



Environmental Review Section

City Hall • 200 N. Spring Street, Room 750 • Los Angeles, CA 90012



FINAL ENVIRONMENTAL IMPACT REPORT

SOUTHEAST LOS ANGELES COMMUNITY PLAN AREA

The Lorenzo Project

Case No. ENV-2006-9471-EIR

Council District No. 9

THIS DOCUMENT COMPRISES THE FINAL ENVIRONMENTAL IMPACT REPORT AS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Project Address:

2300 & 2327 South Flower Street

Project Description: The Proposed Project would involve the development of a mixed-use project with a total of approximately 1,400 multi-family residential units (approximately 1,663,061 square feet) and ancillary common area and recreation amenities totaling approximately 65,480 square feet. The Proposed Project would also provide approximately 34,000 square feet of retail uses, including approximately 6,000 square feet of restaurant use. More specifically, the Proposed Project would consist of two structures, a six-story building on the eastern side of Flower Street (Site A) and a 44-story building directly across from it, on the western side of Flower Street (Site B). Site A would contain approximately 34,000 square feet of retail uses and 919 multi-family units; Site B would contain approximately 481 multi-family units. Parking for the Proposed Project would consist of approximately 3,204 spaces provided in three subterranean levels and one ground level located beneath Site A and five subterranean parking levels located beneath Site B.

APPLICANT:

Palmer/Flower Street Properties

PREPARED BY:

Christopher A. Joseph & Associates

August 2010

THE LORENZO
FINAL ENVIRONMENTAL IMPACT REPORT

PREPARED FOR:
The City of Los Angeles
Department of City Planning
Environmental Review Unit
200 North Spring Street, Room 750
Los Angeles, CA 90012-2601

APPLICANT:
Palmer/Flower Street Properties, LP
11740 San Vicente Blvd., Suite #208
Los Angeles, CA 90049

PREPARED BY:
Christopher A. Joseph & Associates
11849 West Olympic Boulevard, Suite 101
Los Angeles, CA 90064

August 2010



This document is prepared on paper with 30% recycled content.

EAF NO.: ENV-2006-9471-EIR

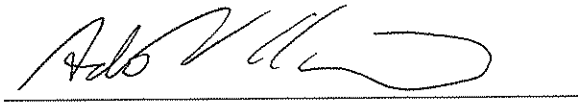
SCH NO.: 2008061060

PROJECT NAME: Lorenzo Project

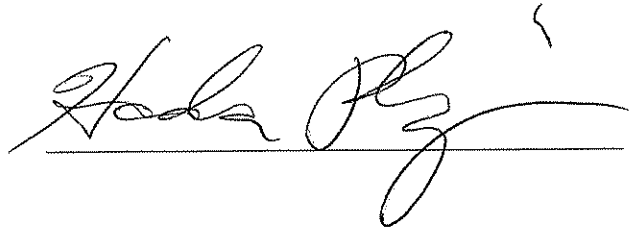
RECOMMENDATION FOR EIR CERTIFICATION

Pursuant to California Code of Regulations, Title 14, Section 15090, this EIR has been completed in compliance with the California Environmental Quality Act and current State and City Guidelines and based on information available may be accepted and considered prior to making a final decision on the project. The decision-maker or decision-making body must certify that it has reviewed and considered the information contained in this Environmental Impact Report prior to making such decision.

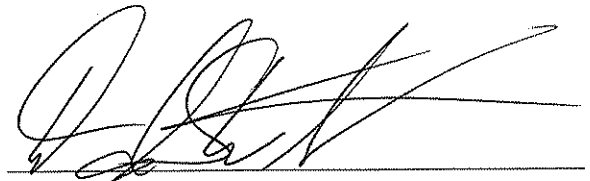
Submitted by:

A handwritten signature in black ink, appearing to read 'Adam Villani', written over a horizontal line.

Adam Villani
Project Coordinator
Environmental Review Section

A handwritten signature in black ink, appearing to read 'Hadar Plafkin', written over a horizontal line.

Hadar Plafkin
Supervising City Planner
Environmental Review Section

A handwritten signature in black ink, appearing to read 'David S. Weintraub', written over a horizontal line.

David S. Weintraub
Deputy Advisory Agency
Department of City Planning

TABLE OF CONTENTS

<u>Section</u>	<u>Page #</u>
I. INTRODUCTION	I-1
II. LIST OF COMMENTERS	II-1
III. RESPONSES TO COMMENTS	III-1
IV. CORRECTIONS AND ADDITIONS	IV-1
V. MITIGATION MONITORING PLAN	V-1
VI. PREPARERS OF THE EIR AND PERSONS CONSULTED	VI-1

Appendices

APPENDIX A: ATTACHMENTS TO ROSS COMMENT LETTER (Provided on CD)

I. INTRODUCTION

SUMMARY OF THE PROJECT

The Project is a mixed-use development that includes 1,400 multi-family residential units, ancillary common areas and recreational amenities, and 34,000 square feet of commercial land uses. More specifically, the Project includes two structures: a 6-story building on the eastern side of Flower Street (Site A) with 919 multi-family units and 34,000 square feet of commercial land uses, and a 44-story building on the western side of Flower Street (Site B) with 481 multi-family units. Parking for the Project consists of 3,204 spaces in three subterranean and one ground level beneath Site A and five subterranean levels beneath Site B. A more detailed explanation of the Project and its components can be found in Section II, Project Description, of the Draft EIR.

A summary of the environmental impacts analyzed in the Draft EIR is included in Table I-1, Summary of Project Impacts and Mitigation Measures, as well as a list of the mitigation measures and level of significance after mitigation.

ENVIRONMENTAL REVIEW PROCESS

The proposed project was reviewed by the Los Angeles Department of City Planning, Environmental Review Unit, which determined that the Project required the preparation of an Environmental Impact Report (EIR).

Comments from identified responsible and trustee agencies, as well as from interested parties, regarding the scope of the Draft EIR were solicited through a Notice of Preparation (NOP) process. The NOP for the Draft EIR was circulated for a 30-day review period starting on June 11, 2008 and ending on July 11, 2008. A public scoping meeting was held on June 23, 2008. Refer to Appendix A to the Draft EIR for a copy of the NOP, as well as written comments submitted to the Planning Department in response to the NOP. All NOP comments relating to the EIR were reviewed and the issues raised in those comments were addressed, to the extent feasible, in the Draft EIR.

On November 19, 2009, the City released the Draft EIR for public comment. The comment period was 45 days, ending on January 4, 2010, as provided for by the California Environmental Quality Act (CEQA).

Table I-1
Summary of Project Impacts and Mitigation Measures

Impact Area	Mitigation Measures	Level of Significance After Mitigation
Aesthetics		
Visual Character	None	Significant
Scenic Resources	None	Less Than Significant
Views of and toward the Project Site	None	Less Than Significant
Light and Glare	B-1 through B-4	Less Than Significant
Shade and Shadow	None	Less Than Significant
Air Quality		
Construction	C-1 through C-16	Less than Significant
Operation	C-17	Significant and Unavoidable
Cultural Resources		
Historic Resources	None	Less Than Significant
Archaeological Resources	D-1	Less Than Significant
Paleontological Resources	D-2	Less Than Significant
Human Remains	D-3	Less Than Significant
Geology and Soils	E-1	Less Than Significant
Hazards and Hazardous Materials	F-1 through F-6	Less Than Significant
Hydrology and Water Quality	G-1 through G-3	Less Than Significant
Land Use and Planning		
Plans, Policies, and Zoning	None	Less Than Significant
Discretionary Actions	None	If discretionary actions are not approved, Land Use impacts would be Significant
Noise		
Construction Noise	I-1 through I-12	Significant and Unavoidable
Operational Noise	I-13 through I-15	Less Than Significant
Population, Housing, and Employment		
Employment	None	Less Than Significant
Housing	None	Less Than Significant
Population	None	Less Than Significant
Public Services		
Fire Protection	K-1	Less Than Significant
Police Protection	K-2 through K-5	Significant and Unavoidable
Schools	None	Less Than Significant
Parks and Recreation	None	Less Than Significant
Libraries	K-6	Less Than Significant
Traffic, Transportation, and Parking	L-1 through L-3	Less Than Significant
Utilities and Services		
Sewer	M-1 through M-3	Less Than Significant
Water	M-4 through M-18	Less Than Significant
Solid Waste	M-19 through M-21	Less Than Significant
Electricity	M-22 through M-28	Less Than Significant
Natural Gas	M-29 through M-30	Less Than Significant

Before approving a project, the CEQA requires the lead agency to prepare and certify a Final Environmental Impact Report (Final EIR). The contents of a Final EIR are specified in Section 15132 of the *CEQA Guidelines*, as follows:

The Final EIR shall consist of:

- (a) The Draft EIR or a revision of the Draft.*
- (b) Comments and recommendations received on the Revised Draft EIR either verbatim or in summary.*
- (c) A list of persons, organizations, and public agencies commenting on the Revised Draft EIR.*
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.*
- (e) Any other information added by the lead agency.*

The lead agency must provide each agency that commented on the Draft EIR with a copy of the lead agency's proposed response at least 10 days before certifying the Final EIR.

ORGANIZATION OF THE FINAL EIR

This document, together with the Draft EIR for the Project and the Technical Appendices to the Draft EIR, constitute the "Final EIR" for the Project. The Draft EIR consisted of the following:

- The Draft EIR, which included the environmental analysis for the Project and the Technical Appendices, which included:

This Final EIR is organized in the following sections:

I. Introduction

This section is intended to provide a summary of the Project description, CEQA requirements, and EIR history for the Project.

II. List of Commenters

This section includes a list of public agencies and private groups and individuals who submitted comments on the Draft EIR.

III. Responses to Comments

This section includes detailed responses to the comment letters submitted to the City in response to the Draft EIR. Copies of the original comments letters are included in Appendix I to this Final EIR.

IV. Corrections and Additions

This section provides a complete overview of the corrections and additions that have been incorporated into the Draft EIR in response to the comments submitted during the public review period.

V. Mitigation Monitoring Program

This section includes a list of the required mitigation measures and includes detailed information with respect to the City's policies and procedures for implementation of the recommended mitigation measures. This Mitigation Monitoring Program (MMP) identifies the monitoring phase, the enforcement phase and the applicable department or agency responsible for ensuring that each recommended mitigation measure is implemented.

Technical Appendices to the Final EIR

- Appendix A: Comment Letters
- Appendix B: Additional information referenced in Section III (Responses to Comments)

II.LIST OF COMMENTERS

COMMENTS ON THE DRAFT EIR

The agencies and organizations/persons listed below provided written comments on the Draft EIR to the Los Angeles Department of City Planning during the formal 45-day public review period from November 19, 2009 through January 4, 2010. Copies of the comments are included in Appendix A of the Final EIR.

Public Agencies

State Agencies

State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit
Scott Morgan, Acting Director, State Clearinghouse
1400 10th Street
P.O. Box 3044
Sacramento, California 95812-3044

State of California Department of Transportation
Elmer Alvarez, IGR/CEQA Branch Chief
100 Main Street, MS #16
Los Angeles, California 90012-3606

State of California Native American Heritage Commission
Dave Singleton, Program Analyst
915 Capitol Mall, Room 364
Sacramento, California 95814

Regional Agencies

Los Angeles County Metropolitan Transportation Authority
Susan Chapman, Program Manager
Long Range Planning
One Gateway Plaza MS 99-23-2
Los Angeles, California 90012-2952

Southern California Association of Governments
Jacob Lieb, Manager
Assessment, Housing and EIR
818 West Seventh Street, 12th Floor
Los Angeles, California 90017-3435

Local Agencies

City of Los Angeles Department of Building and Safety
Shahram Kharaghani, Program Manager
Watershed Protection Division
Inter-Departmental Correspondence

City of Los Angeles Fire Department
Millage Peaks, Fire Chief
Inter-Departmental Correspondence

City of Los Angeles Department of Recreation and Parks
Michael A. Shull, Superintendent
221 North Figueroa Street, Suite 100
Los Angeles, California 90012

City of Los Angeles Department of Transportation
Tomas Carranza, Senior Transportation Engineer
Inter-Departmental Correspondence

City of Los Angeles Department of Water and Power
Jin Hwang, Civil Engineering Associate
Jin.Hwang@ladwp.com

Private Individuals

Maria Aguilar

Lauren Ahkiam

Margarita Alonso

Cesar Antonio

Rodrigo Antonio

Naomi Argueta

Jose Ayala

Tom Brohard

Sister Cabrini

Serafin Carpinteyro

Esparanza Carrillo

Maria Castellanos

Pablo Castillo

Alma Cerritos

Odulia Cruz

Becky Dennison

Norberta Gonzalez

Jesus Hermosillo

Brisa Hernandez

Maria Hernandez

Roque Hernandez

Nancy Ibrahim

Agustina Islas

Leonarda Lucena

Margarita Madero

James Mangia

Moises Matamoros

Sandra Matamoros

Sandra McNeill

Margarita Mendez

Ramon Mendez

Laura Meyers

Reyna Montaros

Aiha Nguyen

Sister Sean Patrice

A. Perez

Petra Pless

Oscar A. Rios

B. Rodriguez

Gabriel M.B. Ross

Manpreet Sadhal

Gloria Serrano

Yolanda Tiscareño

Domitilo Torres

Lorenza Torrez

Nina Vaccaro

Robert Vinetz

Jon Zerolnick

Letters with Multiple Signatures

Multiple Commenters 1

Multiple Commenters 2

Multiple Commenters 3

Multiple Commenters 4

Multiple Commenters 5

Multiple Commenters 6

Multiple Commenters 7

Multiple Commenters 8

Multiple Commenters 9

Multiple Commenters 10

Multiple Commenters 11

Multiple Commenters 12

Multiple Commenters 13

Multiple Commenters 14

Letters with Illegible Names

Name Illegible 1

Name Illegible 2

Name Illegible 3

Name Illegible 4

III. RESPONSES TO COMMENTS

INTRODUCTION

This section contains written responses to each of the comments on the Draft EIR received during the public review period. The responses to comments are arranged by: 1) Master Responses (responses that address common issues raised in the comment letters); 2) Responses to Public Agency Comments; and 3) Responses to Public Comments. All the comment letters are included in Appendix A to this document and are shown in alphabetical order. Each letter is identified by the last name of the commenter, and each comment is delineated and numbered. The text of the individual comments is included below and is followed by a response to the comments. Corrections and additions resulting from comments on the Draft EIR are presented in Section IV (Corrections and Additions) of the Final EIR.

RESPONSES TO COMMENTS ON THE DRAFT EIR

MASTER RESPONSES

1. Traffic Impact Analysis

The analysis in the Draft EIR of Project impacts related to traffic is based on the *Traffic Study for the Mixed-Use Development at Flower Street / 23rd Street in Los Angeles, California* (the “Traffic Study”) prepared by Katz, Okitsu & Associates (KOA) in June, 2006, and updated trip generation data was prepared in October, 2008 to validate the findings of the 2006 report to support revisions to the Project in 2006 (refer to Appendix F of the Draft EIR).¹ As part of preparation of the Traffic Study, KOA/Project Applicant coordinated with the Los Angeles Department of Transportation (LADOT), as required, to determine the appropriate methodology for assessing traffic impacts of the Project, the appropriate trip generation rates for the Project’s land uses, and the study area and intersections. During this coordination effort, KOA submitted a Memorandum of Understanding (MOU) to LADOT outlining the agreed-upon details for preparation of the Traffic Study for the Project (refer to Comment Letter LADOT). The Traffic Study for the Project was prepared consistent with the MOU approved by LADOT. The traffic analysis assumptions relied on in the traffic study are provided in this MOU, which is dated April 14, 2006 and can be found in Appendix G of the Traffic Study, which is included in Appendix F of the DEIR.

a. Trip Generation Rates for the Project

As described in Section II (Project Description) of the Draft EIR, the Project includes 1,400 multi-family residential units (919 units in a high-rise structure and 481 units in a mid-rise structure) and 34,000 square feet of commercial land uses, which would include some combination of the specific land uses allowed under the C2 zoning. Consistent with LADOT’s MOU for preparation of the Project’s Traffic Study,

¹ The original Project included 1,500 multi-family residential units and 40,000 square feet of commercial land uses, and was reduced to 1,400 multi-family residential units and 34,000 square feet of commercial land uses.

traffic generation for the Project was estimated by applying the High-Rise Apartments (Land Use Code 222) trip generation rate from the Institute of Transportation Engineers (ITE) manual, Trip Generation, 7th Edition, to the entire multi-family residential component of the Project, and the Shopping Center (Land Use Code 820) trip generation rate for the commercial component of the Project.

Some of the commenters assert the Mid-Rise Apartments (ITE Land Use Code 223) trip generation rate should have been used to estimate the trip generation associated with the units in the proposed mid-rise structure, instead of the High-Rise Apartments trip generation rate, and that specific commercial trip generation rates (such as those for retail and restaurant land uses) should have been used to estimate trip generation associated with the proposed commercial square footage, instead of the Shopping Center trip generation rate. The commenters further assert that if the Mid-Rise Apartments and specific commercial trip generation rates had been used, the estimated number of daily and peak-hour traffic trips associated with the Project would be greater than what was estimated in the Traffic Study, and traffic impacts of the Project would be greater than those identified in the Draft EIR.

As discussed previously, the Traffic Study was prepared consistent with LADOT's MOU, including use of the High-Rise Apartments and Shopping Center trip generation rates. The High-Rise Apartments trip generation rate was appropriately applied to the entire residential component of the Project, because this rate best reflects the high-density, transit-adjacent residential nature of the Project as a whole. Also, because the Project includes 34,000 square feet of commercial land uses, which could include a combination of any of the various specific land uses allowed under the C2 zoning, the Shopping Center trip generation rate is the most appropriate rate (when compared to other rates for commercial land uses) for the commercial component of the Project, because this rate reflects a range of trip generation volumes associated with a variety of commercial uses operating at a shared location.

For these reasons, the trip generation rates used in the Traffic Study to assess impacts of the Project are appropriate for the Project, and no additional or increased traffic impacts associated with trip generation would occur beyond those already identified in the Draft EIR.

In response to these comments, however, KOA created a revised table using the mid-rise apartments rate and including 6,000 square feet of restaurant uses (out of the total 34,000 square feet of "shopping center" uses in the Draft EIR) as suggested. See Table III-1, below, and refer to Table IV.L-5 in the Draft EIR for comparison. The revised table includes the following changes:

- Use of mid-rise and high-rise rates for the applicable portions of the project
- Inclusion of separate calculations for 6,000 square feet of sit-down restaurant and 26,000 square feet of shopping center (rather than 34,000 square feet of "shopping center")
- Inclusion of original existing use hospital rates used in 2006 traffic study rather than updated existing use rates used in 2008 traffic study

Table III-1
Project Trip Generation
(with revised ITE rates for Mid-Rise Apartments and Restaurant uses)

Land Use	Size	Daily	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
TRIP GENERATION RATES								
Mid-Rise Apartments (Land Use 223)**	N/A	4.20	0.30	0.09	0.21	0.39	0.23	0.16
High-Rise Apartments (Land Use 222)	N/A	4.20	0.30	0.08	0.23	0.35	0.21	0.14
Hospital (Land Use 610)	N/A	17.57	1.20	0.80	0.40	1.18	0.39	0.79
General Office (Land Use 710)	N/A	11.01	1.55	1.36	0.19	1.49	0.25	1.24
Medical Office (Land Use 720)	N/A	36.13	2.48	1.96	0.52	3.72	1.00	2.72
Sit-Down Restaurant (Land Use 931)	N/A	89.95	0.81	0.41	0.41	7.49	5.02	2.47
Shopping Center (Land Use 820)	N/A	42.94	3.75	1.80	1.95	3.75	1.80	1.95
FORECAST TRIP GENERATION								
Existing Use								
Land Use								
Hospital (Land Use 610)	190,380 sf	3,345	228	153	75	225	74	151
General Office (Land Use 710)	21,000 sf	231	33	29	4	31	5	26
Medical Office (Land Use 720)	37,500 sf	1,355	93	73	20	140	38	102
Total Existing Use		4,931	354	255	99	395	117	278
Proposed Use								
Mid-Rise Apartments (Land Use 223) – Main Site	919 du	3,860	276	85	190	358	208	151
High Rise Apartments (Land Use 222) – Adjacent to Freeway	481du	2,020	144	36	108	168	103	66
Sit-Down Restaurant (Land Use 932)*	6,000 sf	405	4	2	2	34	23	11
Shopping Center (Land Use 820)*	28,000 sf	601	53	25	27	52	25	27
Transit Commuter Credit – Future Exposition Line (25%) – Residential Uses Only		-1,470	-105	-30	-75	-132	-78	-54
Total Proposed Use		5,416	371	118	253	481	281	201
Total Existing Use		4,931	354	255	99	395	117	278
DRAFT EIR NET TRIP GENERATION		-184	-151	165	14	126	-128	-2
RESPONSE TO COMMENTS NET TRIP GENERATION		485	17	-137	154	86	164	-78
Note: Hospital intensity (for existing use calcs) includes the main hospital, engineering, and rehab buildings PM rate used for the AM peak for transit center retail with 50-50 inbound/outbound split *Sit-down restaurant trips reduced by 25% and shopping center retail trips reduced by 50% due to orientation to rail station. **Assumes high-rise apartment daily rate due to negligible daily rate for mid-rise apartment. Source: ITE Trip Generation, 7 th Edition								

As shown in Table III-1, if the project's trips are generated using the mid-rise rate apartment rate and the restaurant rate for 6,000 square feet of the commercial uses as suggested by the commenter(s), the trip rates would vary and this trip generation method would result in higher trip totals in four of the seven categories and lower trip totals in three. The V/C, LOS, and intersection impacts associated with these revised rates are shown in Table III-2, below.

Table III-2
Volume to Capacity Ratio (V/C) Summary
Future (2013) Traffic Conditions Without and With Project
(based on generation rates with revised ITE rates)

Map No.	Intersection ^a	Peak Hour	Without Project ^b (2013)		With Project (2013)				With Mitigation
			V/C	LOS	V/C	LOS	Impact	Significant	Significant
1	Figueroa Street and Washington Boulevard	AM	0.840	D	0.841	D	0.001	No	No
		PM	0.938	E	0.942	E	0.004	No	No
2	Southbound I-110 Off-Ramp and West 23 rd Street	AM	0.518	A	0.510	A	-0.008	No	No
		PM	0.408	A	0.417	A	0.009	No	No
3	Figueroa Street and West 23 rd Street	AM	1.008	F	1.013	F	0.005	No	No
		PM	1.004	F	1.010	F	0.006	No	No
4	Flower Street and West 23 rd Street	AM	0.365	A	0.336	A	-0.029	No	No
		PM	0.738	C	0.772	C	0.034	No	No
5	Grand Avenue and West 23 rd Street	AM	0.758	C	0.801	D	0.043	Yes	No
		PM	0.876	D	0.882	D	0.006	No	No
6	Hoover Street and Adams Boulevard	AM	0.252	A	0.246	A	-0.006	No	No
		PM	0.411	A	0.408	A	-0.003	No	No
7	Figueroa Street and Adams Boulevard	AM	0.908	E	0.907	E	-0.001	No	No
		PM	1.072	F	1.069	F	-0.003	No	No
8	Flower Street and Adams Boulevard	AM	0.447	A	0.440	A	-0.007	No	No
		PM	0.854	D	0.863	D	0.009	No	No
9	Northbound I-110 Off-Ramp and Adams Boulevard	AM	0.623	B	0.607	B	-0.016	No	No
		PM	0.739	C	0.744	C	0.005	No	No
10	Grand Avenue and Adams Boulevard	AM	0.718	C	0.724	C	0.006	No	No
		PM	0.708	C	0.724	C	0.016	No	No
11	Figueroa Street and Jefferson Boulevard	AM	1.010	F	1.006	F	-0.004	No	No
		PM	1.228	F	1.229	F	0.001	No	No

^a All study intersections have existing ATSAC synchronization equipment. Consistent with LADOT policy, operations credits of 0.07 per intersection were taken.

^b Includes analysis of traffic volume increases from ambient growth and planned area projects.

