction of a bridge over the Laguna Regulating Basin). The Final EIR/EIS should further specify the impacts and mitigation required for the proposed bridge. The Final EIR/EIS also should include correspondence from the USACE and the California Department of Fish and Wildlife that they intend to issue the required permits for this encroachment.

2. The DEIR/DEIS does not provide sufficient information to conclude that adequate downstream drainage system capacity exists to accommodate the proposed build alternatives. Therefore, a "*no impact or Less than Significant Impact"* finding is not justified, CEQA (*§15126.2,§15126.4)*.

Question IXg[5] and IXh[1] of the CEQA Initial Study cannot be answered because the 100 year flood hazard area is not defined in the DEIR/DEIS. All storm water hydrology is based on a 50 year recurrence level. Yet the response to questions IXg and IXh indicates "*no impact*". The basis for this response requires additional explanation. The answer to question IXe[5] and XVIIc[2] of the CEQA Initial Study, "*Less than Significant Impact*" is not supported by the information presented. The question relates to the impact of project facilities on existing downstream flood control facilities. Some form of confirmation from the Los Angeles County Flood Control District is required to verify that project flows and drainage system modifications can be accommodated by existing downstream facilities.

[1] **IX. HYDROLOGY AND WATER QUALITY:**
Would the project: e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

[2] **XVII. UTILITIES AND SERVICE SYSTEMS:**
Would the project: c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?