

*for Alan Como*  
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MAJOR PROJECTS  
UNIT



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ENV 2014-4706-EIR plus Case File

ENV 2018-2116-EIR plus Case File

### Statement of J.H. McQuiston on Projects "6220 West Yucca" and "Hollywood Center Project"

Honorable Eric Garcetti, Mayor;  
Honorable City Administrative Officer;  
Honorable Budget and Finance Councilmembers; and  
Honorable Vincent Bertoni, Planning Director

**Both Projects say the purpose of an EIR is to show the differential impact the Project will have on the City. This Statement concerns their differential impact on the City's finances, and questions the City's ability to survive if it allows these Projects to be built in the zone known to be seismically-hazardous.**

#### **Briefly Said**

**These Projects together will bring the City to financial-doom, per immutable State law. They put thousands of denizens and visitors to death, dismemberment, and unending trauma, on account of the inevitable Faulting far beneath them.**

**The catastrophe above is not only McQuiston's expert conclusion, but is also conclusions of those who have *also seismically-studied* the areas proposed to be re-re-developed with these projects.**

**After the Faulting catastrophe, by law those injured by the two projects' collapse will be entitled from this City a payment of \$876,170,000 per year; for 30 years the total will be \$20 Billion, 285 Million dollars.**

**City's payment is *specifically*-imposed by California's Alquist-Priolo Act, which the Projects admit is controlling for the properties<sup>1</sup>, and it is also *generally*-imposed by the duty of the City to protect its people. There is no way the City may protect itself against the above payment if it allows the two Projects, as proposed, to be sited on their proposed locations. Read the City's liability in law yourself.**

**The above-liability<sup>2</sup> doesn't include City's *similar indebtedness*, arising because it already-allowed new construction to occur in recognized active-fault zones.**

**The City's primary responsibility is to safeguard its inhabitants from such a seismic catastrophe, and the City *has the way to do so*: reduce the population inhabiting a recognized-dangerous fault zone, like the Hollywood Fault, and prohibit construction therein which blocks persons from escaping damaged sites.**

**People will be trapped when doors jam. People may have to jump out of windows, and probably there will be no Firemen to catch them, or even to extinguish the blazes from ruptured lines. Also, the massive concrete water line beneath Franklin Ave, connecting Eagle Rock and Hollywood Reservoirs, will be crushed and cause the area to flood.**

**Human suffering will greatly exceed that of New York in "9-11" because these projects were built as-is.**

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<sup>1</sup> The City's boilerplate "builder is liable for damages" is over-ridden by the Act. The City may not callously-doom people by ignoring well-known fault dangers.

<sup>2</sup>The amounts above do not include building and accessory damages at the project sites.

## **McQuiston Associates**

McQuiston Associates was founded in 1959 by J.H. McQuiston to be “all things to all men”. E.g, McQuiston invented the device which allowed the United States to develop-rapidly giant rocket engines and achieve “MAD”, ending the Cold War; subsequently those engines powered the United States to the Moon and beyond. McQuiston is cited as the reason Congress allows attorney fees if IRS unfairly attacks a taxpayer. McQuiston got the City to enact the City’s refuse-collection charge, thereby saving \$32 million a year for the General Fund. These illustrate the breadth of McQuiston’s work.

McQuiston, a graduate of Caltech and admitted to its “Honor society” (Tau Beta Pi), holds California license for Engineering. There he got training from inventors of seismic engineering, like Charles Richter, the creator of the Richter Scale. For many of his 90 years he continued there with meetings, seismic engineering, and ICBO issues among other topics.

For 60 years, both McQuiston Associates’ office and its manufacturing-plant are located atop the identified traces of the Hollywood and Santa Monica Faults. McQuiston thereby gained expertise about their seismicity.