Source: Katz, Okitsu & Associates, April 2010.

As shown in Table III-2, even with the updates to the project trip generation analysis, no new significant impacts beyond what was identified in the Draft EIR would occur.

b. Trip Credits for Previous Land Uses at the Project Site

At the time environmental review for the project commenced and the Traffic Study for the Project was prepared, in 2006, the Project site was developed with hospital, medical, and office uses that were operational. In accordance with LADOT standards, trip credits are given if a project includes development of a site with existing land uses that would be removed prior to construction of the project and that have been in operation for at least six months within a two-year period prior to the preparation of the traffic study being prepared for the project. Thus, per LADOT standards, trip credits for the uses that were at the Project site in 2006 at the time the Traffic Study was prepared were applied to the Project's trip generation.

As noted by some commenters, the 2008 traffic analysis updated the size of the uses on the Project Site when calculating existing uses for trip credits. While this change was made due to updated information provided to the Applicant, the traffic analysis provided in Tables III-1 and III-2 include the original 2006 existing use rates for comparison purposes. As stated above, revision of those rates, as well as other rates requested by commenters, did not result in any new significant impacts beyond what was identified in the Draft EIR.

Some commenters assert that the uses at the Project site in 2006 at the time the Traffic Study was prepared were not in operation, and thus, trip credits for these uses should not have been applied to the Project's trip generation. Contrary to the commenters' assertions, as stated previously, the previously existing uses were in operation at the time environmental review commenced and the traffic study was prepared.

Some commenters assert that because the uses at the Project site have since been demolished, trip credits for these uses should not be applied to the Project's traffic generation. Again, application of trip credit is based on LADOT standards that allow for trip credits based on whether the uses that are demolished/removed have been operational for at least six months within a two-year period prior to the preparation of a traffic study for a project that would demolish/remove the uses. As stated in the previous paragraph, the previously existing uses were in operation during the required period and at the time environmental review commenced and the traffic study was prepared.

Some commenters assert that because the Traffic Study for the Project was originally prepared in 2006 and the Draft EIR was published in 2009, the trip credits for the previous uses at the Project site should no longer apply to the Project's trip generation. However, the traffic study accounts for conditions at the time environmental review commenced. Further, as stated previously, LADOT standards allow for application of trip credits for projects that include development of a site with existing land uses that would be removed prior to construction of the project and that have been in operation for at least six months within a two-year period prior to the preparation of the traffic study being prepared for the project. Application of the trip credit is based on commencement of the environmental review process. Also, LADOT reviewed the traffic analysis in the Draft EIR and confirmed that the analysis, including application of the trip credits, is valid (refer to Comment Letter LADOT).

c. Transit Credits

According to LADOT Traffic Study Policies & Procedures (section D.6, January 2008), transit credits are encouraged for developments that are located within the vicinity of public transit. The trip reduction assumptions (transit credits) used in the EIR are based on proximity to transit and the travel time that this transit has to downtown Los Angeles and the University of Southern California. Downtown Los Angeles is the major employment center of the region with a resident population of approximately 30,000 to 40,000 residents and a daytime population (i.e., workers and visitors) of approximately 270,000 persons. The Proposed Project is located approximately one mile from the University of Southern California and approximately 2.3 miles from the 7th Street/Metro Center station located in downtown Los Angeles. It is reasonable to assume that many residents of the Proposed Project would be students at USC and/or work in downtown Los Angeles and opt for public transit, rather than driving their automobiles a short distance and paying for parking. Thus, the 10 percent residential reduction is reasonable based on the project being immediately adjacent to transit that serves popular nearby land uses, without considering the additional regional benefits of fixed rail transit.

Commercial trip reductions were based on the proximity of the retail facing the light rail station platform. The LADOT MOU allowed a 50 percent trip generation rate reduction due to target customers being transit-oriented. Note that the MOU did not allow any reductions for internal trips, a common reduction for mixed-use projects where the residents would be expected to walk to retail, or pass-by trip reductions, a common reduction for retail where customers stop on their way home or to other uses in the area (see MOU page 3, Appendix F of the EIR). These components are factored into the overall 50 percent reduction for proximity to transit. The retail is anticipated to be neighborhood serving goods and services for nearby residents using the transit and for residents of the Proposed Project. It is reasonable to assume that a substantial number of customers will be transit users and/or residents of the Proposed Project.

LADOT allows projects in the vicinity of well-developed transit to take up to a ten percent credit and projects immediately adjacent to fixed-rail transit to take up to a 25 percent residential transit commuter credit. The 2006 traffic study used the 10 percent allowed in the 2006 MOU, but when the traffic study was updated in 2008, LADOT recommended application of the 25 percent transit credit because funding of the new Metro Expo Line was in place and construction had commenced. The first segment of the Expo Line, from downtown to the Expo/Crenshaw Station, is expected to open in 2011², before the project is completed.

² *Metro Rail Exposition Corridor Phase I Overview Fact Sheet*, accessed May 12, 2010. http://www.metro.net/projects_studies/exposition/images/expo_factsheet.pdf

d. Project Buildout Year

The analysis provided in Master Response 1.a. above indicated that the updating of the future analysis year to 2013 through the application of additional annual ambient growth, along with other applicable updates, does not create new significant traffic impacts.

e. Baseline Traffic Conditions, Cumulative Traffic Impacts, and Mitigation Measures

As discussed previously, LADOT reviewed the traffic analysis in the Draft EIR and confirmed that the analysis, including baseline conditions, cumulative impacts, and mitigation measures identified in the Traffic Study for the Project are valid (refer to Comment Letter LADOT).

f. Need for New Traffic Study

Some commenters assert that because the Traffic Study for the Project was originally prepared in 2006 and the Draft EIR was published in 2009, the assumptions used for the analysis and the conclusions are no longer valid, and the Traffic Study should be updated. As stated previously, LADOT reviewed the traffic analysis in the Draft EIR and confirmed that the analysis and conclusions are still valid (refer to Comment Letter LADOT). Based in this and for the reasons stated throughout Master Response 1, the Traffic Study for the Project adequately assesses the traffic impacts of the Project and meets the standards of CEQA. No new or revised traffic study is required for the reasons stated by the commenters.

2. Removal of the [Q] Condition

Several comments raised concerns about removal of the [Q] Condition and the effect of that removal on community access to healthcare. In July 2002, the City passed Ordinance 174772 to address land use conflicts between industrial zoned land uses located near and adjacent to sensitive land uses, such as schools and residential land uses. This ordinance amended Section 12.04 of the Los Angeles Municipal Code (LAMC) by changing zone boundaries of subareas 130A and 130B (both compose the Project site) and changing the zoning from PF-1/PF-1-O, respectively, to [Q]C2-2-O.³ The “C” in this classification represents the project site’s Commercial zoning, “2” represents the Height District 2, and “O” indicates an Oil Drilling District. The “C2” zoning allows for a variety of commercial uses, as well as any use permitted in the “R4” Residential Multiple Dwelling Zone, such as single-family residences, multiple dwellings, apartment houses, boarding or rooming houses, limited child care facilities and accessory buildings, among other uses. The “[Q]” indicates Qualified Classification, which in this case restricts the use of subareas 130A and 130B to educational, hospital, medical office, parking, and related uses.

At the time Ordinance 174,772 was passed, the former land owner, Orthopaedic Hospital, requested specific hospital-related conditional uses be allowed by right without the need for a subsequent

³ Refer to the Zoning Ordinance document in Appendix B of the Final EIR.

conditional use approval process. These limited hospital and education uses were consistent with the former owner's intended use of the property at the time.

Additionally, some commenters contend that the [Q] condition for the Project site permanently limits development of the site with educational, hospital, medical office, parking, and related uses. As discussed previously, the zoning for the site was changed to [Q]C2-1-O from PF-1/PF-1-O to address zoning conflicts between industrial and sensitive land uses. The intent of changing the underlying zoning of the Project site from PF to C2 was to present opportunities for the potential development of other land uses, such as mixed-use developments and TODs, and to address the increased demand for housing in the Southeast Community Plan Area.

Some of the commenters contend that previous medical services that were provided at the Project site by the Orthopaedic Hospital are no longer available to the community. Potential loss of healthcare services is not analyzed in the DEIR because socioeconomic effects of proposed projects are, by themselves, generally outside CEQA's purview (see CEQA Guidelines § 15131(a)). However, in response to concerns raised by commenters about the potential loss of healthcare services, a brief summary of the Orthopaedic Hospital master plan and expansion is provided below (see subheading *a.*, below).

While CEQA does not require analysis of socioeconomic effects of a project, an EIR must identify significant direct and reasonably foreseeable indirect physical effects of the project on the environment (see Guidelines §§ 15064(d), 15126.2(a), 15131(a)). Therefore, in appropriate circumstances where evidence indicates a link between a socioeconomic and a physical effect, an EIR must consider that indirect physical effect. For example, where evidence indicates the introduction of a "big box" retailer may cause the closure of other local businesses (ordinarily a socioeconomic effect), *and* where those closures may in turn cause permanent or long-term vacancies that may result in neglect and deterioration of buildings (urban blight, a physical effect), the EIR for that "big box" project must evaluate the potential for urban blight as an indirect physical effect of that project. Note that the EIR need only evaluate the socioeconomic effect in enough detail to trace the chain of cause and effect to the physical. As stated in the Guidelines, § 15131(a), "The focus of the analysis shall be on the physical changes." Thus, if the forecasted socioeconomic effects of the proposed project (here, community access to potential future expanded or new healthcare facilities) would directly or indirectly cause adverse physical changes in the environment, then the EIR must disclose and analyze these physical impacts in the same manner as any other physical change resulting from the Project (see CEQA Guidelines § 15064(e)).

The Draft EIR evaluated potential physical effects related to Land Use and Planning (Draft EIR Section IV.H), and provided an explanation of the [Q] Condition (see Draft EIR pp. IV.H-7–9), which limited use of the site to hospital, medical office, educational, parking, and related uses. The land use and planning analysis discussed removal of the [Q] Condition as a necessary precondition to development of the Proposed Project (see Draft EIR pp. IV.H-29–30). As described on pages IV.H-7–8 of the Draft EIR, the [Q] Condition for the site also allows educational, parking, and related uses. Consequently, even if the Lead Agency opts to retain the [Q] Condition, development of other, consistent uses could still preclude development of a hospital or medical facilities on the Project site.

Conversely, the lack of a [Q] Condition for the sites similar to the project site does not preclude development of a hospital if zoning otherwise permits the use. City of Los Angeles zoning designations that allow hospitals include C1, C2, C4, CM, M1, MR1, M3, and PF. Of those, the South Los Angeles Community Plan Area includes C1, C2, CM, M1, MR1, and PF. All of the available area in the SPA 6 with these zoning designations could still provide a hospital site for a potential future applicant.

Further, no evidence demonstrates the request for approval of the Proposed Project would occur as an alternative to, or at the expense of, a reasonably foreseeable hospital project on the project site. Although commenters point to information purporting to demonstrate a shortage of medical facilities in the community, that information does not demonstrate the existence of a viable, foreseeable project that would provide these facilities on the project site, which development of the Proposed Project would preclude. Consequently, even if the Proposed Project could foreclose a potential future opportunity, feasible realization of that potential opportunity remains speculative.

Nevertheless, the following discussion addresses the question of whether indirect physical impacts to the community traceable to the socioeconomic effects of the Proposed Project could occur under two possible scenarios:

- a. Remaining land owned and operated by Orthopaedic Hospital in the community could not accommodate planned growth, causing an indirect physical impact to the community through the conversion of additional land elsewhere in the community and/or closure and relocation of the existing Hospital.
- b. The reasonably foreseeable need for medical services within the community cannot be accommodated on land currently zoned for or otherwise permitting medical uses, causing an indirect impact to the community through the conversion of additional land elsewhere in the community for hospital or medical related use.

These two scenarios are further addressed below.

a. Future Expansion of the Orthopaedic Hospital

In 2001, Orthopaedic Foundation announced a long-range plan for the Orthopaedic Hospital. The plan includes a research alliance with UCLA, the development of a second campus at the Santa Monica-UCLA Medical Center, and a new research facility on the campus of UCLA. In 2003, the Hospital expanded the downtown campus at the project site with a new outpatient clinic and an association with a new medical magnet high school. According to the Orthopaedic Foundation, the new Orthopaedic Hospital/UCLA alliance will be able to accommodate up the 150,000 outpatient visits annually, or double the number handled previously by UCLA and Orthopaedic Hospital separately.

Downtown Los Angeles Orthopaedic Hospital Outpatient Medical Center

The new children's Orthopaedic Hospital Outpatient Medical Center opened in 2003. The Outpatient Medical Center is located immediate adjacent to the Project site. It is one of the largest children's orthopaedic outpatient centers in the nation, and incorporates 13 examination rooms, a cast room accommodating up to 12 stations, four state-of-the-art digital imaging rooms, telemedicine conference facilities and several waiting rooms. It also houses administrative and other support spaces. The lobby includes an area for patient and visitor health education.

Orthopaedic Hospital Research Center at UCLA

In 2005, the widely dispersed research activities of Orthopaedic Hospital and UCLA combined to create the largest coordinated orthopaedic research effort in the U.S. The research department is housed in a new \$45-million, five story, 95,000 square foot research center on the UCLA campus in Westwood. According to the Orthopaedic Foundation, the combination of Orthopaedic Hospital's research department and the internationally renowned research infrastructure at UCLA bring together some of the best minds in orthopaedic and biologic science. The two organizations currently comprise the largest musculoskeletal research team in the West.

Orthopaedic Hospital at Santa Monica-UCLA Medical Center

The new Orthopaedic Hospital at Santa Monica-UCLA Medical Center, scheduled to open in 2010-2011, will include 85,000 square feet on six floors on Wilshire Boulevard between 15th and 16th Streets in Santa Monica. It will adjoin the new Santa Monica-UCLA Medical Center. The new medical center will include a large orthopaedic outpatient clinic, surgical suites and inpatient beds. It will include 15 operating rooms with six for orthopaedic surgery and 266 inpatient beds. A total of 72 beds will be available for inpatient orthopaedic care -- 52 for adults and 20 for children. The outpatient center will house 28 examination rooms, bioengineering research laboratory, research space, and other associated facilities.

Implementation of the long-range plan increased Orthopaedic Hospital's ability to provide healthcare services to the local and regional community. The plan included the sale of their excess property, including the project site. No substantial evidence suggests removal of the [Q] Condition would impact the land uses within the surrounding neighborhood to accommodate any reasonably foreseeable future plans to expand Orthopaedic Hospital.

b. Community Hospitals and Medical Facilities

The following discussion describes current and foreseeable future needs of and for medical facilities that could serve the community surrounding the project site.

California Hospital Medical Center

California Hospital Medical Center is located at 1401 South Grand Ave in downtown Los Angeles, less than one mile north of the project site. The Hospital is a 316-bed acute care facility and Level II trauma center. The Hospital serves the community of downtown Los Angeles and its surrounding neighborhoods. The J. Thomas McCarthy Center for Emergency Services at California Hospital provides a full range of medical procedures 24 hours a day, 7 days a week. Trauma surgeons, anesthesiologists and specialists are on-site, or are available within 15 minutes at all times. There are also eight surgical intensive care suites to accommodate trauma patients. The surgical intensive care unit is among the most sophisticated in the hospital. The Hospital operates under a license from the State of California. The facilities are modern and include the Leavey Trauma Center. No substantial evidence indicates the Hospital would not be able to accommodate reasonably foreseeable growth at or near its existing facilities.

King/Drew Medical Center

Much of the information provided by commenters concerning the lack of healthcare in the community relates to the operation and closure of the King/Drew Medical Center in 2007. Martin Luther King, Jr. Medical Center (MLK) is a public medical facility on an approximately 38-acre site located at 12021 South Wilmington Avenue, in Willowbrook, an unincorporated section of the County north of the City of Compton and south of the Watts neighborhood of the City of Los Angeles. The site is approximately ten miles south of the project site. Currently, MLK comprises an Urgent Care Center, open from 8 am to midnight daily, and approximately 70 Outpatient Clinics operating Monday through Friday from 8 a.m. to 4:30 p.m. MLK serves South Los Angeles County, including areas south of downtown Los Angeles.

MLK Multi-Service Ambulatory Care Center began as the result of a community need. Following the 1965 Watts Civil Unrest/Riots, a commission appointed by the Governor reported a lack of healthcare access as one of the contributing factors to the unrest. In 1966, Los Angeles County Department of Hospitals established a task force to develop a program concept that would provide a full-service community teaching hospital operated by the County in conjunction with the Drew Medical Society, USC, and UCLA. On March 27, 1972, the hospital opened as a full-service medical center.

In 2009, the County created a partnership with the University of California system to reopen the hospital as a nonprofit organization. The County will contribute \$50 million annually to cover expenses and operating costs and \$13.3 million a year toward the care of uninsured patients. The County will continue to staff and operate the hospital's outpatient services center. Also in 2009, Los Angeles County Supervisor Mark Ridley-Thomas commissioned a Technical Assistance Panel made up of members of the Urban Land Institute to study the physical master plan for MLK.⁴ The Panel studied the development

⁴ See *Martin Luther King, Jr. Medical Center and Surrounding Project Area Technical Assistance Panel, June 2009*, <http://www.uli-la.org/files/mlk-tap-report.pdf>.

potential of the site and found that “the Medical Center is performing at only a fraction of its capacity.” In all, public agencies own about 100 acres of land, including the MLK site. Vacant land along the freeway and elsewhere in the study area, in addition to the former hospital site, all have substantial future development potential.

The panel recommended that the new hospital at Martin Luther King, Jr. Medical Center will include a 120-bed in-patient hospital, an emergency room facility and a new multi-service ambulatory care center. Once the new facilities are completed, and services are fully operational, Martin Luther King, Jr. Medical Center will accommodate a significant increase in daily visitors and provide investment and employment opportunities for the local community.

The King/Drew campus is located outside the City of Los Angeles, and it is reasonable to conclude that plans will move forward to re-open the Medical Center in its existing location in Willowbrook. No evidence suggests the 38-acre campus and other County-owned land are inadequate or poorly sited for the intended use of MLK as a community hospital and trauma center.

3. *Affordable Housing*

As noted on Table IV.H-1 on page IV.H-17 in Section IV.H, Land Use Planning, the project would include affordable housing in accordance with State Bill 1818. At this time, because the Project is not required under the LAMC to include affordable housing units, and no applicable standards exist by which an affordable housing unit calculation can be made, the specific number of affordable housing units that would be included in the Project has not been determined. The affordable component of the Proposed Project is a voluntary action by the Applicant and is not tied to any requirements, restrictions, or incentives as this time. The decision-makers, such as the City Council, will make the determination as part of the consideration of the Project entitlements.

4. *Demolition of Previous Uses at the Project Site and Piecemealing*

CEQA Guidelines Section 15378(a) defines a “project” as “...the whole of an action which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment...” *CEQA Guidelines* Section 15378(c) further describes that a “project” “...refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies.” Project “piecemealing” is typically defined as splitting up or “segmenting” the related actions of a project into smaller projects as a way to: 1) minimize the degree to which environmental impacts could appear to occur under “the whole of an action”; 2) avoid preparation of an EIR; and/or 3) avoid consideration of all related actions in a single CEQA document.

The City granted the Project Applicant demolition permits to allow for removal of the previous buildings from the Project site in June 2006, February 2007, and August 2007. Approval of a demolition permit is a ministerial action, not a discretionary action, and as such, the demolition of the previous uses is not a “project” as defined under CEQA. Specifically, a ministerial action involves the application of fixed

standards or objective measurements. The term ‘ministerial’ is defined in the *CEQA Guidelines*, title 14, California Administrative Code, section 15369: “‘Ministerial’ describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out. A building permit is ministerial if the ordinance requiring the permit limits the public official to determining whether the zoning allows the structure to be built in the requested location, the structure would meet the strength requirements in the Uniform Building Code, and the applicant has paid his fee.” (*Adams Point Preservation Society v. City of Oakland*, supra, 192 Cal.App.3d at p. 206.)

Additionally, as conditions of the demolition permit, the Applicant was required to implement a variety of measures (the same measures that typically are included in CEQA documents to reduce the impacts of demolition activities) to ensure that no significant impacts (such as those related to air quality, noise, and traffic) would occur as a result of the demolition. Further, regardless of whether the demolition activities occurred independently or as a function of the Project, an EIR still would be required to address the various discretionary approvals that are being requested by the Project Applicant to allow for development of the Project. For these reasons, the environmental impacts associated with the development of the Project site with the proposed Project and the demolition of the previous uses are not required to be addressed in the same CEQA document.

The related actions of a project must be addressed in the same CEQA document when the following occur:

- Scenario 1. When ‘Action B’ is a reasonably foreseeable consequence of ‘Action A’ (Bozung v. Local Agency Formation Commission [successive government approvals for the same underlying project must be considered together] and Laurel Heights Improvement Association v. Regents of the University of California [future phases of a single building must be evaluated in the EIR on the first phase because they are foreseeable]).⁵*
- Scenario 2. When ‘Action B’ is a future expansion of ‘Action A’ and will be significant because it will likely change the scope, nature, and impacts of ‘Action A’ (Laurel Heights Improvement Association v. Regents of the University of California*

⁵ *CEQA Deskbook*, Ronald E. Bass, Albert I. Herson, and Kenneth M. Bogdan, 1999.

[future phases of a single building must be evaluated in the EIR on the first phase because they will contribute to the project's impacts]).⁶

Scenario 3. When 'Action A' cannot proceed without essential public services that would be provided by 'Action B' (Santiago County Water District v. County of Orange [EIR on a mining project must include impacts of water delivery system to serve the project] and San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus [EIR on housing project much include impacts of a additional sewer capacity to serve the project])).⁷

Scenario 4. When 'Action A' and 'Action B' are integral parts of the same project (No Oil, Inc. v. City of Los Angeles [pipelines to deliver oil must be evaluated in an EIR for an oil drilling project.]).⁸

For the purposes of this discussion, it is assumed that the demolition of the previous uses at the Project site represents "Action A" in the scenarios presented above, and the development of the site with the proposed Project represents "Action B."

Based on Scenario 1, the environmental impacts associated with the development of the Project site with the proposed Project and the demolition of the previous uses are not required to be addressed in the same EIR because the development of the site with the proposed Project (Action B) is not a reasonably foreseeable consequence of the demolition of the previous uses (Action A). Even though the proposed Project could not proceed without the preceding demolition, a multitude of land uses could have been proposed for development at the Project site, or no development at all. Assuming that the discretionary actions requested by the Project Applicant were approved or the discretionary approvals for any proposed land uses at the site were approved, development of the site with the proposed Project or any project could occur.

Based on Scenario 2, the environmental impacts associated with the development of the Project site with the proposed Project and the demolition of the previous uses are not required to be addressed in the same EIR because the development of the site with the proposed Project (Action B) is not a future expansion of the demolition of the previous uses (Action A), and therefore, the development of the site with the proposed Project (Action B) would not change the scope, nature, or impacts of the demolition of the previous uses (Action A). Approval of the demolition permit is a ministerial action (not a discretionary action), and conditions of the permit required implementation of measures to ensure that the demolition would not result in any significant impacts. If the Project site was developed with structures, and those

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

structures were to be demolished prior to developing the site, the impacts of the demolition would occur independent of the impacts associated with construction of new buildings, because construction would not occur at the same time as demolition. Thus, the impacts of the demolition would not change as a result of developing the site.

Based on Scenario 3, the actions of demolition of the previous uses at the Project site and development of the site with the proposed Project are served by the same existing public services.

Based on Scenario 4, the environmental impacts associated with the development of the Project site with the proposed Project and the demolition of the previous uses are not required to be addressed in the same EIR because the development of the site with the proposed Project (Action A) and the demolition of the previous uses (Action B) are not integral parts of the same project. As discussed previously, assuming that the discretionary actions requested by the Project Applicant were approved or the discretionary approvals for any proposed land uses at the site were approved, development of the site with the proposed Project or any project could occur.

5. *Recirculation of the Draft EIR*

Some of the comments assert that the Draft EIR is inadequate for not appropriately addressing impacts of the Project. However, the information in this Final EIR demonstrates that no additional impacts beyond those already identified in the Draft EIR have been identified by the comments, and thus, the Draft EIR is not inadequate for the reasons stated in the comments. With regard to statements about recirculation of the Draft EIR, *CEQA Guidelines* Section 15088.5 outlines the circumstances under which an EIR would be required to be recirculated. Specifically, this section clarifies that an EIR need only be recirculated when “significant” new information has been added to the EIR that was previously circulated, and that failure to recirculate with the new information would deprive the public of a meaningful opportunity to comment on a project and/or its significant effects. Recirculation is not required when new information merely clarifies or amplifies information already provided. Because the information provided in the Final EIR does not present significant new information, nor change any of the conclusions previously reached in the Draft EIR, recirculation of the Draft EIR is not required.



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

January 14, 2010

Adam Villani
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

Subject: The Lorenzo Project
SCH#: 2008061060

Dear Adam Villani:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on January 4, 2010. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2008061060) when contacting this office.

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

Enclosures
cc: Resources Agency

1

RESPONSES TO PUBLIC AGENCY COMMENTS

Comment Letter SCH

Response to Comment SCH-1

This comment is a response from SCH stating that the agency has forwarded a comment letter on the Draft EIR.

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, REGIONAL PLANNING

IGR/CEQA BRANCH

100 MAIN STREET, MS # 16

LOS ANGELES, CA 90012-3606

PHONE: (213) 897-6696

FAX: (213) 897-1337

RECEIVED
CITY OF LOS ANGELES

JAN 21 2010

ENVIRONMENTAL
UNIT

IGR/CEQA No. 091121AL, DEIR

The Lorenzo Project

Mixed-Use Development

Vic. LA-101 / PM 20.75

SCH # 2008061060

*Flex your power!
Be energy efficient!*

January 11, 2010

Mr. Adam Villani
City of Los Angeles
200 N. Spring St.
Los Angeles, CA 90012

Dear Mr. Villani:

Mr. Villani agreed to accept a late comment on January 5, 2010. Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project would involve the construction of a mixed-use development with a total of approximately 1,400 multi-family residential units, ancillary common area and recreation amenities totaling approximately 65,480 square feet. The project would also provide approximately 34,000 square feet of retail uses.

We have concluded that the Draft Environmental Impact Report is incomplete for the following reasons.

1. On page II-1, Existing Uses, the project site consists of vacant lots and does not currently contain any structures. However, On Page IV.L-23, the trip generation credits for hospital, general office, and medical office uses formerly operating on the project site. Site A is currently both a surface parking lot and a vacant dirt lot and the triangular-shaped Site B is currently a surface parking lot. The time of demolishing the formal buildings and the duration of the vacant building need to be indicated in the report. If existing structures have been vacant for some time, such credits are not reasonable, and traffic generation and potential effects should be re-evaluated.
2. The report is prepared in November, 2009 and the project future year is at 2009 or supposedly project built-out year. Realistically, the build-out year of the project and the new traffic projection need to be clarified and calculated in the report. In determining the cumulative effects from an individual project, the lead agency needs to consider the effects from past, current, and foreseeable future projects, according to CEQA Guidelines section 15064(h)(i). Please clarify whether the list of related projects in the report extends past 2009. If not, the cumulative analysis is incomplete.

3. On Page IV.L-24, and Page IV.L-25, there is no explanation about the changes of the Existing Uses on Table IV.L-5 (4,931 daily, 354/395 AM/PM Peak Hour Trip) and Table IV.L-6 (5,324 daily, 364/433 AM/PM Peak Hour Trip). The increase of the traffic volume in existing use will reflect on the net trips generated.

4

4. The new project built-out date appears to be in distant future. The cumulative (project + related projects + ambient growth) impact analysis through the new target year is required.

5

5. The Table IV.L-6 uses 25% credit for potential transit use by residential commuters and 50% credit in commercial/shopping traffic. A justification or supporting documentation is needed for traffic credit indicated in the report. These assumptions seem unreasonably high.

6

6. The traffic study prepared does not contain analysis of potential traffic effects to I-110 Harbor Freeway. We understand that according to the trip distribution and assumed credits the project is not expected to exceed the Los Angeles County Congestion Management Criteria (CMP) criteria of 150 vehicle trips for freeway analysis. However, the traffic report should at least disclose how I-110 currently operates during peak hours and that impacts from the project would be De Minimis. It is widely known that I-110 operates heavily congested during peak hours in the vicinity of the project.

7

The proposed project involves construction of 1400 residential units which exceeds the CEQA threshold of regionally significant of 500. A development of regionally significance like this one, will contribute to already congested State facilities nearby. Therefore, we recommend the project contribute funds on a fair-share basis to current or future regional transportation improvements on State facilities in the vicinity.

8

In the spirit of mutual cooperation, we would like to invite the lead agency, City of Los Angeles, and the consultant to the Caltrans office to clarify how the City mitigates cumulative transportation impacts to State facilities. Especially since the debit-and-credit systems established by the CMP has been suspended for some time. Please contact this office at your earliest convenience to schedule a meeting.

9

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects need to be designed to discharge clean run-off water. Additionally storm water run-off is not permitted to discharge onto State highway facilities.

10

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.

11

If you have any questions, please feel free to contact me at (213) 897-6696 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 091121AL.

Sincerely,

A handwritten signature in black ink, appearing to read "Elmer Alvarez", written in a cursive style.

ELMER ALVAREZ
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Comment Letter Caltrans*Response to Comment Caltrans-1*

This comment summarizes the Project description, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Caltrans-2

Regarding demolition of past uses at the Project site and traffic trip credits, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Caltrans-3

Regarding Project buildout year, related projects, and cumulative traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Caltrans-4

Regarding existing uses, the commenter states that no explanation was provided to explain why the existing uses sizes vary between tables IV.L-5 and IV.L-6 in the Draft EIR. The number was changed for the 2008 traffic study revision based on information provided by the Applicant. However, to provide a clear comparison, Table III-1 in this section (above) was revised using the original (2006) existing use rate in order to show that under either circumstance, no new significant impacts beyond what was identified in the Draft EIR would occur.

Response to Comment Caltrans-5

Regarding project buildout year, the analysis provided in Master Response 1 (Traffic Impact Analysis) indicates that the updating of the future analysis year to 2013 through the application of additional annual ambient growth, along with other applicable updates, does not create new significant traffic impacts.

Response to Comment Caltrans-6

Regarding traffic trip credits, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Caltrans-7

Regarding conditions of the Harbor Freeway (I-110), it is acknowledged that the Harbor Freeway (I-110) within the project traffic study area is congested during peak periods, as the HOV facility terminates at Adams Boulevard and the freeway width is constricted to the north of the Adams interchange. The presence of the I-110/I-10 interchange to the north (an approximate 3/4-mile distance to the north of Adams Boulevard) also creates congestion on the local segment of the Harbor Freeway. As residents of the development would likely be creating local trips to and from the USC campus and/or downtown Los Angeles, and as the commercial space will be neighborhood-serving, freeway mainline impacts from the proposed project would be unlikely.

Response to Comment Caltrans-8

Regarding the project being regionally significant and contributing to state facilities, all of the nearby freeway ramp/roadway intersections were included as study intersections in the EIR. Significant impacts were not identified at these locations, however. The Applicant is amenable to discussing long-term regional improvement issues. The mitigation measures in the EIR, however, meet CEQA requirements for traffic impacts and mitigation measures as defined by the City of Los Angeles as the reviewing agency and the County of Los Angeles as the regional reviewing agency for impacts under the Congestion Management Program.

Response to Comment Caltrans-9

This comment invites the City of Los Angeles to consult with Caltrans; the Applicant is amenable to discussing long-term regional improvement issues. The mitigation measures in the EIR, however, meet CEQA requirements for traffic impacts and mitigation measures as defined by the City of Los Angeles as the reviewing agency and the County of Los Angeles as the regional reviewing agency for impacts under the Congestion Management Program. The comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Caltrans-10

Regarding stormwater runoff, the commenter is referred to Section IV.G, Hydrology and Water Quality of the EIR.

Response to Comment Caltrans-11

Regarding construction equipment on highways, the Project is required to comply with all applicable regulations before, during, and after construction. In addition, a haul route will need to be approved as part of the project approval process.

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

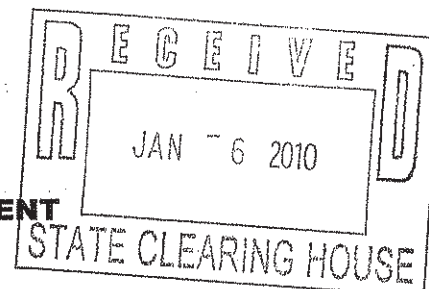


December 31, 2009

Mr. Adam Villani, Project Planner

CITY OF LOS ANGELES CITY PLANNING DEPARTMENT

200 N. Spring Street, Room 750
Los Angeles, CA 90012



Clear
1-4-10
late
e

Re: SCH#2008061060 CEQA Notice of Completion: draft Environmental Impact Report (DEIR) for the The Lorenzo Project, a Mixed-Use Development with approx. 2 million square feet of planned space; located south of downtown Los Angeles; Los Angeles County, California

Dear Mr. Villani:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources.. (Also see *Environmental Protection Information Center v. Johnson* (1985) 170 Cal App. 3rd 604) The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources were not identified within one-half mile of the APE.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.. Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental planning processes.. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11..

Consultation with tribes and interested Native American tribes and individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f] *et seq*), 36 CFR Part 800.3, the President's Council on Environmental Quality (CSQ; 42 U.S.C. 4371 *et seq*) and NAGPRA (25 U.S.C. 3001-3013), as appropriate. .

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

3

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance" may also be protected the under Section 304 of the NHPA or at the Secretary of the Interior' discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C, 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

4

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

5

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

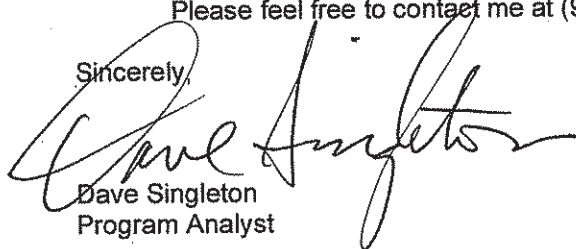
6

Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

7

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Comment Letter NAHC*Response to Comment NAHC-1*

Regarding Project impacts related to cultural resources, the commenter is referred to Section IV.D (Cultural Resources) of the Draft EIR that includes an analysis of Project impacts related to cultural resources, including historical, archaeological, and paleontological resources. As discussed, no historical resources are located on the Project site or within proximity of the site. Additionally, a records search at the South Central Coastal Information Center and the Natural History Museum of Los Angeles County showed that the Project site does not contain any known significant archaeological or paleontological resources. Further, through compliance with mitigation measures identified in the section, Project impacts related to potential unknown resources would be less than significant.

Response to Comment NAHC-2

Regarding consultation with Native American tribes, the commenter is referred to Response to Comment NAHC-1. Additionally, as stated on page IV.D-11, if any resources are archaeological resources are encountered during the Project's construction phase, the Project Applicant would comply with the following mitigation measure:

- D-1. If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the South Central Coastal Information Center at Cal State Fullerton (SCCIC). A covenant and agreement shall be recorded prior to obtaining a grading permit.

Response to Comment NAHC-3

Regarding encountering unknown archaeological resources, the commenter is referred to Response to Comment NAHC-2. Regarding unknown human remains, as stated on page IV.D-11, if any human remains are encountered during the Project's construction phase, the Project Applicant would comply with the following mitigation measure:

- D-2. If human remains are discovered at the project site during construction, work at the construction site shall be suspended, and the City of L.A. Public Works Department and County Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment of disposition of the remains.

Response to Comment NAHC-4

This comment includes information about a record search of the NAHC Sacred Lands Inventory, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment NAHC-5

Regarding encountering human remains, the commenter is referred to Response to Comment NAHC-3.

Response to Comment NAHC-6

Regarding encountering human remains, the commenter is referred to Response to Comment NAHC-3.

Response to Comment NAHC-7

Regarding cultural resources, the commenter is referred to Response to Comment NAHC-1.



Metro

January 4, 2010

Adam Villani, Planning Assistant
Los Angeles Department of City Planning
200 North Spring Street, Room 750
Los Angeles, CA 90012

Re: ENV-2006-9471-EIR

Dear Mr. Villani:

Los Angeles County Metropolitan Transportation Authority (Metro) is in receipt of the Draft EIR for the Lorenzo project. This letter conveys recommendations concerning issues that are germane to Metro's statutory responsibilities in relation to the proposed project.

The Traffic Impact Analysis prepared for the Draft EIR satisfies the traffic and transit requirements of the proposed project. However, due to the proposed project's proximity to the Metro Exposition Line Light Rail right-of-way currently under construction along Flower Street the following issues should be addressed:

1. The applicant should be advised that the Metro Exposition Line Light Rail will operate in weekday peak service as often as every five minutes in both directions. Trains may operate, in and out of revenue service, 24 hours a day, seven days a week, nearby the proposed retail and residential units.
2. Considering the proximity of the proposed project, there is the possibility of noise, vibration and visual impacts.
3. The applicant should consider including a Noise Easement for the proposed project. Sample language is attached.
4. There shall be no encroachment onto the railroad ROW. If access is necessary for the developer or his contractor to enter the railroad ROW during construction, a temporary right-of-entry agreement must be obtained from Metro.
5. Metro staff shall be permitted to monitor construction activity to ascertain any impact to the railroad ROW.
6. The applicant should notify Metro of any changes to the construction/building plans that may impact the railroad ROW.
7. Project construction/operation must not be detrimental to Metro operational sightlines (both train and motor vehicles).
8. The applicant should be advised that Metro may request reimbursement for costs incurred as a result of project construction/operation issues that cause delay or harm to Metro service delivery or infrastructure.
9. Implementation of an ATCS system at the intersection of 23rd/Flower Street as specified on Page IV.L-37 of the Draft EIR must not be detrimental to rail operations or safety.

In addition, the following should be addressed for the Final EIR:

10. Several transit corridors with Metro bus service could be impacted by the project. Metro Bus Operations Control Special Events Coordinator should be contacted at 213-922-4632 regarding construction activities that may impact Metro bus lines. Other Municipal Bus Service Operators may also be impacted and therefore should be included in construction outreach efforts.

12

Metro looks forward to reviewing the Final EIR. If you have any questions regarding this response, please call me at 213-922-6908 or by email at chapmans@metro.net. Please send the Final EIR to the following address:

Metro CEQA Review Coordination
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952
Attn: Susan Chapman

Sincerely,



Susan F. Chapman
Program Manager, Long Range Planning

(SAMPLE)

NOISE EASEMENT

WHEREAS, _____ ("Grantors") are the legal owners in fee of that certain parcel of land commonly described as _____ ("Property"), which is situated in the County of Los Angeles, State of California, and more particularly described as follows:

(Insert full legal title of property/attach a copy of existing legal description [Exhibit 1]

called "Grantors' Property," and outlined on the attached map [Exhibit 2]);

IN CONSIDERATION OF the sum of one dollar (\$1.00) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their directors, officers, employees, heirs, administrators, executors, successors, and assigns, do hereby grant, bargain, sell, and convey unto the Los Angeles County Metropolitan Transportation Authority, a public entity established by the State of California, hereinafter referred to as "Grantee," its successors and assigns, for the use and benefit of the public and its directors, officers, employees, assigns and agents, a perpetual easement and right of way, appurtenant to the Exposition Line Project (Project) right of way by whomsoever owned and operated:

Said easement shall encompass and cover the entirety of the Grantors' Property having the same boundaries as the above described Property and extending from the sub-surface upwards to the limits of the atmosphere of the earth, the right to cause in said easement area such noise, vibrations, fumes, dust, fuel particles, light, sonic disturbances, and all other effects that may arise, be caused or may have been caused by the operation of Grantee's public transit vehicles traveling along the Project right of way.

Grantor hereby waives all rights to protest, object to, make a claim or bring suit or action for any purpose, including or not limited to, property damage or personal injuries, against Grantee, its successors and assigns, for any necessary operating and maintenance activities and changes related to the Project which may conflict with Grantors' use of Grantors' property for residential, business, commercial and other purposes, and Grantor hereby grants an easement to the Grantee for such uses, purposes and activities described herein.

The granting of said Easement shall also establish the Grantors' right to further modify or develop the Property for any permitted use. However, Grantor's rights of development the Property shall not interfere with or alter the terms of this easement and the continued operation of Grantee's Project.

It is understood and agreed that these covenants and agreements shall be permanent, perpetual, will run with the land and that notice shall be made to and shall be binding upon all Directors, officers, employees, heirs, administrators, executors, successors,

and assigns of the Grantor. The Grantee is hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF, the undersigned has caused
its/their signature to be affixed this____ day of _____, 2010.

By: _____
Name

Title: _____

By: _____
Name

Title: _____

(ATTACH NOTARY SEAL AND CERTIFICATE HERE.)

Approved as to form:

By: _____

Corporate/Company Counsel

Comment Letter Metro*Response to Comment Metro-1*

This comment states that Metro is in receipt of the Draft EIR and about the letter submitted in response, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Metro-2

Regarding the issues identified in the comment letter, the commenter is referred to Responses to Comments Metro-3 through Metro-12.

Response to Comment Metro-3

Regarding operation of Metro, the Project Applicant acknowledges the operation of Metro as described by the commenter.

Response to Comment Metro-4

Regarding noise, vibration, and visual impacts, the commenter is referred to Sections IV.I (Noise) and IV.B (Aesthetics) that include analyses of project impacts related to these issues. Also, impacts related to these issues are summarized on Table I-1 in Section I (Introduction) of the Draft EIR.

Response to Comment Metro-5

Regarding the Noise Easement provided as an attachment to the comment letter, the Applicant will consider the Noise Easement.

Response to Comment Metro-6

Regarding the railroad right-of-way (ROW), as stated by the commenter, if access to the railroad ROW by the Applicant is necessary during Project construction, the Applicant would obtain a temporary right-of-entry agreement from Metro.

Response to Comment Metro-7

Regarding monitoring of the railroad ROW, as stated by the commenter, Metro staff would be allowed to monitor any construction activity that occurs within the railroad ROW. Mitigation Measure L-4 has been added to ensure that Metro has the chance to review and comment on the Applicant's construction traffic control plan; see section IV., Corrections and Additions.

Response to Comment Metro-8

Regarding the railroad ROW, as stated by the commenter, the Applicant will notify Metro of any changes to the construction/building plans that could affect the railroad ROW.

Response to Comment Metro-9

Regarding Metro operational sightlines, the Project will not affect Metro operational sightlines for trains or vehicles. However, Mitigation Measure L-4 has been added to ensure that Metro has the chance to review and comment on the Applicant's construction traffic control plan; see section IV., Corrections and Additions.

Response to Comment Metro-10

Regarding Metro service, the Applicant is advised that Metro may request reimbursement for any costs incurred as a result of the Project's construction/operation that cause delay or harm to Metro service delivery infrastructure.

Response to Comment Metro-11

Regarding implementation of an ATCS at the intersection of 23rd Street and Flower Street, implementation of an ATCS at the intersection would not be detrimental to rail operations or safety.

Response to Comment Metro-12

Regarding Metro bus service, during the Project's construction phase, the Applicant would coordinate with Metro if any bus service could be affected.

December 21, 2009

SOUTHERN CALIFORNIA

**ASSOCIATION of
GOVERNMENTS****Main Office**

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

Officers

President

Jon Edney, El Centro

First Vice President

Larry McCallon, Highland

Second Vice President

Pam O'Connor, Santa Monica

Immediate Past President

Richard Dixon, Lake Forest

Policy Committee Chairs

Executive/Administration

Jon Edney, El Centro

Community, Economic and

Human Development

Larry McCallon, Highland

Energy & Environment

Keith Hanks, Azusa

Transportation

Mike Ten, South Pasadena

Mr. Adam Villani
 Los Angeles Department of City Planning
 200 North Spring Street, room 750
 Los Angeles, Ca 90012
 (213) 978-1343 (fax)
 Adam.Villani@lacity.org

RE: SCAG Comments on The Lorenzo Project Draft Environmental Impact Report, ENV-2006-9471-EIR - SCAG No. I20090656

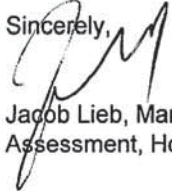
Dear Mr. Villani,

Thank you for submitting the **The Lorenzo Project Draft Environmental Impact Report, ENV-2006-9471-EIR - SCAG No. I20090656** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project includes the development of a mixed-use project consisting of 1,400 multi-family residential units (1,663,061 sqft), ancillary common areas (65,480 sq ft), and retail areas (40,000 sqft).

We have evaluated this project based on the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision (CGV) that may be applicable to your project. The RTP and CGV can be found on the SCAG web site at: <http://scag.ca.gov/igr>. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please provide a copy of the Final Environmental Impact Report (FEIR) for our review. If you have any questions regarding the attached comments, please contact Christine Fernandez at (213) 236-1923. Thank you.

Sincerely,


 Jacob Lieb, Manager
 Assessment, Housing & EIR

DOCS# 155111

**COMMENTS ON THE LORENZO PROJECT DRAFT ENVIRONMENTAL IMPACT
REPORT, ENV-2006-9471-EIR - SCAG NO. I20090656**

PROJECT DESCRIPTION

The Proposed Project would involve the development of a mixed-use project with a total of approximately 1,400 multi-family residential units (approximately 1,663,061 square feet of residential floor area) and ancillary common area and recreation amenities totaling approximately 65,480 square feet. The Proposed Project would also provide an approximately 6,000 square-foot restaurant and 28,000 square feet of commercial retail uses at street level fronting the future Exposition Line light rail station along South Flower Street and West 23rd Street.

More specifically, the Proposed Project would consist of two structures, a six-story building on Site A and a 44-story building directly across from it on Site B. The proposed six-story building on Site A would contain approximately 34,000 square feet of retail uses and 919 multi-family units consisting of approximately 101 one-bedroom units, 673 two-bedroom units, and 145 three-bedroom units totaling approximately 1,121,068 square feet of gross residential floor area with ancillary common area and recreational amenities. The proposed 44-story building on Site B would contain approximately 481 multi-family units, which would consist of approximately 129 one-bedroom units, 215 two-bedroom units, and 137 three-bedroom units.

Parking for the Proposed Project overall would consist of approximately 3,204 parking spaces. Approximately 2,685 parking spaces would be for the residential uses, 152 parking spaces would be for the restaurant and retail uses, and 367 parking spaces would be replacement parking for the Orthopaedic Hospital.

4

PROJECT LOCATION

The 9.5-acre project site is located at 2300 South Flower Street (Site A) and 2327 South Flower Street (Site B) in the Southeast community of the City of Los Angeles (the "City"). The following Assessor Parcel Numbers (APNs) are associated with the project site: 5126-005-005 through 007; 5126-017-017; 5126-018-032, 033, 035, 037, 038, and 039. The project site is generally bounded by West 23rd Street to the north, Orthopaedic Hospital Magnet High School (Magnet School) and South Grand Avenue to the east, West Adams Boulevard to the south, and South Flower Street and the Interstate 110 Freeway (I-110 Freeway) to the west. The project site is bisected by South Flower Street, forming Sites A and B. Site A is irregular shaped and is bounded by South Flower Street to the west, West 23rd Street to the north, the Orthopaedic Hospital Magnet High School (Magnet School) and surface parking to the east, and West Adams Boulevard to the south. Site B is roughly triangular-shaped and is west of South Flower Street. The I-110 Freeway and the Santa Monica Freeway (I-10 Freeway), as well as a network of major roadways including South Flower Street, West Adams Boulevard, West 23rd Street, and South Grand Avenue, provide regional and local access to the project site.