## **Hollywood Fault**

**The EIRs factually-belittle the magnitude and danger of the underlying Fault-system, of which the Hollywood Fault is one part of it. The system begins East of Pasadena and extends West to and including the Channel Islands in the Pacific. That system has been described as partly “reverse”, because one side thrusts itself over or under the other side to varying extent, strongly-pushing against the hills to its North. The Los Angeles River ran through Cahuenga Pass before the upthrusts forced the river Eastward.**

**Caltech in lecture<sup>3</sup> and print said the Hollywood Fault soon will “shake” with an amplitude of 6 feet, will “accelerate” with a magnitude of *at least* 1 “g”, and will have a magnitude of *at least* 7.5 with strong vertical component. A person will not be able to stand, nor dodge objects hurled at the person including walls and ceilings, during the lengthy seism. And, buildings like these will swing to destruction.**

**The Red Line subway investigation found the potential “rebound” of this fault to be about 30 feet. The “rebound” of the 1906 San Francisco quake was about 20 feet.**

**Typical “reverse” faults occurred years ago in Anchorage AK and in Kobe, Honshu. Japan has a seismic Code many times more-rigorous than the USA. Yet in both quakes building-floors “pancaked”<sup>4</sup>. Loaded floors pancaking may cause the entire building to collapse, akin to the collapses in New York City when “9-11” occurred.**

**“Reverse” faults are more-likely to elude simpleton’s searches by their very nature; moreover, they may be “blind”, buried deeply. *But they threaten peoples’ lives and they can be evaluated by appropriate tests.***

## **Comment on Subject EIRs’ Seismic Approach**

**The EIRs admit that the Hollywood Fault is present in the vicinity, and that the Fault is recognized as “active”. They admit the existence of the State’s Alquist-Priolo Act. The Act imposes a heavy penalty on governments’ allowing additional construction in active-fault zones.**

**To allow approval it follows that the developers must present facts proving the actual location of the Fault**

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<sup>3</sup>McQuiston was in Beckman Auditorium, Caltech, when a Caltech expert gave the public a lecture about imminent damage to properties near Hollywood and Vine, on account of the Hollywood Fault’s presence. A person there, who worked in the Taft Bldg. at Hollywood and Vine, asked what to do about working there, and the lecturer said, “**Go to work late and leave early**”. Residents can’t escape harm that way.

<sup>4</sup>The Valley quakes spawned vertical “shakes” of 2g. When a floor “pancakes” it falls on top of the floor below, with more energy than its weight, usually causing the floors to “pancake” also. Ad infinitum. Persons have no time nor way to escape death.

and must prove its faulting will not bring harm to inhabitants of the proposed developments<sup>5</sup>.

The Developers' researchers are apparently-certified for "petroleum geology". McQuiston questions the propriety of their writing, facts, and conclusions as *seismic engineers*. There is no showing that the researchers are certified to calculate the amount of damage the Fault may cause to the developments. There are also no calculations in the EIRs in the seismic section, to justify their bizarre conclusions.

Developers *did not perform testing in the Fault Zone that would assess the actual danger to people inhabiting the proposed projects*. McQuiston witnessed their on-site activities. The investigators did not even determine the Fault's actual location or its seismicity. Nor did they review the extensive Hollywood Fault's trace-analysis performed slightly to the West in preparation for the Red-Line subway.

Totally absent, for example, is the famous Converse Foundation Engg's wealth of facts about the Hollywood Fault developed for the Red Line subway<sup>6</sup>. And, totally absent from EIRs is the wealth of Reports from local Engineering Groups and Universities about the Fault and its location; those sources declared the Fault is an imminent danger to nearby inhabitants. If the EIRs had been done correctly, they *could not have concluded the seismic threat is so low that no mitigation is required*; they should have said the projects are *dangerous and should not be built in the proposed locations*<sup>7</sup>.

Also they artificially-shortened the length of the Fault System, perhaps to disguise its capacity for destruction. The "periods" of the buildings were not set forth. The Fault's type wasn't listed. There was no evidence the researchers found the Fault's actual trace and its "dip". Not going beneath the mountain of detritus left by earthmovers in the prior re-development, the report is totally-inadequate.

Nor is it proper for these EIRs to allege that if *one* type of active Fault that will kill people is present but *not specifically cited in law forbidding development thereon or nearby*, that a *development allowing the Fault to kill its inhabitants is entirely-proper* if the City lets the development proceed!

That is what the seismic report alleges. It puts the burden on the City to stop unsafe development without giving it facts, knowing that the City will bear the liability if the project "kills" the inhabitants.