5

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and cities are as follows:

6

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted City of Los Angeles Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	4,140,516	4,214,082	4,292,139	4,367,538	4,440,017	4,509,435
Households	1,386,658	1,445,177	1,506,564	1,554,478	1,600,754	1,638,823
Employment	1,860,672	1,905,337	1,933,860	1,967,393	2,003,196	2,037,472

Adopted Unincorporated City of Los Angeles Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	57,580	60,159	61,631	63,260	64,837	66,428
Households	13,698	14,369	14,799	15,126	15,445	15,699
Employment	25,376	25,817	26,099	26,431	26,785	27,124

Adopted City of Los Angeles Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	4,057,484	4,128,125	4,204,329	4,277,732	4,348,282	4,415,773
Households	1,366,985	1,424,701	1,485,519	1,532,998	1,578,850	1,616,578
Employment	1,820,092	1,864,061	1,892,139	1,925,148	1,960,393	1,994,134

1. The 2008 RTP growth forecast at the regional, county and subregional level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

SCAG Staff Comments:

The adopted City of Los Angeles forecasts show an excess of employment over households. Since the proposed project will provide an estimated 1400 residential dwelling units, the project could potentially help to address the gap in housing stock.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*

6 cont.

7

8

- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
RTP G7 *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

SCAG Staff Comments:

The proposed project could potentially contribute to reductions in mobility, accessibility, reliability, sustainability, and productivity of local roadways due to the increase in the number of residents in the area, however, the mixed-use and pedestrian/transit-oriented nature of the development would potentially reduce the impact on regional mobility, accessibility, reliability, sustainability and productivity of the regional transportation system. Therefore, SCAG staff conclude the project is consistent with RTP G1, RTP G2, RTP G3, and RTP G4.

Although the project will contribute to cumulative greenhouse gas emissions impacts, the proposed project is required to comply with the City of LA's green building ordinance and with LADWP's water conservation ordinance to reduce its other environmental impacts. Therefore SCAG staff conclude the project is partially consistent with RTP G5.

The proposed project is located in a highly urbanized area with existing transportation and public utility infrastructure. Therefore SCAG staff conclude the project is consistent with RTP G6.

RTP G7 is not applicable.

8 cont.

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

- GV P1.1** *Encourage transportation investments and land use decisions that are mutually supportive.*
GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*
GV P1.3 *Encourage transit-oriented development.*
GV P1.4 *Promote a variety of travel choices*

SCAG Staff Comments:

The proposed project is located in close proximity to a number of bus lines, a metro Blue Line station, and the future site of a Metro Expo Line station. The project site will also include 200 bike racks for resident and visitor use. The proposed project could potentially provide housing to students and workers in the nearby school and commercial areas. Therefore, SCAG staff agree with the consistency analysis provided in the draft EIR and conclude the proposed project is consistent with GV P1.1, GV P1.2, GV P1.3 and GV P1.4.

Principle 2: Foster livability in all communities.

- GV P2.1** *Promote infill development and redevelopment to revitalize existing communities.*
GV P2.2 *Promote developments, which provide a mix of uses.*

9

December 21, 2009
Mr. Villani

SCAG No. I20090656

- GV P2.3** *Promote "people scaled," walkable communities.*
GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

SCAG Staff Comments:

The proposed project is a residential/mixed use project located in a highly urbanized area surrounded by a mix of residential, industrial, and commercial uses in the immediate vicinity. The project site is currently a vacant lot/parking lot. The project is described as having a pedestrian-oriented design that will encourage walking to the proposed retail uses located on the ground floor and support pedestrian activities from surrounding uses. Therefore, SCAG staff agree with the consistency analysis provided in the draft EIR and conclude the proposed project is consistent with GV P2.1, GV P2.2, and GV P2.3. GV P2.4 is not applicable.

Principle 3: Enable prosperity for all people.

- GV P3.1** *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
GV P3.2 *Support educational opportunities that promote balanced growth.*
GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
GV P3.5 *Encourage civic engagement.*

SCAG Staff Comments:

The proposed project will include affordable housing units as well as apartment units with one, two, or three bedroom options. Therefore SCAG staff agree with the consistency analysis provided in the draft EIR and conclude the proposed project is consistent with GV P3.1. GV P3.2, GV P3.3, GV P3.4, and GV P3.5 are not applicable. The project does show civic engagement efforts through the CEQA-mandated public review process.

Principle 4: Promote sustainability for future generations.

- GV P4.1** *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
GV P4.2 *Focus development in urban centers and existing cities.*
GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
GV P4.4 *Utilize "green" development techniques*

SCAG Staff Comments:

The proposed project is not sited in an area that contains agricultural, rural, recreational or environmentally sensitive areas. The proposed project will be located in a highly urbanized area surrounded by multiple types of uses. The proposed project must comply with the City of Los Angeles' Green Building Ordinance and with LADWP's water conservation measures. According to the draft EIR, water demand can be reliably met by LADWP over the next 25 years. Therefore, SCAG staff agree with the consistency analysis provided in the draft EIR and conclude the proposed project is consistent with GV P4.2, GV P4.3, and GV P4.4. GV P4.1. is not applicable.

9 cont.

CONCLUSION

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. Refer to the SCAG List of Mitigation Measures for additional guidance.

The list can be found at: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

10

When a project is of statewide, regional, or areawide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21018.7, and CEQA Guidelines Section 15097 (g).

11

Comment Letter SCAG*Response to Comment SCAG-1*

This comment includes statements about SCAG, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment SCAG-2

This comment states that SCAG has identified the project as regionally significant, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment SCAG-3

This comment includes statements about SCAG's comment letter and asks for a copy of the Final EIR, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment SCAG-4

This comment summarizes the description of the project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment SCAG-5

This comment summarizes the location of the project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment SCAG-6

Regarding population, housing, and employment forecasts used in the Draft EIR, the commenter is referred to Table IV.J-1 on page IV.J-2 in Section IV.J, Population and Housing, of the Draft EIR that includes population, housing, and employment forecasts for the City of Los Angeles Subregion that are based on 2008 SCAG forecasts.

Response to Comment SCAG-7

This comment states it is SCAG's opinion that the housing land uses associated with the project "...could potentially help to address the gap in housing stock." This comment is consistent with the discussion of the project's consistency with certain housing-related policies identified in Section IV.J, Land Use Planning, of the Draft EIR.

Response to Comment SCAG-8

This comment includes goals from SCAG's 2008 Regional Transportation Plan (RTP) that SCAG has identified as relevant to the project and a discussion of the project's consistency with these goals in the Draft EIR. SCAG notes that the project is consistent with goals RTP G1, G2, G3, G4, and G6, partially consistent with G5, and that C7 is not applicable.

Response to Comment SCAG-9

This comment includes principles from SCAG's Compass Growth Visioning states the SCAG agrees with the analysis of the project's consistency with the principles in the Draft EIR.

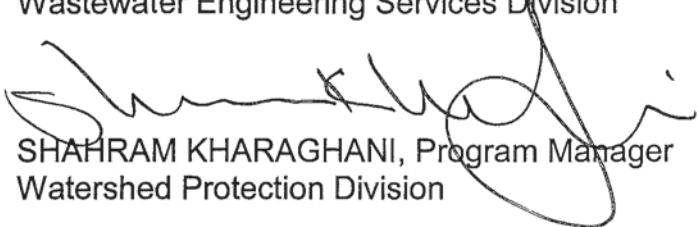
Response to Comment SCAG-10

Regarding implementation and monitoring of the mitigation measures identified for the Project, all mitigation measures will be implemented and monitored in accordance with Section 15097 of the *CEQA Guidelines*.

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: December 17, 2009

TO: BRENT LORSCHIEDER, Division Manager
Wastewater Engineering Services Division

FROM: 
SHAHRAM KHARAGHANI, Program Manager
Watershed Protection Division

SUBJECT: **PLANNING DOCUMENT REVIEW CHECKLIST**

The Watershed Protection Division (WPD) completed its review of the following planning document:

Project Name: The Lorenzo Project
Project Location: 2300 and 2327 South Flower Street, Los Angeles
Case No: ENV-2006-9471-EIR
Project Description: Development of a mixed use project with approximately 1,400 multi family residential units, 34,000 sf of retail space, 3240 parking spaces provided at one ground and three subterranean levels.

The above planning document has the following main components (If the box is marked.) Please include the following language indicated under each section in the BOS review letter:

☒ **SUSMP and Storm Water Infiltration**

Standard Urban Stormwater Mitigation Plan (SUSMP) is required for projects of certain size and type. The projects that are covered under these categories are required to incorporate measures to mitigate the impact of stormwater runoff as outlined in the guidance manuals titled "*Development Best Management Practices Handbook – Part B: Planning Activities*". In addition the "*SUSMP Infiltration Requirements and Guidelines*" prioritizes the use of infiltration and bio-filtration systems as the preferred methods to comply with SUSMP requirements. These documents can be found at: www.lastormwater.org/Siteorg/businesses/susmp/susmpintro.htm. It is advised that input regarding SUSMP requirements be received in the early phases of the project from SUSMP review staff.

☒ **Green Streets**

The City is developing a Green Street Initiative that will require projects to implement Green Street elements in the parkway areas between the roadway and sidewalk of the public right-of-way to capture and retain stormwater and urban runoff to mitigate the impact of stormwater runoff and other environmental concerns. The proposed project includes public right-of-way improvements and presents an opportunity to include

Green Street elements as part of the project. The goals of the Green Street elements are to improve the water quality of stormwater runoff, recharge local ground water basins, improve air quality, reduce the heat island effect of street pavement, enhance pedestrian use of sidewalks, and encourage alternate means of transportation. The Green Street elements may include infiltration systems, biofiltration swales, and permeable pavements where stormwater can be easily directed from the streets into the parkways. For more information regarding implementation of Green Street elements please call Wing Tam at (213) 485-3985.

☒ Wet Weather Erosion Control

A Wet Weather Erosion Control Plan is required for construction during the rainy season (between October 1 and April 15 per Los Angeles Building Code, Sec. 7002).

☒ Stormwater Pollution Prevention Plan

A Storm Water Pollution Prevention Plan (SWPPP) is required for land disturbance activities over one acre. The SWPPP must be maintained on-site during the duration of construction.

It is our understanding that the checked conditions noted above will be included in a letter addressed to the applicant. We respectfully request that we be copied on the Bureau's letter and any responses from the applicants and other interested parties.

WPD staff is available at your request to provide guidance on stormwater issues. Should you have any questions, please contact Meher Irani of my staff at (213) 485-0584.

SK:RMV:WKT:KK:MI
WPDCR 8695

c: Ammar Eltawil

1 cont.

Comment Letter BOS

Response to Comment BOS-1

The commenter notes that the Bureau of Sanitation has reviewed the Draft EIR and indicates water quality requirements that apply to the Project. The Project will be designed and constructed in accordance with all applicable water quality standards, as indicated in Section IV.G (Hydrology and Water Quality) of the Draft EIR.

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

LAFD

December 17, 2009

To: Los Angeles Department of City Planning
Environmental Review Section
200 N. Spring Street, Room 750
Los Angeles, CA 90012
Attn: Adam Villani

From: John Dallas, Inspector II,
Hydrants & Access Unit, Los Angeles Fire Department

Subject: The Lorenzo Project, 2300 Flower Street, Los Angeles

PROJECT LOCATION
2300 and 2327 South Flower

PROJECT DESCRIPTION

The Proposed Project would involve the development of a mixed-use project with a total of approximately 1,400 multi-family residential units (approximately 1,663,061 square feet) and ancillary common area and recreation amenities totaling approximately 65,480 square feet. The Proposed Project would also provide approximately 34,000 square feet of retail use, including approximately 6,000 square feet of restaurant use. More specifically, the Proposed Project would consist of two structures: a six-story building on the eastern side of Flower street (Site A) and a 44-story building directly across from it, on the western side of Flower Street (Site B). Site A would contain approximately 34,000 square feet of retail uses and 919 multi-family units; Site B would contain approximately 481 multi-family units. Parking for the Proposed Project would consist of approximately 3,204 spaces provided in three subterranean levels and one ground level located beneath Site A and five subterranean parking levels located beneath Site B.

1

The following items are of major concern to this Department and should be included in the Final Environmental Impact Report:

A. Fire Flow

The following comments are furnished in response to your request for this Department to review the proposed development:

The adequacy of fire protection for a given area is based on required fire-flow, response distance from existing fire stations, and this Department's judgment for needs in the area. In general, the required fire-flow is closely related to land use. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard.

2

Fire-flow requirements vary from 2,000 gallons per minute (G.P.M.) in low density residential areas to 12,000 G.P.M. in high-density commercial or industrial areas. A minimum residual water pressure of 20 pounds per square inch (P.S.I.) is to remain in the water system, with the required gallons per minute flowing. The required fire-flow

for this project has been set at 3000 G.P.M. from 4 fire hydrants flowing simultaneously.

2 cont.

B. Response Distance, Apparatus, and Personnel

The Fire Department has existing fire stations at the following locations for initial response into the area of the proposed development:

Fire Station No. 10
1335 S. Olive Street
Miles-1.0
Staff- 14

Fire Station No. 15
915 W. Jefferson Blvd
Miles-1.2
Staff-12

Fire Station No. 14
3401 S. Central Av
Miles- 1.8
Staff- 14

3

C. Firefighting Personnel Access

This development is easily accessible in a north-south direction from Flower Street.
It is also accessible from the east to the west on 23rd St or Adams.

A vacated portion of Hope Street will run from the south to the north from Adams Bl;
This will serve as the fire lane. This fire lane will initially pass through an opening between buildings that connects a pedestrian walkway; 5 levels high to the buildings. The lowest level of the walkway is 21' high. The fire lane terminates in a courtyard with a fire department turn around. 5 public hydrants in and around the development; require a "top change" from a single 4" to 2 ½ x 4".

4

CONCLUSION

The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles C.P.C. 19708.

5

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

6

MILLAGE PEAKS
Fire Chief

C.A Fry, Assistant Fire Marshal
Bureau of Fire Prevention and Public Safety

CAF:JD:tpd

Comment Letter LAFD*Response to Comment LAFD-1*

This comment summarizes the Project description, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment LAFD-2

This comment includes fire-flow standards that are applicable to the Project. The first sentence of the last paragraph on page IV.K-7 and the footnote on page IV.K-8 in Section IV.K (Public Services) of the Draft have been changed in the Final EIR to read as follows (refer to Section IV [Changes to the Draft EIR] of the Final EIR):

According to the ~~City Fire Code~~LAFD, the overall fire flow requirement for the Proposed Project, ~~a high density residential land use~~, is 4,0003,000 gpm from four adjacent fire hydrants flowing simultaneously with a 20 PSI minimum residual water pressure in the system.¹

¹ ~~City of Los Angeles Municipal Code, Section 57.09.06, Fire Flow.~~Los Angeles Fire Department, Comment Letter, Millage Peaks, Fire Chief, December 17, 2009.

Response to Comment LAFD-3

Regarding Fire Stations 10, 15, and 14, the first sentence of the first paragraph on page IV.K-4 in Section IV.K (Public Services) of the Draft have been changed in the Final EIR to read as follows (refer to Section IV [Changes to the Draft EIR] of the Final EIR):

Fire Station 15 is located at 915 W. Jefferson Boulevard in the USC University Village area, approximately 1.2 mile to the southwest of the project site. This station is staffed with ~~14~~ 12 members at all times. ~~Of these 14 members, six members are assigned to the Light Force (Truck and Engine), four members are assigned to the Fire Engine, two members are assigned to the Paramedic Rescue Ambulance, and two members are assigned to the Battalion Command Team.~~ The response time from Fire Station 15 to the project site is approximately 4.8 minutes, and complies with the LAFD desired performance standards. This station also meets the desired response distance to the project site.⁹

⁹ *Email correspondence from William Wells, Captain II-Paramedic, City of Los Angeles Fire Department, Planning Section, May 22, 2008.*

Response to Comment LAFD-4

This comment provides details regarding fire access to the Project site that is based on preliminary site plans. During the Project's permit process, the Project Applicant will submit more finalized versions of the site plans to the Los Angeles Fire Department (LAFD) for review, and will incorporate all requirements identified by the LAFD into the construction of the Project.

Response to Comment LAFD-5

Regarding the Project's compliance with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan of the General Plan, the Project will comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan of the General Plan, as noted by the LAFD.

Response to Comment LAFD-6

Regarding additional LAFD review of the Project, the commenter is referred to Response to Comment LAFD-4.

BOARD OF RECREATION AND
PARK COMMISSIONERS

BARRY A. SANDERS
President

LUIS A. SÁNCHEZ
Vice President

W. JEROME STANLEY
JOHNATHAN WILLIAMS

JON KIRK MUKRI
General Manager

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

LAPARKS
DEPARTMENT OF
RECREATION AND PARKS

221 N. FIGUEROA STREET, SUITE 100
LOS ANGELES, CA 90012

(213) 202-2681

FAX - (213) 202-2611

MICHAEL A. SHULL
Superintendent
Planning and Construction

January 26, 2010

RECEIVED
CITY OF LOS ANGELES

JAN 28 2010

ENVIRONMENTAL
UNIT

Department of City Planning
Environmental Review Section
200 North Spring Street, Room 750, City Hall
Los Angeles, CA 90012
Attention: David Somers, Environmental Review Coordinator

Dear Mr. Somers:

LORENZO PROJECT COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT

The following information has been prepared in response to your request for comments relative to the proposed Lorenzo Project Draft Environmental Impact Report. This proposed mixed-use project includes the development of approximately 1,400 residential units, located at 2300 S. Flower Street and 2327 S. Flower Street, in the Southeast Los Angeles area of the City of Los Angeles. These comments are regarding Section I. Introduction and Section IV.K.4: Environmental Impact Analysis, Public Services, Parks and Recreation.

Section 1.a.: Introduction/Summary: Table I-1. If the proposed on-site recreational and outdoor facilities do not fully satisfy the requirements of the Quimby Act, the project developer would be required to pay Quimby fees to the City to satisfy its obligation under the Quimby Act. With the provision of project included recreation and open space and the payment of appropriate in-lieu Quimby fees, the Proposed Project would have a less than significant impact upon park and recreation facilities.

As noted in Section IV.K.4, this project is not a subdivision and will not be subject to the City's Quimby Fee Ordinance. Therefore reference to the payment of these fees as a mitigating measure is an irrelevant statement.

Section IV.K.4.: Environmental Setting: City of Los Angeles: General Plan Framework Element. The General Plan Framework Element provides the City's standard long-range (minimum) ratios for parks to population. The City's standard minimum ratio of parks to population is two acres per 1,000 residents for neighborhood parks and one acre per 1,000 residents for community parks, and four acres per 1,000 residents of combined neighborhood and community parks. However, the City's Public Recreation Plan notes that these long-range standards may not be reached during the life of the plan and, therefore, include more attainable short-term and intermediate-range standards of one acre per 1,000 residents for neighborhood and community parks, or two acres per 1,000 residents combined.

The Department of Recreation and Parks routinely uses the long-range goals of the Public Recreation Plan in evaluating the potential environmental impacts of proposed developments. While the Public Recreation Plan does acknowledge short- and intermediate-range standards of Park Acreage for



Department of City Planning
Attn: David Somers
January 26, 2010
Page 2

Community Plan Standards, it is anticipated that a development of the magnitude of the proposed project may outlast the lifespan of the existing community plan, and strive to meet the long-range goals of the Public Recreation Plan.

3 cont.

Section IV.K.4.: Environmental Setting: City of Los Angeles: Code Required Open Space. The City of Los Angeles Municipal Code (LAMC) provides minimum standards for the amount of "open space" that residential development projects should provide on-site. Open space includes both common and private green space and recreational amenities that meet specific standards. However, it should be noted that not all areas designated as open space in the LAMC would be classified as park or recreational facilities under the City's Parkland fee program (discussed above), under the General Plan Framework Element, or the LADRP. Therefore, such open space should not be used as a basis to determine an environmental impact under CEQA with respect to parks and recreational facilities.

4

This is correct.

Section IV.K.4: Environmental Setting: City of Los Angeles: Project Impacts. The standard minimum parkland-to-population ratio, provided in the City's General Plan Framework Element, is two acres of parkland per 1,000 residents generated. Therefore, implementation of the Proposed Project would require approximately 8.3 acres of parkland.

5

As stated above, the Department of Recreation and Parks routinely uses the long-range goals of the Public Recreation Plan in evaluating the potential environmental impacts of proposed developments. With the estimated 4,154 new residents in the area, approximately 16.6 acres of new parkland would be required.

Section IV.K.4: Environmental Setting: City of Los Angeles: Project Impacts. Pursuant to LAMC Section 12.21 (G), the Proposed Project would be required to provide 100 square feet of open space for each unit with less than three habitable rooms, 125 square feet for each unit with three habitable rooms, and 175 square feet for each unit having more than three habitable rooms. As shown in Table IV.K-9, based on an estimated average unit size, the Proposed Project would require approximately 183,350 square feet of open space.

With regard to open space, the Proposed Project would provide 10 open courtyards, pools, spas, a gym, indoor basketball courts, an arcade, and an amphitheater, in addition to private balconies and terraces for the residential units. A total of approximately 186,836 square feet of open space would be provided throughout the project site, which would meet the open space expected to be required for the proposed residential units. Therefore, the Proposed Project would have a less than significant impact with respect to the open space required as set forth in the LAMC. The Proposed Project would also be required to comply with all parks and recreation fee requirements.

6

As stated above, not all areas designated as open space in the LAMC could be classified as park or recreational facilities under the City's Parkland fee program, under the General Plan Framework Element, or the LADRP. Such open space should not be used as a basis to determine an environmental impact under CEQA with respect to parks and recreational facilities.

Subtracting the open space square footage (186,350) from the total 'open space' provided (186,836) leaves only 486 square feet of space which possibly may qualify as features which will reduce the

Department of City Planning
Attn: David Somers
January 26, 2010
Page 3

demand for recreation and parks services and can be considered as a potentially mitigating measure. All proposed recreational amenities would need to be reviewed by LADRP to ensure they provide for recreational opportunities.

6 cont.

An additional 722,610 square feet of approved recreational space may need to be provided within the project in order to mitigate the project's impacts to a less than significant level.

As discussed above, this project is not a subdivision and may not be subject to the City's Quimby/Park Fee Ordinance. The only park fees the project may be required to pay are the Dwelling Unit Construction Tax of \$200 per unit. This fee would be insufficient to purchase the required park land off-site.

7

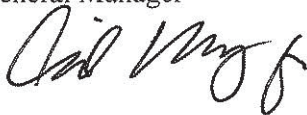
In considering the City's current Public Recreation Plan, the project applicant would need to provide either the 16.6 acres of parkland within a two-mile radius of the project site, provide sufficient park fees payment to the City, and/or provide on-site/off-site park and recreation facilities.

8

Thank you for the opportunity to provide this information. Please contact Camille Walls, at (213) 202-2678 or Melinda Gejer, of my staff, at (213) 202-2656 to arrange a meeting to further discuss this project.

Sincerely,

JON KIRK MUKRI
General Manager



MICHAEL A. SHULL
Superintendent

JKM/MAS/CDW/MG:ar

cc: Vicki Israel, Assistant General Manager, Dept of RAP
Debby Rolland, Superintendent, Metro Region (MS 656-1)
Camille D. Walls, City Planner, Dept of RAP
Melinda Gejer, City Planning Associate, Dept of RAP
Reading File

Comment Letter LAPARKS*Response to Comment LAPARKS-1*

This comment summarizes the Project description and notes the purpose of the commenter letter, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment LAPARKS-2

Regarding Quimby fees, the commenter is correct in stating that the Project is not subject to the Quimby Fee Ordinance. In response to this comment, the text in the third cell on Table I-1 on page I-27 in Section I (Introduction/Summary) of the Draft EIR has been changed to read as follows (refer to Section IV [Corrections and Additions to the Draft EIR] of the Final EIR):

Parks and Recreation ~~If the proposed on-site recreational and outdoor facilities do not fully satisfy the requirements of the Quimby Act, the project developer would be required to pay Quimby fees to the City to satisfy its obligations under the Quimby Act. With the provision of project included recreation and open space and the payment of appropriate in-lieu Quimby fees, the Proposed Project would have a less than significant impact upon park and recreation facilities. The Project includes total of approximately 186,836 square feet of open space would be provided throughout the project site, which would meet the open space expected to be required for the proposed residential units. Therefore, the Proposed Project would have a less than significant impact with respect to the open space required as set forth in the LAMC.~~	None.	Less than significant

Response to Comment LAPARKS-3

This comment quotes text from the Draft EIR and states that the Project may "...strive to meet the long-range goals of the Public Recreation Plan," but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment LAPARKS-4

This comment quotes text from the Draft EIR and states that the text is correct, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment LAPARKS-5

Regarding the City's Public Recreation Plan's parks-to-population standard, the short-term standard is one acre per 1,000 residents for neighborhood and community parks, or two acres per 1,000 residents combined. Based on the more conservative standard, assuming the Project generates 4,154 people, the amount of parkland required would be 8.3 acres, as noted in Section IV.K (Public Services). However, the commenter states that the Department of Recreation and Parks "routinely uses the long-range goals of the Public Recreation Plan" and that using the long-range goal would require 16.6 acres of new parkland. Individual development projects are not required to meet the citywide standards identified in the Public Recreation Plan as this comment asserts. In fact, the City's Public Recreation Plan states that "the number of acres of public recreation lands is not an adequate measure of how City recreation requirements are being fulfilled".¹⁰ Rather, project impacts are to be assessed using the methodology set forth in the City of Los Angeles CEQA Thresholds Guide. Section IV.K, Public Services, of the Draft EIR accurately concluded that the Proposed Project's impacts on recreation and parks would be less than significant without mitigation. This conclusion was based on an assessment of the need for parks in the project area, the project's proposed land uses, and with consideration of the proposed on-site amenities. Based on these factors the lead agency concluded that the Proposed Project's impacts on recreation and park facilities would be less than significant.

Response to Comment LAPARKS-6

Regarding the Project's impacts related to parks and recreational facilities, the Project would provide approximately 186,836 square feet of open space, including 10 open courtyards, pools, spas, a gym, indoor basketball courts, an arcade, and an amphitheater, in addition to private balconies and terraces for the residential units. The Project would meet the requirements of LAMC Section 12.21, and is expected to meet the open space requirements outlined in the City's General Plan. During the Project's permit review period, the City would make a final determination of the open space requirements of the Project, including how much of the 186,836 square feet of Project open space meets the requirements of the General Plan and whether the Applicant would be required to pay any "in-lieu fees" for the provision of

¹⁰ City of Los Angeles Department of City Planning and Department of Recreation and Parks, *Public Recreation Plan Section 1, Background/Implementation Report*, page IV-4.

parks and recreational features. While recreational facilities provided for LAMC purposes do not automatically qualify toward the parks and recreation requirement, they are evaluated on a project-by-project basis and are not disqualified for counting towards both requirements. As stated on page IV.K-34 in Section IV.K (Public Services) of the Draft EIR, “The Proposed Project would also be required to comply with all parks and recreation fee requirements.”

Response to Comment LAPARKS-7

Regarding Quimby Fees, the commenter is referred to Response to Comment LAPARKS-2. Regarding the Dwelling Unit Construction Tax, if required, the Project Applicant will pay a Dwelling Unit Construction Tax. The sufficiency of the tax to purchase parkland is not an issue of the Project.

Response to Comment LAPARKS-8

Regarding parkland acreage, the comment is referred to Response to Comment LAPARKS-5. Regarding payment of fees, the commenter is referred to Responses to Comments LAPARKS-6 and LAPARKS-7.

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

LADOT

Flower St & 23rd St
DOT Case No. CEN 06-3134

Date: March 16, 2010

To: Hadar Plafkin, City Planner
Department of City Planning

From:  Tomas Carranza, Senior Transportation Engineer
Department of Transportation

Subject: **DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE MIXED-
USE DEVELOPMENT (THE LORENZO) LOCATED ON FLOWER
STREET AND 23RD STREET**

The Department of Transportation (DOT) has reviewed the DEIR for the proposed mixed-use project, dated November 2009, prepared by Christopher A. Joseph & Associates, and the supporting traffic study, prepared by traffic consultant, KOA Corporation. The project is located on the southeast corner and the southwest mid-block portion of Flower Street and 23rd Street. The DEIR is consistent with DOT's project assessment letter, dated October 31, 2006 (attached), which summarized the findings of the project's original traffic study. As indicated in the DOT letter, the traffic study analyzed eleven intersections and determined that three of the study intersections would be significantly impacted. The traffic section of the DEIR adequately evaluated the project's anticipated impacts on the surrounding community.

1

DISCUSSION AND FINDINGS**1. Project Description**

The project site is located on the west and east sides of Flower Street between Adams Boulevard and 23rd Street. The project will include 1,500 apartments on the main portion of the site east of Flower Street and in a tower on the west side of Flower Street. The project will also include 40,000 square feet of ground-floor commercial area that will be oriented to the planned Metro Rail Exposition Light Rail station adjacent to the project. The existing Orthopedic Hospital and medical office buildings will be replaced by the proposed project.

The project will provide a total of 2,741 parking spaces. Access to the parking areas will be provided by one main driveway on the south side of Adams Boulevard, three driveways along the north side of 23rd Street and one driveway on the west side of Flower Street. The subterranean parking garages east and west of Flower Street are proposed to be connected via a tunnel under Flower Street. Attachment 2 of the DOT report dated October 31, 2006 illustrates the proposed areas of development and access points.

2

2. Project Alternatives

In addition to the proposed project described above, the DEIR included the analysis of the following three alternatives:

- A. No Project Alternative: The proposed project would not be constructed and the existing land uses would remain.
- B. Reduced Height/Density Alternative: This alternative would construct 974 residential units and 51,281 square-feet of retail. According to the DEIR, this alternative would not result in any significant traffic impacts and, therefore, no mitigation measures would be required.
- C. All Commercial Development: In this alternative, the project would construct 108,950 square feet of retail uses and 69,900 square feet of office space. According to the DEIR, this would result in an additional three significant impacts (beyond the proposed) and would, therefore, have a greater impact than the proposed project.

3

3. Trip Generation

The project is estimated to result in a net increase of approximately 1,598 daily trips, 126 net new trips in the a.m. peak hour and 152 net new trips in the p.m. peak hour.

4

If you have any questions, please contact Wes Pringle of my staff at (213) 972-8482.

Attachments

- c: Greg Fischer, Council District No. 9
Mehrddad Moshksar, Central District, DOT
Brian Marchetti, Katz, Okitsu & Associates

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

LADOT
(Cont)

Flower St & 23rd St
DOT Case No. CEN 06-3134

Date: October 31, 2006

To: Hadar Plafkin, City Planner
Department of City Planning

From: 
Mike Bagheri, Transportation Engineer
Department of Transportation

Subject: **TRAFFIC IMPACT ANALYSIS FOR THE MIXED-USE DEVELOPMENT
LOCATED ON FLOWER STREET AND 23RD STREET**

The Los Angeles Department of Transportation (LADOT) has reviewed the traffic impact analysis, dated June 26, 2006, prepared by traffic consultant Katz, Okitsu & Associates for the proposed retail mixed-use development located on the southeast corner and the southwest mid-block portion of Flower Street and 23rd Street. The study analyzed eleven intersections and determined that three of the study intersections would be significantly impacted by project related traffic (Attachment 1). With the traffic mitigations described herein, project related traffic impacts are expected to be reduced to a level of insignificance at three intersections. Except as noted, the study adequately evaluated the project-related traffic impacts on the surrounding community.

DISCUSSION AND FINDINGS

Project Description

The project site is located on the west and east sides of Flower Street between Adams Boulevard and 23rd Street. The project will include 1,500 apartments on the main portion of the site east of Flower Street and in a tower on the west side of Flower Street. The project will also include 40,000 square feet of ground-floor commercial area that will be oriented to the planned Metro Rail Exposition Light Rail station adjacent to the project. The existing Orthopedic Hospital and medical office buildings will be replaced by the proposed project.

The project will provide a total of 2,741 parking spaces. Access to the parking areas will be provided by one main driveway on Adams Boulevard, three driveways along 23rd Street and one driveway on Flower Street accessing to the west side of the project. The parking garage areas east and west of Flower Street may be linked via a tunnel. Attachment 2 illustrates the proposed areas of development and access points. The project is expected to be complete by 2009.

Trip Generation

The project will result in a net increase of approximately 1,598 daily trips with 126 trips in the AM peak hour and 152 trips in the PM peak hour (Attachment 3).

Significant Traffic Impact Locations

Per the DOT Traffic Study Policies and Procedures Revised March 2002, a significant impact is identified as an increase in the Critical Movement Analysis (CMA) value, due to project-related traffic, of 0.010 or more when the final ("with project") Level of Service (LOS) is LOS E or F; an increase of 0.020 or more when the final LOS is LOS D; or an increase of 0.040 or more when the final LOS is LOS C. The proposed project will experience significant traffic impacts at the following locations:

1. Figueroa Street and 23rd Street (a.m. peak and p.m. peak periods)
2. Flower Street and 23rd Street (p.m. peak period)
3. Grand Avenue and 23rd Street (a.m. peak and p.m. peak periods)

PROJECT REQUIREMENTS**A. Figueroa Street and 23rd Street
Flower Street and 23rd Street
Grand Avenue and 23rd Street**

The project proposes to construct a proportionate share of the South Park, Coliseum and Light Rail ATCS systems and fund a proportionate share of the ATCS operation upgrade cost for installations/modifications of the existing traffic signals to mitigate the impact at the intersections above. This is acceptable to LADOT. The proposed improvement will mitigate the impacts to a level of insignificance. The South Park, Coliseum and Light Rail ATCS subsystems shall be implemented as described in Attachment 4.

B. Construction Impacts

A construction work site traffic control plan should be submitted to LADOT's Central District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. LADOT also recommends that all construction related traffic be restricted to off-peak hours.

C. Highway Dedication and Street Widening Requirements

Flower Street is classified as a Secondary Highway, which requires a 35-foot half-width roadway on a 45-foot half-width right-of-way. LADOT recommends a 5-foot easement for the Metro Rail Exposition Light Rail.

23rd Street is classified as a Collector Street, which requires 22-foot half-width roadway on a 32-foot half-width right-of-way.

Adams Boulevard is classified as a Class II Major Highway, which requires a 40-foot half-width roadway on a 52-foot half-width right-of-way.

D. Project Improvements Implementation

Unless otherwise specified, the proposed improvements shall be implemented through the BOE B-Permit process. Construction of the improvements to the satisfaction of LADOT and BOE must be completed before issuance of any certificate of occupancy. Should any improvement not receive required approval, the City may substitute an alternative measure of any equivalent cost and effectiveness. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact LADOT's B-Permit Coordinator, telephone 213-928-9663, to arrange a pre-design meeting to finalize the proposed design needed for the project.

E. Parking Requirements

The project proposes to provide a total of 2,741 parking spaces. The developer should check with the Department of Building and Safety on the number of Code required parking spaces needed for the project.

F. Driveway Access and Circulation

The review of this study does not constitute approval of the driveway access and circulation scheme. Those require separate review and approval and should be coordinated as soon as possible with LADOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3 at 213-482-7024) to avoid delays in the building permit approval process. DOT recommends that there should be only one driveway on 23rd Street. All driveways should be Case 2 driveways and 30 feet wide for two-way operations. Any proposed gates on streets fronting the project should have at minimum a 40' reservoir space from the existing or the new property line. All delivery truck loading and unloading will take place on-site with no trucks backing into or out of the project site from any adjacent street.

If you have any questions, please contact Chris Hy of my staff at (213) 972-8483.

Attachments

cc: Greg Fischer, Council District No. 9
Martha Stephenson, Central District, DOT
Judy Wong, Design Division, DOT
Verej Janoyen, ATSAC Division, DOT
Shu Hua Chen, Accounting Division, DOT
Taimour Tanavoli, Citywide Planning Coordination Section, DOT
Carl Mills, Central District, BOE
Joel Falter, Katz, Okitsu & Associates

Table 7 – Determination of AM Peak Significant Project Impacts

AM Peak Hour Intersection Conditions									
ID#	Intersection **	Existing (2006) Conditions		Future (2009) Pre-Project Conditions *		Future (2009) Post-Project Conditions		Diff vs. Pre-Proj	Signif?
		V/C	LOS	V/C	LOS	V/C	LOS		
1	Figueroa St. / Washington Blvd.	0.763	C	0.809	D	0.812	D	0.003	No
2	Southbound I-110 Off-Ramp / 23rd St.	0.432	A	0.498	A	0.491	A	-0.007	No
3	Figueroa St. / 23rd St.	0.782	C	0.974	E	0.990	E	0.016	YES
4	Flower St. / 23rd St.	0.287	A	0.351	A	0.327	A	-0.024	No
5	Grand Ave. / 23rd St.	0.486	A	0.735	C	0.806	D	0.071	YES
6	Hoover St. / Adams Blvd.	0.205	A	0.241	A	0.239	A	-0.002	No
7	Figueroa St. / Adams Blvd.	0.777	C	0.875	D	0.880	D	0.005	No
8	Flower St. / Adams Blvd.	0.384	A	0.428	A	0.423	A	-0.005	No
9	Northbound I-110 Off-Ramp / Adams Blvd.	0.543	B	0.599	A	0.585	B	-0.014	No
10	Grand Ave. / Adams Blvd.	0.572	B	0.692	B	0.703	C	0.011	No
11	Figueroa St. / Jefferson Blvd.	0.842	D	0.974	E	0.971	E	-0.003	No

* Includes analysis of traffic volume increases from ambient growth and planned area projects.

** All study intersections have existing ATSAC synchronization equipment. Consistent with LADOT policy, operations credits of 0.07 per intersection were taken.

Table 8 – Determination of PM Peak Significant Project Impacts

PM Peak Hour Intersection Conditions									
ID#	Intersection **	Existing (2006) Conditions		Future (2009) Pre-Project Conditions *		Future (2009) Post-Project Conditions		Diff vs. Pre-Proj	Signif?
		V/C	LOS	V/C	LOS	V/C	LOS		
1	Figueroa St. / Washington Blvd.	0.694	B	0.910	E	0.917	E	0.007	No
2	Southbound I-110 Off-Ramp / 23rd St.	0.292	A	0.393	A	0.405	A	0.012	No
3	Figueroa St. / 23rd St.	0.679	B	0.974	E	0.986	E	0.012	YES
4	Flower St. / 23rd St.	0.580	A	0.712	C	0.756	C	0.044	YES
5	Grand Ave. / 23rd St.	0.562	A	0.851	D	0.871	D	0.020	YES
6	Hoover St. / Adams Blvd.	0.319	A	0.395	A	0.393	A	-0.002	No
7	Figueroa St. / Adams Blvd.	0.854	D	1.035	F	1.033	F	-0.002	No
8	Flower St. / Adams Blvd.	0.754	C	0.820	D	0.832	D	0.012	No
9	Northbound I-110 Off-Ramp / Adams Blvd.	0.640	B	0.711	C	0.719	C	0.008	No
10	Grand Ave. / Adams Blvd.	0.520	A	0.684	B	0.705	C	0.021	No
11	Figueroa St. / Jefferson Blvd.	0.968	E	1.187	F	1.188	F	0.001	No

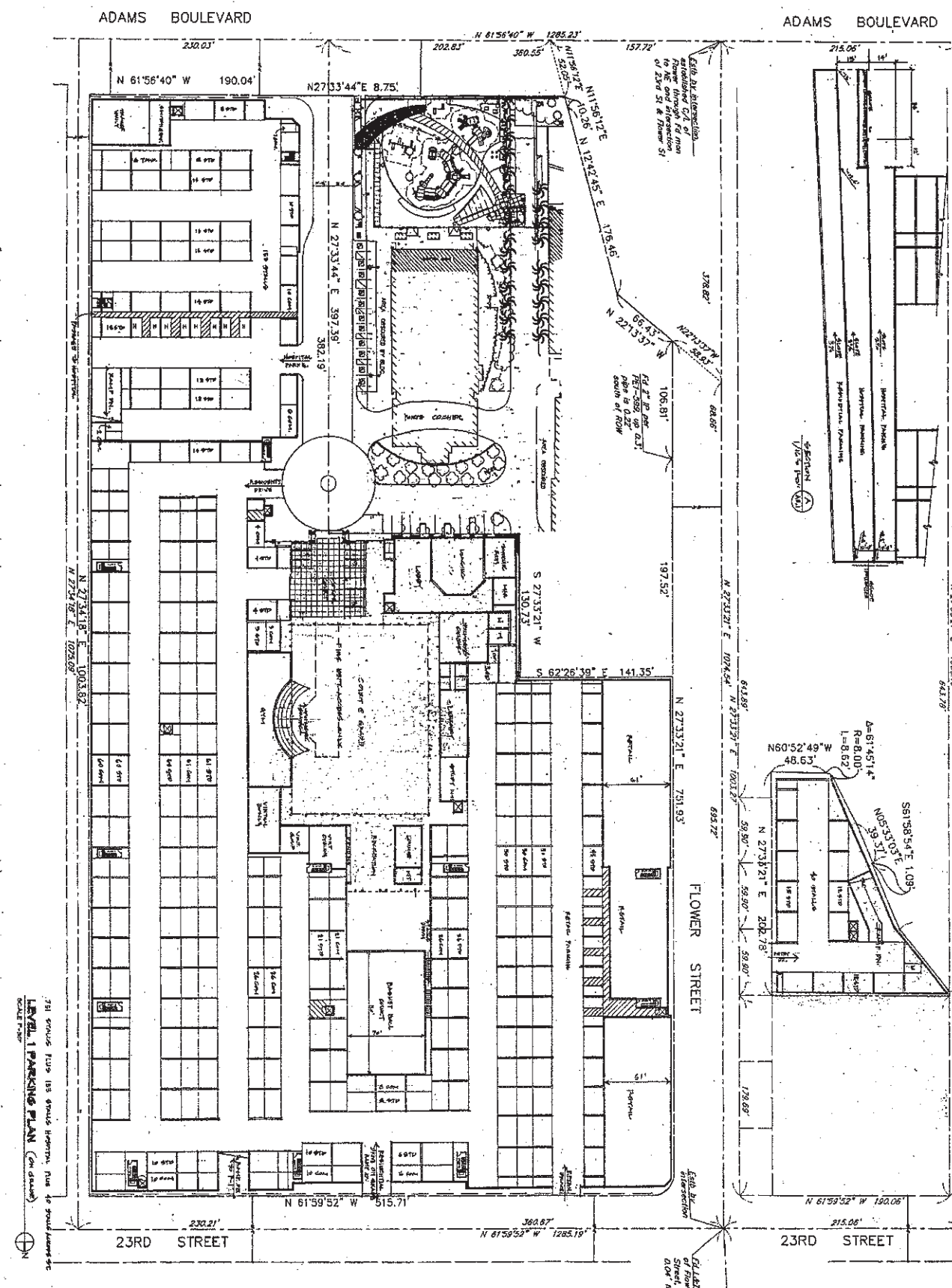
* Includes analysis of traffic volume increases from ambient growth and planned area projects.

** All study intersections have existing ATSAC synchronization equipment. Consistent with LADOT policy, operations credits of 0.07 per intersection were taken.

B. Recommended Mitigation Measures

Katz, Okitsu & Associates has identified measures to mitigate the significant traffic impacts of the proposed Project, as defined by this document. The analysis of mitigations does not include detailed analysis of intersection geometry or traffic signal design. General issues associated with these improvements, based on fieldwork observations and related field measurements, were examined for this report section. When the recommended measures are approved by LADOT, final feasibility studies and engineering design will be undertaken before implementation.

The City of Los Angeles ATSAC system provides a network of traffic signal controllers, for centralized control of traffic signals for optimal synchronization. The ATCS system is a more advanced form of signal synchronization technology that builds upon the ATSAC system. Under



A31

THE FERRANTE
A RESIDENTIAL COMMUNITY AT 23RD ST. AND FLOWER
FOR G.H. PALMER ASSOCIATES

NELSON/BOIVIN-ARCHITECTS
2108 OCELA DR., TORRANCE, CALIFORNIA 90503 (310) 435-1514
11500 SHAWAN WAY, SUITE 200, REDDING, CALIFORNIA 96001 (916) 734-1514



Project Trip Generation

Table 5 - Project Trip Generation

TRIP GENERATION RATES									
Land Use	Intensity	Units	Daily	Weekday AM Total	Weekday AM IN	Weekday AM OUT	Weekday PM Total	Weekday PM IN	Weekday PM OUT
High Rise Apartments (Land Use 222)	-	D.U.	4.20	0.30	0.08	0.23	0.35	0.21	0.14
Hospital (Land Use 610)	-	KSF	17.57	1.20	0.80	0.40	1.18	0.39	0.79
General Office (Land Use 710)	-	KSF	11.01	1.55	1.36	0.19	1.49	0.25	1.24
Medical Office (Land Use 720)	-	KSF	36.13	2.48	1.96	0.52	3.72	1.00	2.72
Shopping Center (Land Use 820)	-	KSF	42.94	3.75	1.88	1.88	3.75	1.88	1.88
FORECAST TRIP GENERATION									
Existing Use									
Land Use	Intensity	Units	Daily	Weekday AM Total	Weekday AM IN	Weekday AM OUT	Weekday PM Total	Weekday PM IN	Weekday PM OUT
Hospital (Land Use 610)	190.88	KSF	3,345	228	153	75	225	74	151
General Office (Land Use 710)	21.00	KSF	231	33	29	4	31	5	26
Medical Office (Land Use 720)	37.50	KSF	1,355	93	73	20	140	38	102
Total Existing Use			4,931	354	255	99	395	117	278
Proposed Use									
High Rise Apartments (Land Use 222) - Main Site	1,000.00	D.U.	4,200	300	75	225	350	214	137
High Rise Apartments (Land Use 222) - Adjacent to the Freeway	500.00	D.U.	2,100	150	38	113	175	107	68
Shopping Center (Land Use 820) - Reduced by 50% since target customer are transit oriented	40.00	KSF	859	75	38	38	75	38	38
Transit Commuter Credit - Future Exposition Line (10%) - Residential Uses Only			-630	-45	-11	-34	-53	-32	-20
Total Existing Use			6,529	480	139	341	548	326	222
DIFFERENCE			1,598	126	-116	242	152	209	-57

Note: Hospital size is the sum of the square footage for the main hospital, engineering building and thrift shop and rehabilitation building.
PM rate used for the AM peak for transit center retail with 50-50 inbound/outbound split

B. Project Trip Distribution

Trip distribution is the process of assigning the directions from which traffic will access a project site. Trip distribution is dependent upon the land use characteristics of the project and the general locations of other land uses to which project trips will originate or terminate. Project trip distribution was based on knowledge of development trends in the area, local and sub-regional traffic routes, regional traffic flows, and access points to the Project site.

The project will be developed in two separate areas. The larger area will be located to the east of Flower Street between 23rd Street on the north and Adams Blvd. on the south. A second area will be developed on the west side of Flower Street.

SOUTH PARK, COLISEUM AND LIGHT RAIL ATCS SUB-SYSTEMS IMPLEMENTATION

Figueroa Street and 23rd Street
Flower Street and 23rd Street
Grand Avenue and 23rd Street

The proposal to construct a proportionate share of the South Park, Coliseum and Light Rail ATCS Systems and fund a proportionate share of the ATCS operation upgrade cost for installations/modifications of the existing traffic signals to mitigate the impact at the intersections above is acceptable to LADOT.

The applicable proportionate share of the subsystem to mitigate the intersections listed above has been defined loosely as the area bounded by Venice Boulevard to the north, Jefferson Boulevard to the south, Hoover Street to the west and Main Street to the east.

Prior to the issuance of any building permits, the applicant shall guarantee the implementation of the proportionate share of the South Park, Coliseum and Light Rail ATCS subsystems by posting a B-Permit Bond to the satisfaction of the Department of Public Works, Bureau of Engineering (BOE) and LADOT to design and construct, and connect ATSAC/ATCS, ATSAC/ATCS detector loops, controllers and CCTV Cameras (as indicated) at the intersections noted below; and shall make a cash deposit of \$15,000 to LADOT for the ATCS subsystem integration cost.