Moreover, the EIRs put it to the City to inspect every detail of the site and Plans and Construction, warning that otherwise the development will not be safe and occupation will be a deathtrap. Developers thus use Alquist-Priolo as a sword against the City, a position which the City should not allow<sup>8</sup>.

McQuiston does not accuse the property-owners of such callous behavior, because they usually have no actual knowledge of seismic issues. Nor have City personnel charged with approving or denying developments. But people admitted to Engineering registration are sworn to obey the laws of City, State and Country and are required not to be so callous with people's lives.

There are other defects in the Reports, but herein already is enough to get the Projects re-designed or relocated. But note also that for this amount of development, Yucca must be widened to 4 lanes plus parking from

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<sup>5</sup>Young geologists have no idea what the subject area was like before the Hollywood Freeway was built. We old-timers remember Franklin Hill, which was leveled because the State declined to tunnel the freeway through it. Surrounding terrain is now devoid of geological accuracy.

<sup>6</sup>The Red Line's SEIR contains a letter from City Engineer Morhar denying the Hollywood Fault is a hazard. Morhar's allegations were ignored by the United States and the Red Line designers, who designed extra protection for travelers from the Fault's measured- seismicity.

<sup>7</sup>Floors are not designed to stay intact under such massive vertical shaking as expected here. On the Anatolia Fault, modern designs became submerged with such shaking. A similar outcome will occur for these properties.

<sup>8</sup> EIR: "There is a possibility of damage \* \* \* if a moderate to strong shaking occurs as a result of a large earthquake"

Argyle to Gower, and Freeway ramps at Argyle and Gower require widening and signals.<sup>9</sup>

### Calculating City's Eventual Liability

Liability is conservatively-calculated by amassing the number of people liable to be on the properties when the Fault lets-go, calculating their loss of incomes, life, and other effects on themselves and dependents, and calculating the time over which their livelihoods will be interrupted.

The number of people liable to be on the properties was calculated using McQuiston's experience in the neighborhood and throughout the City. McQuiston calculated 976 residents and 1457 visitors for "6220", and 3166 residents and 2366 visitors for "Center". The grand total is 7965 people present at the quake.

The properties will be very costly to inhabit, so inhabitants must be wealthy. McQuiston witnessed lawsuits awarding multi-millions in damages to wealthy people. Accordingly, McQuiston used for each person the average-award of \$110,000, without anything for costs or fees.

The time period for compensation will be long because the population in the buildings will be youth-skewed and permanently-"disabled". McQuiston used only 30 years for each person's compensation.

Thus the yearly assessment City *must pay* will be \$872,170,000. Yearly payments will last for 30 years. For just the two projects the City *must pay* \$24,285,100,000.

The City cannot pay that much without cutting almost 1/4 of each of its entire services for 30 years. At least 2,500 police will have to be let-go, and retirement benefits will require axing. The City's AAA Rating will vanish. Borrowing will become costly.

Think how much the City can accomplish with that sum if it does not allow the Projects as-is on those sites.

### Alternatives

McQuiston is not saying the projects have no merit, but they require *safe location and strict inspection*. In this City there is too much failure to obey what the State imposes on the City regarding its General Plan. Developers now can pay the City a "bribe" and develop the City haphazardly, unlawfully, like these projects.

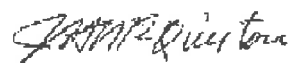
It is time to stop haphazard development, and the State and Courts repeatedly require the City to do that. Don't wait for the U.S. Department of Justice to act. Alquist-Priolo subject-areas are excellent places to begin.

### Conclusion

The City must reject the Projects as-proposed for these plots. They are only suitable for construction elsewhere.

Respectfully submitted,

McQuiston Associates



c: Interested parties

J. H. McQuiston, P.E.

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<sup>9</sup>Already Yucca is blocked by trucks double-parking during long periods, on account of City's forgetting the requirement for an off-street loading place for the new Hotel at Yucca and Argyle. Yucca is now "double-double striped" for the exclusive benefit of that Hotel, meaning Yucca is impassible a substantial time of day and night. Any development on the South side requires widening the street.