CCTV Camera

1. 23rd Street and Figueroa Street
2. Adams Boulevard and Hoover Street

Model 2070 Controller

1. Hoover Street and Venice Boulevard
2. Burlington Avenue and Venice Boulevard
3. Union Avenue and Venice Boulevard
4. Convention Center Drive and Venice Boulevard
5. Figueroa Street and Venice Boulevard
6. Hope Street and Venice Boulevard
7. Hill Street and Venice Boulevard
8. Main Street and Venice Boulevard
9. Hoover Street and Washington Boulevard
10. Union Avenue and Washington Boulevard
11. Oak Street and Washington Boulevard
12. 17th Street and Hill Street
13. 17th Street and Main Street
14. 18th Street and Figueroa Street
15. 18th Street and Hill Street
16. 18th Street and Main Street
17. 20th Street and Hoover Street
18. Hoover Street and Santa Monica Freeway E/B Ramps
19. 23rd Street and Hoover Street
20. 24th Street, Hoover Street, and Union Avenue
21. 23rd Street and Union Avenue
22. 23rd Street, Oak Street, and Scarff Street
23. 23rd Street, Figueroa Way, and Harbor Freeway S/B Off-ramp

24. 23rd Street and Figueroa Street
25. 23rd Street and Flower Street
26. 23rd Street and Grand Avenue
27. Grand Avenue between Washington Boulevard and 21st Street
28. Hill Street between Washington Boulevard and 21st Street
29. 23rd Street and Main Street
30. Adams Boulevard and Flower Street
31. Adams Boulevard and Harbor Freeway N/B Off-ramp
32. Adams Boulevard and Grand Avenue
33. Adams Boulevard and Hill Street
34. 30th Street and Flower Street
35. 30th Street and Hill Street
36. 30th Street and Main Street
37. 32nd Street and Hoover Street
38. Jefferson Boulevard and Royal Street
39. Flower Street and Jefferson Boulevard
40. Grand Avenue and Jefferson Boulevard
41. Jefferson Boulevard and Hill Street

ATSAC/ATCS Detector Loop

Hill Street and Venice Boulevard

- 2 E/B System Detectors
- 2 W/B System Detectors
- 2 N/B System Detectors
- 2 S/B System Detectors

Main Street and Venice Boulevard

- 2 E/B System Detectors
- 2 W/B System Detectors
- 2 N/B System Detectors
- 2 S/B System Detectors

17th Street and Hill Street

- 2 W/B System Detectors
- 2 N/B System Detectors
- 2 S/B System Detectors

17th Street and Broadway

- 2 W/B System Detectors
- 2 N/B System Detectors
- 2 S/B System Detectors

17th Street and Main Street

- 2 W/B System Detectors
- 2 N/B System Detectors
- 2 S/B System Detectors

18th Street and Hill Street

- 3 E/B System Detectors
- 2 S/B System Detectors
- 2 N/B System Detectors

18th Street and Broadway

2 N/B System Detectors

2 S/B System Detectors

18th Street and Main Street

2 E/B System Detectors

2 N/B System Detectors

2 S/B System Detectors

Hoover Street and Washington Boulevard

2 W/B System Detectors

23rd Street and Hoover Street

1 E/B System Detector

23rd Street and Union Avenue

1 W/B System Detector

23rd Street and Grand Avenue

1 W/B System Detector

23rd Street and Broadway

2 N/B System Detectors

2 S/B System Detectors

23rd Street and Main Street

1 E/B Limit Line Detector

1 W/B Limit Line Detector

2 N/B System Detectors

2 S/B System Detectors

24th Street, Hoover Street, and Union Avenue

2 E/B System Detectors

2 W/B System Detectors

Adams Boulevard and Hill Street

2 E/B System Detectors

2 W/B System Detectors

2 N/B System Detectors

2 S/B System Detectors

28th Street and Figueroa Street

3 N/B System Detectors

2 S/B System Detectors

30th Street and Hoover Street

2 E/B System Detectors

2 W/B System Detectors

32nd Street and Hoover Street

2 W/B System Detectors

2 N/B System Detectors

2 S/B System Detectors

Jefferson Boulevard and Royal Street

1 S/B System Detector

Jefferson Boulevard and Hill Street

2 E/B System Detectors

Hill Street between Washington Boulevard and 21st Street

2 N/B System Detectors

2 S/B System Detectors

Broadway between Washington Boulevard and 21st Street

2 N/B System Detectors

2 S/B System Detectors

TOTAL INSTALLATIONS

- 2 CCTV Cameras
- 41 Model 2070 Traffic Signal Controllers
- 98 System Detectors
- 2 Limit Line Detectors

Prior to the issuance of any certificate of occupancy permits, the applicant shall, through the City's B-Permit process, construct and connect all necessary ATSAC/ATCS equipment, ATCS equipment, system detector loops, controllers and CCTV equipment required for the proportionate share of the South Park, Coliseum and Light Rail ATCS subsystems. Prior to commencing the B-Permit design work, the applicant should contact the LADOT Signal Design Section at 213-928-9640 for detailed design instructions.

Comment Letter LADOT*Response to Comment LADOT-1*

This comment states that LADOT has reviewed the Draft EIR for the Project and confirms that the traffic section of the Draft EIR adequately evaluated the Project's anticipated impacts on the surrounding community.

Response to Comment LADOT-2

This comment summarizes the Project description, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment LADOT-3

This comment summarizes the alternatives to the Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment LADOT-4

This comment estimates the Project's trip generation, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

From: "Hwang, Jin" <Jin.Hwang@ladwp.com>
To: "Adam Villani" <Adam.Villani@lacity.org>
CC: "Erb, Thomas" <Thomas.Erb@WATER.LADWP.com>, "Pettijohn, David" <David.Pe...>
Date: 12/3/2009 2:29 PM
Subject: The Lorenzo Project- Draft EIR (ENV-2006-9471-EIR) Comments

Mr. Adam Villani,

After reviewing the Draft EIR (ENV-2006-9471-EIR) for the Lorenzo Project, the Los Angeles Department of Water and Power (LADWP) has the following comments:

1. DEIR pages IV.M-15, IV.M-16 and IV.M-17 state that water consumption for the Proposed Project was estimated using 118% (residential uses) or 128% (other uses) of standard wastewater generation rates. The method to calculate water demand by applying 118% and 128% to the sewer generation rates is no longer used. This method was previously used as an average to account for landscaping water demands. Landscaping water demand is now calculated using the Landscape Water Management Program. If the demands were calculated as described (118%/128%), the water use would have been significantly higher given the minimal total landscaped area when compared to the large residential/commercial area.

1

2. Water Supply Assessment pages 3 and 4 are switched in order.

2

Please let me know if you have any questions on our comments. Thank you.

Jin Hwang

Civil Engineering Associate

Los Angeles Department of Water and Power

Water Resources Development Group

213-367-4845

Comment Letter LADWP

Response to Comment LADWP-1

Regarding the Project's water consumption, it is noted that the method of estimated water consumption used in the Draft EIR over estimates the Project's water consumption. The total estimated water consumption rate of 205,233 gallons per day (gpd) (prior to water conservation measures) matches the findings of the Water Supply Assessment prepared by LADWP.

Response to Comment LADWP-2

Regarding the Water Supply Assessment, the Water Supply Assessment in its proper order is included in Appendix B of the Final EIR.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,


Name
1979 E 3rd St Apt #202
Address
Los Angeles CA 90007
City, State and Zipcode

RESPONSES TO PUBLIC COMMENTS

Comment Letter Aguilar

Response to Comment Aguilar-1

This comment expresses opposition to the Project and concern about the loss of affordable housing and unhealthy air quality, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 3 (Affordable Housing).

Response to Comment Aguilar-2

This comment asserts that the Draft EIR failed to address building deterioration in the area due to neglect. The upkeep and maintenance of buildings in the Project area is the responsibility of the owners of those buildings and is not related to the Project. Neglect and deterioration of buildings in the area is not an environmental issue caused by or related to the Project. Thus, it is not a failure of the Draft EIR that this issue was not addressed.

The comment also asserts that implementation of the Project would increase property values in the area, push out low income families, and cause a loss of affordable housing, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to this portion of the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 3 (Affordable Housing).

Response to Comment Aguilar-3

Regarding air quality impacts of the Project, the commenter is referred to Section IV.C (Air Quality), which includes an analysis of air quality impacts of the Project. The analysis concludes that, with mitigation, Project impacts related to consistency with the Air Quality Management Plan (AQMP), construction-related emissions, greenhouse gases (GHG), and localized carbon monoxide (CO) emissions would be less than significant. The section also discloses that the Project would result in a significant and unavoidable impact related to operational volatile organic compound (VOC) emissions.

January 25, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

I am writing as a member and Church Council Executive Committee official of St. Mark's Lutheran Evangelical Church congregation, in this community for over 100 years, to express concern regarding the proposed Lorenzo Project Case No. # ENV-2006-9471-EIR at 2330 and 2337 South Flower Street. The largest concern regarding this project is the negative ramifications of this project on the long-term residents of the surrounding community, who are primarily Latino and African American working class families. St. Mark's is a congregation proud of our diversity, with especially strong representation from the Belizean American, African American, and Latino communities, and members of all ages and incomes who come together each week. It is part of our congregation's mission to be multi-lingual, multi-cultural, and it is also part of our mission to serve the needs of our members and community. Our synod, the Southwest California Synod of the Evangelical Lutheran Church in America, is committed to outreaching to diverse congregations, and to re-rooting congregations in their communities.

1

We have seen many changes in our community in the 104 years we have been at the corner of Vermont Avenue and West 36th Place. We've adapted and grown, welcoming new families as the demographics have shifted over the decades. In the past thirty years, we have seen the expansion of our neighbor across the street, and greeted students into the surrounding neighborhood. However, these changes have also meant we have lost dozens of families from our congregation, as they can no longer afford the escalating home prices; at the same time, we have seen the need for our support services dramatically increase.

2

The proposed project is just a little over a mile and a half from our church, near a number of our congregants' homes. This area have long been forced to endure poor planning decisions and misguided development that have left the residents exposed to environmental harms, lacking necessary commercial and health services infrastructure, and facing ever decreasing supplies of high-quality affordable housing due to gentrification, demolition, and unscrupulous management practices. These factors have contributed to the loss of our congregants, many of whom are no longer able to afford to live in the community, or no longer feel welcome. The proposed project would only serve to further displace community members, like our congregants, who will no longer be able to remain in the community they have raised their families in and struggled to make their homes, despite a lack of necessary commercial

3

and health services infrastructure. Our congregants and residents deserve to benefit from the investment they've made in this community, an investment of time, entrepreneurship, mutual aid, and love. Our congregants and neighbors deserve needed infrastructure of community-serving retail or sorely needed health services, much needed affordable housing, public open space, and beautiful design; this project provides none of those things.

3 cont.

In addition, the project site was formally occupied by Orthopedic Hospital. Orthopedic Hospital, situated at the nexus of the two Service Planning Areas (SPA) in the County of Los Angeles, has the highest percentages of people with no regular source of health care-- 25.9% (SPA 4) and 20.9% (SPA 6) of adults, and 11.2% (SPA 4) and 10.2% (SPA 6) of children. The hospital's demolition in January of 2008 exacerbated the lack of hospitals and clinics in an area that was already underserved in terms of health care. Removing the Q condition and building this luxury housing would eliminate the possibility of remedying that problem for the 93, 937 residents estimated to live in South Los Angeles in 2010 (per SCAG forecast). It is a critical area in dire need of infrastructure to addresses the deficit of health services.

4

Negative impacts to air quality from the construction of this massive project would also lead to unmitigated negative effects to children's health, children who are already overburdened with environmental harms leading to respiratory disease. A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) and Esperanza Community Housing Corporation, found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. The construction related to this project would only serve to worsen this vulnerable population's health. Not only that, but the increased traffic related to the project, during construction and operation, will bisect heavily used pathways for school children and other pedestrians on a street the city has stated it want to re-imagine as welcoming to pedestrians with the proposed Figueroa Corridor streetscaping project.

5

We are most concerned about the failure of the draft EIR to adequately address the imminent gentrification of the surrounding community; including physical deterioration of buildings due to neglect and the loss of affordable housing in the area; the complete lack of an environmental energy analysis in the draft EIR; the identified negative air and noise quality impacts of the construction and operations; the possible violation of water quality regulations; and the failure to maintain the "Q" condition reserved for the proposed site. The draft EIR also defines the neighborhood too narrowly—the neighborhood is much bigger than the area studied in the EIR.

6

Specifically, we request the following:

1. The City properly and thoroughly address the significant environmental impacts identified in the draft EIR through mitigation measures that are community developed and community based;
2. The City request that a full energy analysis be completed in the final EIR, including appropriate mitigation and conservation measures as required by CEQA;

7

8

3. The City provide all of the final EIR materials translated into Spanish so that community residents, such as our Spanish-speaking congregants, can take active part in this important decision-making process. To refuse to translate the materials would be a violation of civil rights law, and bad public policy;

9

4. The City maintain the "Q" condition on the site to address a community underserved by the inequitable distribution and disinvestment of public and private health care resources.

10

Please ensure that a full study is conducted of this proposed project, and that the dangerous potential harms to health and community in this area are considered in depth. It would be a disaster if the health and well-being of the long-term residents, our congregants and neighbors, the community our church serves each week, were driven out by investment in this area, rather than being able to benefit from it. Our members and neighbors deserve better.

11

Sincerely,

Lauren Akins Ahkiam
Council Executive Committee
St. Mark's Evangelical Lutheran Church
3651 S. Vermont Ave.
Los Angeles, CA 90007

Comment Letter Ahkiam*Response to Comment Ahkiam-1*

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ahkiam-2

This comment includes statements about the Project area, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ahkiam-3

The commenter asserts that the Project would displace community members, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. There are no residences currently occupying the project site. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to this portion of the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ahkiam-4

Regarding removal of the [Q] conditions from the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Ahkiam-5

Regarding air quality impacts of the Project, the health effects related to pollutant emissions are outlined in Section IV.C (Air Quality) of the Draft EIR, beginning on page IV.C-5. An analysis of air quality impacts of the Project begins on page IV.C-33. This analysis concludes that the amount of CO, SO_x, and PM_{2.5} emitted during the Project's construction phase would not exceed SCAQMD thresholds for those pollutant emissions. However, the amount of VOCs, NO_x, and PM₁₀ emitted during construction would exceed SCAG's thresholds for those pollutant emissions, but with mitigation (refer to Mitigation Measures C-1 through C-16), all construction-related air quality impacts would be less than significant, with the exception of NO_x emissions, which would remain significant and unavoidable.

Additionally, the analysis of air quality impacts of the Project concludes that the amount of NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emitted during the Project's operational phase, including CO emissions associated with traffic, would not exceed SCAQMD thresholds for those pollutant emissions. As disclosed in Section IV.C, the amount of VOCs emitted during the operational phase would exceed the SCAQMD threshold for that pollutant emission, and no mitigation is available to reduce the impact to less than significant; Project impacts related to operational VOC emission would be significant and unavoidable.

Response to Comment Ahkiam-6

Regarding gentrification, building deterioration, and loss of affordable housing, the commenter is referred to Responses to Comments Aguilar-1 and Aguilar-2. For the reasons stated in those responses, it is not a failure of the Draft EIR that these issues were not addressed.

Regarding an "environmental energy analysis in the draft EIR," the commenter is incorrect in stating that Draft EIR fails to address the topic of energy. The commenter is referred to Section IV.M of the Draft EIR that includes a discussion of Project impacts related to electricity and natural gas energy.

This comment also expresses general concern about the air quality and noise impacts identified for the Project, but this portion of the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding water quality and water quality violations, the commenter is referred to Section IV.G (Hydrology and Water Quality) of the Draft EIR, which includes an analysis of Project impacts related to water quality. As discussed, the Project would not result in any significant impacts related to water quality. Additionally, because the Project would be designed and constructed in conformance with all applicable water quality standards, the Project would not result in any water quality violations.

The comment also expresses general concern about removal of the [Q] condition from the Project site, but this portion of the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

The commenter also expresses an opinion that the boundary of the "neighborhood" in the Draft EIR is too narrow, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ahkiam-7

This comment implies that the environmental impacts of the Project were not “properly and thoroughly” addressed in the Draft EIR, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this implication. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to this portion of the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ahkiam-8

Regarding an energy analysis, the commenter is referred to Response to Comment Ahkiam-6.

Response to Comment Ahkiam-9

Regarding translation of the EIR, neither CEQA nor any other applicable federal, state or local law requires the translation of CEQA documents into another language. The City does not require that EIRs be translated into Spanish or other languages, as such translation is technically difficult and costly.

Response to Comment Ahkiam-10

The comment includes a request that the City maintain the [Q] condition for the Project site, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ahkiam-11

The comment includes a request for a “full study” of the Project, implying that the Draft EIR is inadequate, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this implication. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Margaret Alonso
 Name
 1047 W 23rd St
 Address
 LA, CA 90007
 City, State and Zipcode

Comment Letter Alonso

Response to Comment Alonso-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Alonso-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Alonso-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro fisico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

Sinceramente

Cesar Antonio
Nombre
841 W 23rd St
Dirección
LA, CA 90007
Ciudad, estado y código

Comment Letter Antonio C

Response to Comment Antonio C-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Antonio C-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Antonio C-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

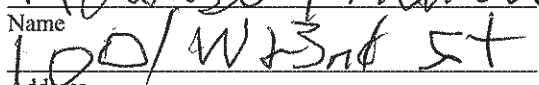
We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,


Name

Address

City, State and Zipcode

Comment Letter Antonio R

Response to Comment Antonio R-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Antonio R-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Antonio R-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Noemi Argueta
Name
1940 park grove ave
Address
LA CA 90007
City, State and Zipcode

Comment Letter Argueta

Response to Comment Argueta-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Argueta-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Argueta-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Jose M Ayala
Name
2233 1/2 Trinita St.
Address
Los Angeles CA, 90011
City, State and Zipcode

Comment Letter Ayala

Response to Comment Ayala-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Ayala-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Ayala-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

Tom Brohard and Associates

January 25, 2010

Ms. Kristin B. Burford
Shute, Mihaly & Weinberger, LLP
396 Hayes Street
San Francisco, California 94102

SUBJECT: Review of the Draft Environmental Impact Report (Draft EIR) for the Lorenzo Project in the City of Los Angeles – Traffic Issues

Dear Ms. Burford:

Tom Brohard, P.E., has reviewed the November 2009 Draft Environmental Impact Report (Draft EIR) prepared by Christopher A. Joseph & Associates for the Lorenzo Project at 2300 and 2327 South Flower Street (Proposed Project) in the City of Los Angeles. Other supporting documents have also been reviewed including the June 26, 2006 "Traffic Study for the Mixed-Use Development at Flower Street/23rd Street" prepared by Katz, Okitsu & Associates (2006 Traffic Study), the October 31, 2006 Department of Transportation Inter-Departmental Correspondence to the Department of City Planning (LADOT Memo), and supplemental Technical Memoranda prepared by KOA Corporation dated September 24, 2007, July 30, 2009, and November 6, 2009.

My review of the Draft EIR for the Lorenzo Project revealed fatal flaws in methodology which lead the Draft EIR to significantly understate project trip generation. I have also found several other errors and omissions in the Traffic Study relied upon by the Draft EIR. The Proposed Project clearly will have impacts on traffic that are greater than those projected in the Draft EIR. These additional significant impacts must be fully assessed using reasonable assumptions in a recirculated environmental impact report, and adequate and enforceable mitigation measures must be imposed.

Education and Experience

Since receiving a Bachelor of Science in Engineering from Duke University in Durham, North Carolina in 1969, I have gained over 40 years of professional engineering experience. I am licensed as a Professional Civil Engineer both in California and Hawaii and as a Professional Traffic Engineer in California. I formed Tom Brohard and Associates in 2000 and now serve as the City Traffic Engineer for the City of Indio and as Consulting Transportation Engineer for the City of Big Bear Lake and City of San Fernando. I have extensive experience in traffic engineering and transportation planning. During my career in both the public and private sectors, I have reviewed numerous environmental documents and traffic studies for various projects. Several recent assignments are highlighted in the enclosed resume.

Ms. Kristin B. Burford
The Lorenzo Project – Traffic Issues
January 25, 2010

Project Description

Page II-5 of the Draft EIR describes the Proposed Project as containing "...a total of 1,400 multi-family residential units (230 one-bedroom units, 888 two-bedroom units, and 282 three-bedroom units...) The Proposed Project would also provide approximately 34,000 square feet of commercial retail uses, including approximately 6,000 square feet of restaurant use, at street level fronting the future Exposition Line light rail station along South Flower Street at West 23rd Street."

In describing the Project Background, Page II-5 states "The project site was formerly occupied by the Orthopaedic Hospital, medical office buildings, and associated surface parking areas. On July 18, 2006, the Orthopaedic Hospital announced that it would sell approximately 9.5 acres of the hospital's campus to the Applicant. The Orthopaedic Hospital relocated its inpatient and surgical facilities to Santa Monica in 2005, where they continue to operate through a partnership with UCLA."

In describing current site conditions, Page II-1 of the Draft EIR states "The project site consists of vacant lots and does not contain any structures. Site A is currently both a surface parking lot and a vacant dirt lot and the triangular-shaped Site B is currently a surface parking lot."

Traffic Issues

Based on the information in the Draft EIR, in the 2006 Traffic Study, and in the other supporting documents including the supplements and updates to the Traffic Study, my review indicates the following deficiencies and areas of concern with the traffic analysis:

- 1) Traffic Counts of "Existing" Conditions Do Not Include Prior Uses – According to Page 5 of the 2006 Traffic Study, traffic counts at the 11 intersections were made on Wednesday, April 26, 2006. At that time, no vehicle trips were occurring to or from the Orthopaedic Hospital buildings on the project site as the inpatient and surgical facilities had relocated to Santa Monica in 2005.

If the former uses on the project site were occupied and generating trips in April 2006, then additional vehicles to and from the Orthopaedic Hospital at all 11 study intersections would have been included in the April 2006 traffic counts. The resulting traffic volumes and the calculated volume to capacity ratios at area intersections would have been higher, and the Level of Service for existing conditions would have indicated poorer intersection performance in both peak hours at many of the study intersections. The 2006 Traffic Study did not add these trips to the April 2006 traffic counts, and it therefore does

Ms. Kristin B. Burford
The Lorenzo Project – Traffic Issues
January 25, 2010

not report existing intersection performance as if the Orthopaedic Hospital was occupied.

5 cont.

The 2006 Traffic Study does, however, take trip credits for prior uses. It is erroneous to take such credits without adjusting the baseline traffic counts, as this process double-counts the traffic associated with prior uses and underreports the baseline. Similarly, it is improper for the Project to take trip credits after these buildings have been demolished, where the Draft EIR indicates that the Proposed Project does not include the demolition. Taking trip credits for prior uses, as well as excessive reductions for transit trips and other errors, significantly underestimates the number of net new trips that will be generated by the Proposed Project.

6

To properly report the performance of intersections in April 2006 when the traffic counts were made, the 2006 Traffic Study would have to add trips to and from the Orthopaedic Hospital buildings that were vacant when the counts were made prior to taking credits for those uses.

7

- 2) Flaws in the Traffic Study Understate Project Trip Generation – My review of the 2006 Traffic Study found serious flaws in the calculation of the number of net new trips generated by the Proposed Project. These errors, resulting in lower net new trip generation forecasts than will occur, were then carried throughout the analysis of the traffic impacts of the Proposed Project and into other analyses in the Draft EIR which rely on these trip generation numbers. These flaws must be corrected to properly identify, disclose, analyze, and mitigate the trips that will be generated by the Proposed Project as follows:

8

- a) Excessive Trip Credits for Prior Existing Uses – Page 5 of the March 2002 “LADOT Traffic Study Policies and Procedures” states: “Any claim for trip credits for an ‘existing’ active land use which is applied to calculate net new trips requires that the ‘existing’ use was in place at the time of the existing base year traffic counts... Any claim for trip credits for a previously terminated land use must be supported with appropriate documentation of the previous active use such as copies of any building permit, certificate of occupancy, business license, lease agreement, affidavits, or photographs and documentation as to when the previous land use was terminated.”

9

Other agencies have similar policies regarding taking trip credits for existing uses that will be removed before new projects are constructed. For example, Page B-3 of Appendix B, Guidelines for CMP Transportation Impact Analysis in the “2004 Congestion Management Program for Los Angeles County”, states: “Increases in site traffic generation may be reduced for existing land uses to be removed, if the existing use was

10

Ms. Kristin B. Burford
The Lorenzo Project – Traffic Issues
January 25, 2010

operating during the year the traffic counts were collected. Current traffic generation should be substantiated by actual driveway counts.”

10 cont.

The Draft EIR indicates the Orthopaedic Hospital inpatient and surgical facilities relocated to Santa Monica in 2005. The 2006 Traffic Study does not acknowledge that the site was vacant on April 26, 2006 when the traffic counts were made to establish the existing operating conditions at the 11 intersections that were then studied and analyzed. In addition, the Draft EIR fails to provide the necessary documentation of the level of occupancy of the buildings on the site on April 26, 2006, as required by the “LADOT Traffic Study Policies and Procedures” to take credit for the trips generated by the former uses on the Project site. Therefore, the Draft EIR violates the “LADOT Traffic Study Policies and Procedures.”

11

According to Los Angeles Department of Building and Safety records, a permit to demolish the three-story building on the Project site was issued on August 24, 2007. This building was demolished before the permit was finalized and closed by the City on February 1, 2008. The Draft EIR does not treat this demolition as part of the Proposed Project. In describing current conditions, Page II-1 of the November 2009 Draft EIR states “The project site consists of vacant lots and does not contain any structures.”

12

However, the Draft EIR’s traffic analysis reports and takes trip generation credits for “existing” uses in both its 2006 and 2008 trip generation calculations. For 2006 Project Trip Generation, Table IV.L-5 on Page IV.L-24 of the Draft EIR reports the existing uses on the Project site as “190,380 square feet of hospital, 21,000 square feet of office, and 37,500 square feet of medical offices”. Calculated trip credits shown in this table for these “existing” uses total 4,931 daily trips including 354 in the AM peak hour and 395 in the PM peak hour. For 2008 Project Trip Generation, Table IV.L-6 on Page IV.L-25 of the Draft EIR and Table 1 in the Updated Project Trip Generation in the November 6, 2009 Technical Memorandum reports the existing uses on the Project site as “182,700 square feet of hospital and 58,500 square feet of medical offices”. Calculated trip credits shown in these tables for these “existing” uses total 5,324 daily trips including 364 in the AM peak hour and 433 in the PM peak hour.

13

The Draft EIR bases its conclusions about the Proposed Project’s trip generation on these erroneous calculations. Page IV.L-25 of the Draft EIR concludes that the “...current Proposed Project would result in fewer trips than the 2006 analysis included, which demonstrates that the 2006 report provides a more conservative analysis of traffic issues related to the Proposed Project.” However, the 2006 Traffic Study used faulty methodology when it deducted 4,931 daily trips, 354 trips in the AM peak

14

Ms. Kristin B. Burford
The Lorenzo Project – Traffic Issues
January 25, 2010

hour, and 395 trips in the PM peak hour for full occupancy of the hospital, general office, and medical office uses on the Project site that were vacated in 2005 and subsequently demolished. The 2008 analysis credits these same “existing” uses, although the buildings had long been vacated and were either demolished or in process of being demolished in 2008.

14 cont.

Page IV.L-23 of the Draft EIR admits that “...trip generation credits were taken for the hospital, general office, and medical office uses formerly operating on the project site. These uses are not included in other sections of the EIR, as they have since been demolished. However, the traffic report was prepared and reviewed by LADOT before the uses were demolished, and therefore includes such uses as existing.” Thus, the Draft EIR concedes that the traffic analysis is outdated, but takes no steps to correct the analysis.

15

The Draft EIR is internally inconsistent by taking trip credits for the uses formerly operating on the site in the Traffic/Transportation/Parking Section while not including the former uses in other sections of the EIR. The traffic analysis itself is internally inconsistent, improperly crediting the Proposed Project with trip generation reductions, where the “existing” uses were vacant and were not generating trips when the traffic counts were made. The Draft EIR’s conclusions are thus based on inaccurate, erroneously low traffic counts.

16

- b) Excessive Reduction for Transit Trips – Table IV.L-5 on Page IV.L-24, the 2006 Project Trip Generation forecast for the Project, takes a 10% transit reduction for trips to and from the residential portion of the Proposed Project that would use the Exposition Light Rail Line. Table IV.L-6 on Page IV.L-25 (2008 Project Trip Generation forecast) and Table 1 in the November 6, 2009 Technical Memorandum, both take a 25% transit reduction for trips to and from the residential portion of the Project that would use the Exposition Light Rail Line. Page IV.L-25 states that the transit trip credit “...was increased from ten percent to 25% per LADOT allowances.” The Draft EIR provides no documentation or supporting evidence for the increase in expected transit trips for the residential portion of the Project from the ten percent assumption in the 2006 Traffic Study up to the 25 percent assumption in the 2008 traffic forecast.

17

For the commercial portion of the Proposed Project, Page IV.L-23 states “...the trip intensity of the commercial uses was factored downward by 50 percent. The commercial uses would directly face the Expo Line station on Flower Street, so the trip generation of these uses would relate considerably to the adjacent rail station.” The Draft EIR provides no documentation or supporting evidence for the conclusion that 50 percent of the trips for the commercial portion of the Proposed Project will use

18

transit. The note in Table IV.L-5 stating "Reduced by 50 percent because target customers are transit oriented" is insufficient to support such a large reduction to retail trip generation.

18 cont.

While the March 2002 "LADOT Traffic Study Policies and Procedures" do not contain specific guidelines for trip reductions for transit use, other guidelines have been published for transit trip reductions. For example, on Page 126 of the Trip Generation Handbook, 2nd Edition published by the Institute of Transportation Engineers (ITE), recommends a 15 percent vehicle trip reduction for all trips if the residential-oriented mixed use development is located within 0.25 miles of a light rail station.

19

The Draft EIR applies excessive transit trip reductions to forecast vehicle trips for the Proposed Project. By overestimating the number of transit trips in Table IV.L-5 (the 2006 Traffic Study forecast used by the Draft EIR), the traffic analysis forecasts fewer net new trips. Thus, these trip generation calculations understate the number of daily, AM peak hour, and PM peak hour trips that will be generated by the Proposed Project.

20

- c) Incorrect PM Peak Hour Trip Rate Used for Mid Rise Residential - Table IV.L-5 incorrectly applies the average trip rate for the PM peak hour for high-rise apartment buildings to the six floor mid-rise apartment building proposed on Site A. Average PM peak hour trip rates published by ITE are 0.39 per dwelling unit for mid-rise apartments (ITE defines as three to ten floors) and 0.35 per dwelling unit for high-rise apartment buildings (ITE defines as 10 floors and above). The incorrect trip rate underestimates the Proposed Project's PM peak hour trip generation by 37 trips.

21

- d) Incorrect PM Peak Hour Trip Rate Used for Shopping Center – Table IV.L-5 incorrectly uses the average trip rate for the PM peak hour for shopping centers of all sizes. Page 9 of the Trip Generation Handbook, 2nd Edition published by ITE requires the use of the regression equation rather than the average rate when a regression equation is provided, when the square footage is within the data range, and when the data plot has at least 20 points. This ITE practice properly accounts for the trip generation of smaller sized projects, which generate trips at higher rates per thousand square feet than larger projects. The correct PM peak hour trip rate is 8.55 trips per thousand square feet for 40,000 square feet of shopping center originally proposed (for 2006) and 9.65 trips per thousand square feet for 28,000 square feet of shopping center as now proposed, not the average trip rate of 3.75 trips per thousand square feet used in the 2006 Traffic Study and the more recent technical memoranda. This incorrect trip rate for the shopping center in combination with the incorrect 50 percent transit reduction (rather than the 15 percent ITE transit reduction) underestimates the Proposed Project's PM peak hour generation by 166 trips.

22

- e) Lower Shopping Center Rates Incorrectly Used for Proposed Restaurant – According to the Draft EIR, the Proposed Project now includes a 6,000 square foot restaurant. The November 6, 2009 Technical Memorandum does not account for this change. The 2009 Technical Memorandum incorrectly applies shopping center trip rates of 42.94 daily trips with 3.75 AM peak hour trips and 3.72 PM peak hour trips to the restaurant space. Assuming that a High-Turnover (Sit-Down) Restaurant will be built, the traffic analysis must use the following ITE trip rates (all per thousand square feet) for the 6,000 square foot restaurant: 127.15 daily trips, 11.52 AM peak hour trips, and 10.92 PM peak hour trips. The lower shopping center rates in combination with the incorrect 50 percent transit reduction (rather than the 15 percent ITE transit reduction) underestimates the Proposed Project's generation by 430 daily trips, 40 AM peak hour trips, and 37 PM peak hour trips.

23

- f) Actual Trip Generation for Proposed Project – As discussed above, the Draft EIR makes numerous errors in the trip generation forecast for the Proposed Project. The table below corrects these errors and properly reports the daily, AM peak hour, and PM peak hour vehicle trips that will occur. Also shown below for comparison are the trips forecast in the 2006 Traffic Study used in Draft EIR analysis of the Proposed Project as well as updated forecasts made in 2008 and in November 2009.

Actual Trip Generation for Proposed Project

Use	Quantity	Daily Trips	AM Peak	PM Peak
High-Rise Apts.	481	2,020	145	166
Mid-Rise Apts.	919	3,860	276	358
Commercial	28	2,970	29	270
Restaurant	6	760	69	66
Subtotal		9,610	519	860
Less 15% Transit		-1,440	-78	-129
Total Proposed Project		8,170	441	731
Less Existing Use		0	0	0
Net New Trips		8,170	441	731

24

Reported Net New Trip Generation for Proposed Project in the Draft EIR

2006 Traffic Study Analysis	1,598	126	152
2008 Traffic Study Analysis	-184	14	-2
November 2009 Update	-184	14	-2

Ms. Kristin B. Burford
The Lorenzo Project – Traffic Issues
January 25, 2010

As a result of faulty methodology, incorrect trip generation factors, and inappropriate trip reductions, the Draft EIR significantly underestimates trips that will occur with the new development on the two sites. The Draft EIR reports these erroneous trip generation numbers in Table IV.L-5 on Page IV.L-24. This error runs through the traffic analysis and affects the other analyses in the Draft EIR which base their calculations on these incorrect trip generation numbers.

25

By using fewer net new trips, the trip generation calculations significantly understate the number of daily, AM peak hour, and PM peak hour trips that will occur with the Proposed Project. Without properly forecasting daily and peak hour trips, the Draft EIR fails to properly identify, disclose, analyze, and mitigate all of the significant traffic and other impacts of the Proposed Project.

26

- 3) Analysis of Future Conditions Is Flawed – By using 2009 as the time for the “future” traffic analysis, the Draft EIR fails to provide any traffic projections for the time period when the Proposed Project will be completed. This is contrary to Transportation Impact Analyses for Site Development, an ITE Proposed Recommended Practice which recommends analysis of traffic conditions at the adopted transportation plan horizon year 20 to 25 years in the future.

27

The Draft EIR future traffic projections are both incorrect and outdated. To analyze the “future” (2009) traffic conditions, the Draft EIR relies upon the 2006 Traffic Study for the Proposed Project. As pointed out above, the baseline traffic counts made in April 2006 do not include trips to and from the vacant Orthopaedic Hospital buildings and the calculations of net new trips are faulty. However, the analysis of future conditions in the Draft EIR (“Future (2009)” data) is now irrelevant due to the passage of time. The Proposed Project will not be completed until 2013. The Draft EIR must, at least, include an analysis of future traffic conditions, which discloses the Project’s potential contribution to future traffic volumes at the time of Project completion.

28

To calculate near term “future” baseline traffic conditions, the 2006 Traffic Study increased traffic counts by a 1% per year annual growth factor to forecast 2009 traffic counts. The Traffic Study also added traffic volumes forecast to be generated by projects in the area within a 1.5 mile radius of the Project site that had been approved but not yet completed and occupied. In the September 24, 2007 Technical Memorandum, the traffic counts were adjusted based on an updated list of projects in the area, as the list used in the 2006 Traffic Study was over one year old. While this Technical Memorandum reanalyzed near term conditions for the Proposed Project, the updated list of area projects is now more than two years old. In addition, the traffic counts at area intersections made in April 2006 are now nearly four years old. The Draft EIR provides no documentation or evidence that these outdated numbers reflect current traffic conditions in the Project area.

29

To properly establish near term conditions, new traffic counts must be made at all 11 intersections. Then, these new traffic counts should be adjusted to future conditions based on the 1 percent annual growth factor, together with trips to and from a current listing of the area's proposed projects. These adjusted traffic counts would serve as the baseline for the Proposed Project's near term traffic impacts. The net new trip generation numbers, reported above for the Proposed Project, should then be added to this revised baseline to disclose the future traffic including the Project. By analyzing and comparing these future traffic numbers, the Draft EIR could identify and disclose the Project's significant project traffic impacts. Any significant traffic impacts must then be properly mitigated.

30

- 4) Additional Significant Project Traffic Impacts Are Reasonably Foreseeable – As discussed above, the 2006 Traffic Study has significantly underestimated the number of net new trips that will occur with the Proposed Project. The faulty methodology used in the 2006 Traffic Study provides trip reductions for uses that were vacant at the time of the Study and subsequently demolished, overestimates the number of trips that are likely to use transit, and contains other errors in trip generation calculations. Even so, Table IV.L-7 on Page IV.L-33 of the Draft EIR indicates the Proposed Project will create significant traffic impacts on Figueroa Street at West 23rd Street in both the AM and PM peak hours, on Flower Street at West 23rd Street in the PM peak hour, and on Grand Avenue at West 23rd Street in the AM and PM peak hours.

31

Comparing the numbers presented in this report shows that the actual daily trips generated by the Proposed Project are more than five times higher than trip generation reported in the Draft EIR, AM peak trips are over three times higher, and PM peak trips are nearly five times higher. The additional daily trips as well as the additional AM peak hour trips and the additional PM peak hour trips are very likely to create additional significant traffic impacts that will require further mitigation. For example, Table IV.L-7 indicates Figueroa Street at Washington Boulevard will experience an increase of 0.007 in the PM peak hour. With the intersection operating at LOS "E" in the PM peak hour, a significant traffic impact would occur at this intersection if the PM peak hour experienced a further increase of 0.003. This nominal increase is more than likely to result when the number of net new trips is increased to correct the faulty methodology used in the 2006 Traffic Study. This will trigger a significant traffic impact at Figueroa Street and Washington Boulevard that requires mitigation.

32

These additional significant traffic impacts must be analyzed and disclosed in a recirculated EIR. Any other analyses which rely on these trip generation numbers should similarly be corrected. For all significant impacts identified, the new EIR must adopt mitigation measures to reduce these additional significant impacts.

33

Ms. Kristin B. Burford
The Lorenzo Project – Traffic Issues
January 25, 2010

- 5) Proposed Mitigation Measures Are Insufficient – The Draft EIR does not include all of the required mitigation identified by LADOT. Page 2 of the October 31, 2006 LADOT Memo lists Project Requirements as follows: “Figueroa Street and 23rd Street; Flower Street and 23rd Street; Grand Avenue and 23rd Street; The project proposes to construct a proportionate share of the South Park, Coliseum and Light Rail ATCS systems and fund a proportionate share of the ATCS operation upgrade cost for installations and modifications of the existing traffic signals to mitigate the impact at the intersections above.” Attachment 4 to the LADOT Memorandum provides a listing of components required for the South Park, Coliseum, and Light Rail ATCS including 2 CCTV cameras, 41 controllers, and 100 detectors.

34

Page IV.L-37 of the Draft EIR identifies the ATCS system improvements at the three intersections found to be impacted by the Proposed Project in the 2006 Traffic Study. However, the Draft EIR fails to require that the Proposed Project pay a proportionate share of the South Park, Coliseum, and Light Rail ATCS implementation. The Draft EIR must include this additional LADOT requirement as a mitigation measure for the Proposed Project.

35

- 6) Project Access Point for Site B Must Be Analyzed – Page IV.L-36 of the Draft EIR states “Vehicular access to Site B would be provided via one access point on South Flower Street.” Site B is the triangular-shaped lot west of South Flower Street, and is proposed to contain the 44-story tower with 481 apartments.

36

The Draft EIR fails to analyze the level of traffic control required at the single vehicle access point for the 44-story tower on Flower Street. With the amount of traffic that will be generated by this portion of the project, it is likely that this driveway access will require traffic signal control on Flower Street. The Draft EIR must analyze this location and require appropriate mitigation.

37

As indicated, my review of the Draft EIR for the Lorenzo Project reveals fatal flaws in the traffic analysis methodology that significantly understate project trip generation, as well as several other errors and omissions in the Traffic Study relied upon by the Draft EIR. The Proposed Project clearly will have impacts on traffic that are greater than projected in the Draft EIR. These additional significant impacts must be fully assessed using reasonable assumptions in a recirculated environmental impact report, and adequate and enforceable mitigation measures must be imposed. If you have any questions regarding these comments, please call me at your convenience.

38

Ms. Kristin B. Burford
The Lorenzo Project – Traffic Issues
January 25, 2010

BROHARD (Cont)

Respectfully submitted,

Tom Brohard and Associates

Tom Brohard

Tom Brohard, PE
Principal

Enclosure



Tom Brohard, PE

- Licenses:** 1975 / Professional Engineer / California – Civil, No. 24577
 1977 / Professional Engineer / California – Traffic, No. 724
 2006 / Professional Engineer / Hawaii – Civil, No. 12321
- Education:** 1969 / BSE / Civil Engineering / Duke University
- Experience:** 39 Years
- Memberships:** 1977 / Institute of Transportation Engineers – Fellow, Life
 1978 / Orange County Traffic Engineers Council - Chair 1982-1983
 1981 / American Public Works Association - Member

Tom is a recognized expert in the field of traffic engineering and transportation planning. His background also includes responsibility for leading and managing the delivery of various contract services to numerous cities in Southern California.

Tom has extensive experience in providing transportation planning and traffic engineering services to public agencies. Since May 2005, he has served as Consulting City Traffic Engineer three days a week to the City of Indio. He also currently provides “on call” Traffic and Transportation Engineer services to the Cities of Big Bear Lake and San Fernando. In addition to conducting traffic engineering investigations for Los Angeles County from 1972 to 1978, he has previously served as City Traffic Engineer in the following communities:

- Bellflower 1997 - 1998
- Bell Gardens 1982 - 1995
- Huntington Beach 1998 - 2004
- Lawndale 1973 - 1978
- Los Alamitos 1981 - 1982
- Oceanside 1981 - 1982
- Paramount 1982 - 1988
- Rancho Palos Verdes 1973 - 1978
- Rolling Hills 1973 - 1978, 1985 - 1993
- Rolling Hills Estates 1973 - 1978, 1984 - 1991
- San Marcos 1981
- Santa Ana 1978 - 1981
- Westlake Village 1983 - 1994

During these assignments, Tom has supervised City staff and directed other consultants including traffic engineers and transportation planners, traffic signal and street lighting personnel, and signing, striping, and marking crews. He has secured over \$5 million in grant funding for various improvements. He has managed and directed many traffic and transportation studies and projects. While serving these communities, he has personally conducted investigations of hundreds of citizen requests for various traffic control devices. Tom has also successfully presented numerous engineering reports at City Council, Planning Commission, and Traffic Commission meetings in these and other municipalities.

Tom Brohard, PE, Page 2

In his service to the City of Indio since May 2005, Tom has accomplished the following:

- ❖ Oversaw preparation and adoption of the Circulation Element Update of the General Plan including development of Year 2035 buildout traffic volumes, revised and simplified arterial roadway cross sections, and reduction in acceptable Level of Service criteria under certain constraints
- ❖ Oversaw preparation of plans and provided assistance during construction of a \$1.5 million project to install traffic signals and widen three of four ramps at the I-10/Jackson Street Interchange under a Caltrans encroachment permit issued under the Streamlined Permit Process
- ❖ Oversaw preparation of traffic impact analyses for Project Study Reports evaluating different alternatives for buildout improvement of the I-10/Monroe Street and the I-10/Golf Center Parkway Interchanges
- ❖ Oversaw preparation of plans and provided assistance during construction of 10 new traffic signal installations
- ❖ Reviewed and approved temporary traffic control plans as well as for signing and striping for all City and developer funded roadway improvement projects
- ❖ Oversaw preparation of a City wide traffic safety study of conditions at all schools
- ❖ Prepared over 300 work orders directing City forces to install, modify, and/or remove traffic signs, pavement and curb markings, and roadway striping
- ❖ Reviewed and approved traffic impact studies prepared for more than 15 major development projects

Since forming Tom Brohard and Associates in 2000, Tom has reviewed many traffic impact reports and environmental documents for various development projects. He has provided expert witness services and also prepared traffic studies for public agencies and private sector clients. Significant accomplishments during the last eight years include the following:

- ❖ Prepared critique of traffic and parking impacts identified in the Initial Study and Traffic Study for the 1960-1998 Market Street Project in the City of San Francisco for Adams Broadwell Joseph & Cardozo (12/2008)
- ❖ Prepared critique of traffic and circulation impacts identified in the Supplemental Draft EIR for the US Gypsum Wallboard Plant Project in the Port of Stockton for Lozeau/Drury LLP (11/2008 to 12/2008)
- ❖ Prepared critique of traffic and parking impacts identified in the Draft EIR for the Bentley School Major Conditional Use Permit in the City of Oakland for Veneruso & Moncharsh (11/2008 to 12/2008)

Tom Brohard, PE, Page 3

-
- ❖ Prepared critique of the traffic impacts identified in the Addendum to the Master EIR and Initial Study for the Lane Field Development Project in the City of San Diego for Adams Broadwell Joseph & Cardozo (12/2007); prepared critique of parking and transit impacts for the Project's Coastal Development Permit Amendment (11/2008)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR and Traffic Impact Study for the Delta Shores Project in the City of Sacramento for Adams Broadwell Joseph & Cardozo (10/2008)
 - ❖ Served as an expert witness regarding work area traffic control during roadway construction at a traffic signal on State Route 111 in the City of Palm Desert for Workman Law Office (9/2008)
 - ❖ Prepared Data Requests for traffic issues associated with the Application for Certification from the California Energy Commission for the Avenal Energy Power Plant in the City of Avenal for Adams Broadwell Joseph & Cardozo (9/2008)
 - ❖ Prepared critique of traffic and parking impacts identified in the Initial Study and Traffic Study for the 5050 Mission Street Mixed Use Project in the City of San Francisco for Lozeau/Drury LLP (8/2008)
 - ❖ Prepared critique of traffic and circulation impacts identified in the Draft EIR for the Altamont Motorsports Park Rezoning Project in the County of Alameda for Mark R. Wolfe & Associates (8/2008)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR and Traffic Impact Study for the Fulcrum Property Development Project in the City of West Sacramento for Adams Broadwell Joseph & Cardozo (7/2008 to 8/2008)
 - ❖ Conducted studies for STOP signs on Plumley Road at two intersections for the City of Cathedral City (5/2008 to 8/2008)
 - ❖ Prepared critique of traffic and circulation impacts identified in the Draft EIR for the Concord Community Reuse Plan Project in the City of Concord for Lozeau/Drury LLP (6/2008 to 7/2008)
 - ❖ Prepared critique of the Traffic Impact Study for the Sky Harbor Ranch Project for the Town of Yucca Valley (6/2008 to 7/2008)
 - ❖ Prepared critique of the traffic impacts identified in the Revised Draft EIR and Traffic Impact Analysis for the Chula Vista Bayfront Master Plan in the City of Chula Vista for Adams Broadwell Joseph & Cardozo (7/2008)
 - ❖ Prepared critique of traffic and circulation impacts identified in the Draft and Final EIRs for the River Oaks Crossing Specific Plan Project in the City of Oakley for Mark R. Wolfe & Associates (10/2007 to 5/2008)

Tom Brohard, PE, Page 4

- ❖ Prepared critique of the Traffic Impact Study for the Downtown Revitalization Project (Bisno Development) for the City of Baldwin Park (4/2008 to 5/2008)
- ❖ Prepared critiques of traffic and circulation impacts identified in the Draft EIR, Final EIR and various supporting technical studies for the Bakersfield Winco in the City of Bakersfield for Mark R. Wolfe & Associates (4/2007 to 3/2008)
- ❖ Prepared critique of traffic and circulation impacts identified in the Draft and Final EIRs and Traffic Study for the Soledad Shopping Center Project in the City of Soledad for Weinberg, Roger & Rosenfeld (3/2008)
- ❖ Prepared critique of the traffic impacts identified in the Initial Study for the Columbus Salami Manufacturing Plant Project in the City of Fairfield for Adams Broadwell Joseph & Cardozo (3/2008)
- ❖ Prepared critique of traffic and parking impacts identified in the Draft EIR and Traffic Impact Study for the Sherwin Project in the Town of Mammoth Lakes for Shute, Mihaly, & Weinberger (1/2008 to 2/2008)
- ❖ Prepared critiques of traffic and parking impacts identified in the Draft EIR and various supporting technical studies for the Solana Beach Train Station Mixed Use Project in the City of Solana Beach for area residents; presented findings to area property owners and to City Council; prepared rebuttal to responses to comments in the Final EIR for the project (6/2006 to 1/2008)
- ❖ Provided technical assistance for the Santa Monica Growth Limitation Ballot Initiative to Shute, Mihaly, & Weinberger (1/2008)
- ❖ Prepared critique of the traffic impacts identified in the Initial Study for the United Spiral Pipe Manufacturing Plant Project in the City of Pittsburg for Adams Broadwell Joseph & Cardozo (10/2007 to 11/2007)
- ❖ Prepared critique of traffic and parking impacts identified in the Traffic Impact Study for the Initial Study for the Wilshire Parkview Hotel and Residences Project in the City of Los Angeles for Shute, Mihaly, & Weinberger (8/2007 to 9/2007)
- ❖ Prepared critique of the traffic impacts identified in the Initial Study with Proposed Mitigated Negative Declaration prepared by Caltrans for the widening of State Route 74, Lower Ortega Highway, in the City of San Juan Capistrano for Shute, Mihaly, & Weinberger (8/2007)
- ❖ Prepared critique of traffic and parking impacts identified in the Traffic Impact Analysis for the Providence Medical Center Expansion Project in the City of Los Angeles for Weinberg, Roger & Rosenfeld (11/2006 to 8/2007)
- ❖ Prepared critique of the traffic impacts identified in the Draft and Final EIRs for the Rockville Trails Estates Project in Solano County for Shute, Mihaly, & Weinberger (7/2007)

Tom Brohard, PE, Page 5

-
- ❖ Prepared critique of traffic and parking impacts identified in the Draft EIR for the La Bahia Hotel Expansion in the City of Santa Cruz for Mark R. Wolfe & Associates (6/2007 to 7/2007)
 - ❖ Prepared preliminary critique of the traffic impacts identified in the Draft EIR for the Delano Marketplace Project in the City of Delano for Mark R. Wolfe & Associates; prepared rebuttal to responses in Final EIR (5/2006 to 7/2007)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the Live Oak Master Plan Project in the City of Hanford for Adams Broadwell Joseph & Cardozo (5/2007)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR and the supporting traffic study for the La Floresta Development Project in the City of Brea for the City of Yorba Linda (1/2007 to 4/2007)
 - ❖ Prepared critique of the traffic impacts identified in the Addendum to the Program EIR and Transportation Analysis for the Davidson Homes Project in the City of Antioch for Adams Broadwell Joseph & Cardozo (1/2007)
 - ❖ Prepared critique of the traffic and circulation impacts identified in the Monterey County 2006 General Plan Final EIR for Mark R. Wolfe & Associates (12/2006)
 - ❖ Provided expert witness evaluation of traffic and circulation impacts identified in the EIS, Traffic Impact Report, and Updates for the Turtle Bay Resort Expansion Project on the North Shore of Oahu for Alston Hunt Floyd & Ing (9/2006 to 11/2006)
 - ❖ Prepared trip generation study for a bank and separate drive through bank facility in Century City in the City of Los Angeles for Tract No. 7260 Association (11/2006)
 - ❖ Prepared preliminary critique of the traffic impacts identified in the Draft EIR and Traffic Impact Study for the Rio Vista Riverwalk Project in the City of Rio Vista for Adams Broadwell Joseph & Cardozo (11/2006)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR and Traffic Impact Analysis for the Chula Vista Bayfront Master Plan (Gaylord Resort Project) in the City of Chula Vista for Adams Broadwell Joseph & Cardozo (10/2006 to 11/2006)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR and Traffic Impact Study for the Antioch Wal-Mart Expansion Project in the City of Antioch for Mark R. Wolfe & Associates (6/2006 to 8/2006); prepared rebuttal to responses to comments in the Final EIR (9/2006 to 10/2006)
 - ❖ Prepared critique of the traffic and circulation impacts identified in the Revised Partial Draft EIR and the Traffic Study for the Gregory Canyon Landfill Project in San Diego County (7/2006 to 8/2006)

Tom Brohard, PE, Page 6

- ❖ Prepared critique of the traffic and circulation impacts identified in the Conditional Use Permit Application for Altamont Motorsports Park in Alameda County for Mark R. Wolfe & Associates (6/2006)
- ❖ Prepared response to Initial Study/Notice of Preparation of a Draft EIR for 483 condominiums proposed in three high rise towers in Century City in the City of Los Angeles for Tract No. 7260 Association (6/2005); prepared critique of the Draft EIR for the 10131 Constellation Boulevard Project proposed by JMB (12/2005 to 1/2006); reviewed responses to comments in the Final EIR (5/2006)
- ❖ Conducted study which developed traffic engineering measures as well as potential enforcement and legislative actions to deter excessive speeding on Stunt Road adjacent to Calabasas in Los Angeles County for area residents (9/2005 to 4/2006)
- ❖ Prepared critique of the Draft EIR and Traffic Impact Analysis for the Rancho Santa Fe Elementary School Project in San Diego County for Coast Law Group (9/2005); prepared rebuttal to responses to comments in the Final EIR (2/2006 to 3/2006)
- ❖ Prepared critique of the traffic, circulation, and parking impacts identified in the Traffic Impact Analysis for Los Angeles Unified School District Valley Elementary School #8 in the City of San Fernando (1/2006)
- ❖ Prepared critique of the traffic impacts identified in the Focused EIR and Traffic Impact Analysis for the Temecula Regional Hospital Project in the City of Temecula for Adams Broadwell Joseph & Cardozo (10/2005); prepared rebuttal to responses to comments in the Final EIR (1/2006)
- ❖ Prepared critiques of the traffic impacts identified in the Draft EIR and in the Revised Draft EIR for the Central Larkspur Specific Plan in the City of Larkspur and prepared responses to comments in the Final EIR for Shute, Mihaly, & Weinberger (7/2002 to 8/2002, 12/2003 to 2/2004, 1/2005 to 3/2005, and 12/2005 to 1/2006)
- ❖ Conducted Traffic Impact Analyses for the Sacred Heart Church and School Master Plan in the City of Palm Desert including presentations to community residents and testimony at Public Hearings before the City Council (3/2005 to 12/2005)
- ❖ Prepared critique of traffic impacts identified in the Final EIR and Traffic Study for the Preserve at San Marcos Project in Santa Barbara County for the San Marcos Foothill Coalition (10/2005 to 11/2005)
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR and the Traffic Impact Analysis for the Borden Ranch Surface Mining Project in Sacramento County for Weinberg, Roger & Rosenfeld (11/2005)
- ❖ Prepared critiques of the Mitigated Negative Declaration and Traffic Impact Analysis and of these documents as revised for the Providence Center Specific Plan in the City of Fullerton for Shute, Mihaly, & Weinberger (6/2005 to 7/2005; 11/2005)

Tom Brohard, PE, Page 7

-
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the Blue Rock Quarry Expansion near the Town of Forestville in Sonoma County for Weinberg, Roger & Rosenfeld (10/2005)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR and Traffic Study for the Oak to Ninth Project in the City of Oakland for Mark R. Wolfe & Associates (9/2005 to 10/2005)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the East Cypress Corridor Specific Plan Project adjacent to the City of Oakley in Contra Costa County for Adams Broadwell Joseph & Cardozo (9/2005 to 10/2005)
 - ❖ Prepared critique of the Mitigated Negative Declaration for the Providence Medical Center Expansion Project in the City of Los Angeles for Shute, Mihaly, & Weinberger (9/2005)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the University District Specific Plan Project adjacent to the City of Rohnert Park in Sonoma County for Mark R. Wolfe & Associates (9/2005)
 - ❖ Prepared preliminary critique of the traffic impacts identified in the Draft Subsequent EIR for the Mare Island Specific Plan Project in the City of Vallejo for Adams Broadwell Joseph & Cardozo (9/2005)
 - ❖ Prepared critique of the traffic portions of the Revised EIR and the traffic study of the Deer Creek Park 2 Project in the County of Nevada for Shute, Mihaly, & Weinberger and the City of Nevada City (8/2005 to 9/2005)
 - ❖ Prepared preliminary critique of the traffic impacts identified in the Draft EIR and traffic study for the Prewett Ranch Project in the City of Brentwood for Adams Broadwell Joseph & Cardozo (7/2005)
 - ❖ Prepared critique of the traffic and circulation sections of the Draft Subsequent EIR of the County of Ventura Focused General Plan Update and prepared rebuttal to responses for Shute, Mihaly, & Weinberger and the Community of Somis (12/2004 to 1/2005; 6/2005)
 - ❖ Prepared critique of the traffic and parking impacts identified in the Draft EIR and Traffic Impact Analysis for the Long Beach Memorial Medical Center Expansion in the City of Long Beach for Weinberg, Roger & Rosenfeld (2/2005 to 5/2005)
 - ❖ Prepared critique of the Draft EIR and traffic study for the Villages at Fairfield Project in the City of Fairfield for Adams Broadwell Joseph & Cardozo (4/2005 to 5/2005)
 - ❖ Prepared critique of the traffic, circulation, and parking impacts identified in the Traffic Impact Analysis for Los Angeles Unified School District Valley High School #5 in the City of San Fernando (4/2005)

Tom Brohard, PE, Page 8

- ❖ Prepared critique of the transportation, circulation, and parking impacts identified in the Draft EIR and the Final EIR for the Wood Street Project in the City of Oakland for the East Bay Community Law Center (3/2005)
- ❖ Conducted City wide engineering and traffic surveys confirming enforceable speed limits on 31 street segments for the City of San Fernando (1/2005 to 3/2005)
- ❖ Checked plans for traffic signal installations and modifications as well as signing and striping revisions for various projects for Engineering Resources of Southern California and the Cities of Hemet and Palm Springs (12/2003 to 3/2005)
- ❖ Prepared critique of the Initial Study and traffic study prepared for the Hidden Canyon (Greenfield) Quarry Use Permit and Reclamation Plan in Monterey County for Weinberg, Roger & Rosenfeld (2/2005)
- ❖ Prepared critiques of the traffic impacts identified in the Los Angeles International Airport Master Plan Draft EIS/EIR for Alternatives A, B, and C and in the Supplement Draft EIS/EIR for Alternative D, prepared responses to comments in the Final EIS/EIR, and reviewed Addendum #3 for Shute, Mihaly, & Weinberger and the City of El Segundo (2/2001 to 7/2001, 7/2003 to 10/2003, 11/2004, and 12/2004)
- ❖ Prepared critique of the Traffic Study for the 450-460 North Palm Drive Senior Housing Residential Project in the City of Beverly Hills for Luna & Glushon (11/2004)
- ❖ Prepared critique of the Draft EIR and traffic study and provided testimony at a public hearing regarding the West Los Angeles College Facilities Master Plan in Los Angeles County for Culver Crest Neighborhood Association (10/2004 to 12/2004)
- ❖ Prepared critique of the Draft EIR and the associated traffic impact analysis as well as subsequent rebuttal to responses to these comments in the Final EIR for The Ranch Plan in the County of Orange for the Endangered Habitats League (6/2004 to 7/2004 and 10/2004)
- ❖ Prepared preliminary critique of the Draft EIR and traffic study for the Chandler Ranch Specific Plan Project in the City of Paso Robles for Adams Broadwell Joseph & Cardozo (9/2004)
- ❖ Prepared critique of the Draft EIR and traffic report associated with the Magnolia Park Project in the City of Oakley for Adams Broadwell Joseph & Cardozo (9/2004)
- ❖ Prepared critique of the traffic impacts identified in the Recirculated Draft EIR and traffic study for the McKean Road Sports Complex in Santa Clara County for Shute, Mihaly, & Weinberger (9/2004)
- ❖ Prepared critique of the Environmental Assessment for Robie Ranch Reclamation Project in Calaveras County for Weinberg, Roger & Rosenfeld (9/2004)

Tom Brohard, PE, Page 9

-
- ❖ Provided expert assistance to residents in the City of La Mirada during settlement negotiations regarding litigation involving the Big T Residential Development Project in the City of Buena Park (6/2004 to 9/2004)
 - ❖ Prepared critique of the traffic impacts identified in the Recirculated Draft EIR and the associated traffic study for the Lake Jennings Ralph's Shopping Center in San Diego County for SOFAR and Shute, Mihaly, & Weinberger (8/2004)
 - ❖ Reviewed Traffic Impact Study prepared for the San Fernando Corridors Specific Plan for the City of San Fernando (7/2004 to 8/2004)
 - ❖ Prepared critique of the Negative Declaration for the Brisbane Recycling Project in the City of Brisbane for Weinberg, Roger & Rosenfeld (6/2004)
 - ❖ Reviewed various alternative alignments for the extension of Lexington Drive from Cerritos Avenue to Katella Avenue, a proposed secondary highway, for the City of Los Alamitos; provided expert assistance to the City of Los Alamitos during settlement negotiations regarding litigation of the proposed Cottonwood Christian Center Project in the City of Cypress (4/2004 to 6/2004)
 - ❖ Prepared critique of the Draft EIR and the associated traffic impact study for the Jaxon Enterprises Mine and Reclamation Expansion Project in the County of Merced for Weinberg, Roger & Rosenfeld (5/2004)
 - ❖ Prepared critique of the Environmental Secondary Study for the Santa Fe Parcel 6 Mixed Use Project in the City of San Diego for Adams Broadwell Joseph & Cardozo (4/2004 to 5/2004)
 - ❖ Prepared critique of the Draft EIR and the associated traffic impact analysis for the for the San Mateo Rail Corridor Plan & Bay Meadows Specific Plan Amendment in the City of San Mateo for Adams Broadwell Joseph & Cardozo (3/2004 to 5/2004)
 - ❖ Reviewed the Edinger Corridor Specific Plan Traffic Analysis for the proposed redevelopment and intensification of adjacent land uses for the City of Huntington Beach (12/2003, 4/2004, and 5/2004)
 - ❖ Conducted the Traffic Impact Study of the San Fernando Regional Pool Facility Project and the associated street improvements for the City of San Fernando (3/2004 to 4/2004)
 - ❖ Prepared critique of the Initial Study/Mitigated Negative Declaration and the associated traffic study for the Pixar Headquarters Expansion in the City of Emeryville for Shute, Mihaly, & Weinberger (3/2004 to 4/2004)
 - ❖ Prepared critique of the Draft EIR and the associated traffic impact analysis for the Lower Lagoon Valley Specific Plan in the City of Vacaville for Adams Broadwell Joseph & Cardozo (3/2004 to 4/2004)

Tom Brohard, PE, Page 10

- ❖ Conducted the Traffic Study of Two Parking Alternatives for the City of San Dimas to provide on street parking to complement potential retail/residential development on the east side of San Dimas Avenue north of Arrow Highway (12/2003 to 4/2004)
- ❖ Prepared trip generation calculations for various retail and “Big Box” stores in conjunction with a March 2004 ballot measure in Contra Costa County for Mark R. Wolfe & Associates (1/2004 to 2/2004)
- ❖ Prepared critique of the Initial Study/Mitigated Negative Declaration and the associated transportation impact analysis for the S&S Farms and Hancock Property Residential Development Plan in the City of Brentwood for Adams Broadwell Joseph & Cardozo (2/2004)
- ❖ Prepared critiques of the traffic impacts identified in the Mitigated Negative Declarations as well as subsequent rebuttal to responses to these comments for the Bayfront Live Work Project in the City of Hercules for Adams Broadwell Joseph & Cardozo (4/2003, 10/2003, and 2/2004)
- ❖ Conducted the City Wide Traffic Calming Study of Residential Streets in the City of San Fernando including development of traffic calming guidelines and specific recommendations addressing over 70 “Hot Spots” throughout the City including monthly presentations at Transportation & Safety Commission meetings and a presentation of the Final Report to the City Council (5/2003 to 1/2004)
- ❖ Prepared critique of the Initial Study/Mitigated Negative Declaration and the associated transportation analysis for the Cottonwood Christian Center in the City of Cypress for the City of Los Alamitos (1/2004)
- ❖ Prepared critique of the Recirculated Draft EIR and the associated transportation analysis for the Sand Creek Specific Plan in the City of Antioch for Adams Broadwell Joseph & Cardozo (1/2004)
- ❖ Prepared critique of the Initial Study and the associated traffic impact studies for the West Dublin Transit Village in the City of Dublin for Adams Broadwell Joseph & Cardozo (11/2003 to 1/2004)
- ❖ Prepared critiques of the Initial Study and the Recirculated Initial Study/General Plan Amendment and Rezoning for the Jack Parker Trucking Site in the City of San Pablo for Adams Broadwell Joseph & Cardozo (9/2003 and 11/2003)
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR and rebuttal to responses to comments in the Final EIR for the proposed Wal-Mart in the City of Fremont for Mark R. Wolfe & Associates (7/2002 to 10/2003)
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR, rebuttal to responses in the Final EIR, and testimony at a public hearing regarding the Alpine Village Shopping Center in San Diego County for Shute, Mihaly, & Weinberger (6/2002 to 10/2003)

Tom Brohard, PE, Page 11

- ❖ Prepared critique of the traffic impacts identified in the Draft EIR, rebuttal to responses in the Final EIR, testimony at public hearings, and assistance during settlement negotiations regarding the 2000 Avenue of the Stars Project in Century City in the City of Los Angeles for Tract No. 7260 Association (9/2002 to 10/2003)
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the Glen Loma Ranch Project in the City of Gilroy for Adams Broadwell Joseph & Cardozo (9/2003)
- ❖ Prepared critique of the traffic impacts identified in the Initial Study and the Traffic Impact Analysis for the Ryder Homes Project in the City of Oakley for Adams Broadwell Joseph & Cardozo (9/2003)
- ❖ Prepared critique of the traffic impacts identified in the Initial Study and the Traffic Impact Analysis for the Ravenswood Residential Project in Contra Costa County for Adams Broadwell Joseph & Cardozo (8/2003 to 9/2003)
- ❖ Prepared critique of the traffic impacts identified in the Draft Subsequent EIR for the proposed Boronda Crossing Commercial Project in the City of Salinas for Mark R. Wolfe & Associates (8/2002 to 9/2003)
- ❖ Prepared four grant applications to Caltrans for \$1,115,000 of Hazard Elimination Safety funding to modify traffic signals and to upgrade regulatory, warning, and street name signs in the City of Santa Ana (3/2003 to 8/2003)
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR and the Traffic Impact Analysis for the Bluerock Business Center Project in the City of Antioch for Adams Broadwell Joseph & Cardozo (8/2003)
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the Clark Road Residential Project in the City of Richmond for Adams Broadwell Joseph & Cardozo (8/2003)
- ❖ Prepared critique of the traffic impacts identified in the Initial Study and the Traffic Impact Analysis for the Sky Ranch Residential Project in the City of Antioch for Adams Broadwell Joseph & Cardozo (7/2003 to 8/2003)
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the Cal Poly Student Housing North Project in the City of San Luis Obispo for Adams Broadwell Joseph & Cardozo (7/2003)
- ❖ Prepared critique of the traffic impacts identified in the Final EIR for the Lake Jennings Ralph's Shopping Center in San Diego County for SOFAR and Shute, Mihaly, & Weinberger (3/2003 to 7/2003)
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the Cypress Grove Residential Project in the City of Oakley for Adams Broadwell Joseph & Cardozo (6/2003)

Tom Brohard, PE, Page 12

-
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the McKean Road Sports Complex in Santa Clara County for Shute, Mihaly, & Weinberger (5/2003)
 - ❖ Prepared grant application to Caltrans for \$448,000 of Safe Route to School funding to upgrade all school signs at 68 public and private schools in the City of Santa Ana (3/2003 to 5/2003)
 - ❖ Prepared critique of the traffic impacts identified in the Traffic Impact Analysis for the Blossom Valley Middle School for the Dunbar Lane Task Force in San Diego County (4/2003 to 5/2003)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR and the Traffic Impact Analysis for the Bettencourt Ranch Aggregate Mining Project in Merced County for Weinberg, Roger & Rosenfeld (4/2003)
 - ❖ Conducted a complete review of the General Plan Circulation Element for the City of Huntington Beach including comparisons to the Orange County Transportation Authority's Master Plan of Arterial Streets and drafted a Request for Proposal to update the City's Circulation Element (8/2002 to 4/2003)
 - ❖ Prepared critique of the traffic impacts identified in the Traffic Impact Analysis for the proposed Wal-Mart in the City of Gilroy for Mark R. Wolfe & Associates (2/2003 to 3/2003)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR for the Waterfront/Downtown Mixed Use Project in the City of Vallejo for Adams Broadwell Joseph & Cardozo (2/2003)
 - ❖ Provided expert witness evaluation of the traffic impacts caused by simultaneous construction of various Alameda Corridor Transportation Authority projects for Sullivan, Workman, & Dee (12/2002 to 2/2003)
 - ❖ Conducted 12 training sessions in Urban Street Design Fundamentals for the Engineering Department staff in the City of Torrance (4/2001 to 4/2002 and 10/2002 to 12/2002)
 - ❖ Prepared critique of the traffic impacts identified in the Transportation Impact Study for the Western Research Campus in the City of Richmond in Contra Costa County for Adams Broadwell Joseph & Cardozo (11/2002)
 - ❖ Evaluated Conditions of Approval for the proposed intersection of Mulholland Highway and Hazel Nut Court in Los Angeles County and provided testimony to the Board of Supervisors for Seminole Springs Mobile Home Park (11/2002)
 - ❖ Reviewed the Traffic Impact Analysis prepared for the Pacific City Project for the City of Huntington Beach (9/2002)

Tom Brohard, PE, Page 13

-
- ❖ Prepared critique of the traffic impacts identified in the Draft EIR for North Yorba Linda Estates in the City of Yorba Linda for Shute, Mihaly, and Weinberger (9/2002)
 - ❖ Conducted the Hacienda Road Traffic Calming Study and presented the final report at locally televised meetings of the Traffic Committee and the City Council in the City of La Habra Heights (10/2001 to 9/2002)
 - ❖ Prepared critique of the traffic impacts identified in Initial Studies with Traffic Impact Analyses for three residential subdivisions in the City of Pittsburg for Adams Broadwell Joseph & Cardozo (8/2002)
 - ❖ Conducted the City Wide Traffic Safety Study and presented the final report at meetings of the Traffic Committee and the City Council in the City of Rolling Hills Estates (4/2001 to 5/2002)
 - ❖ Prepared critique of the traffic impacts identified in the Draft EIR, rebuttal to responses, and testimony at a public hearing regarding extensions of Corona and Valley View Avenues in the City of Norco for C. Robert Ferguson (1/2002 to 4/2002)
 - ❖ Prepared critique of the traffic impacts identified in the Draft Initial Study and Environmental Assessment, rebuttal to responses, and testimony at public hearings before the Ventura County Board of Supervisors regarding intersection improvements proposed by Caltrans at State Route 118/State Route 34 in Ventura County for the Community of Somis (12/2000 to 10/2001)

Comment Letter Brohard*Response to Comment Brohard-1*

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Brohard-2

Regarding project trip generation, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Regarding the statement about “other errors and omissions in the Traffic Study,” the commenter is referred to Responses to Comments Brohard-5 through Brohard-38.

Response to Comment Brohard-3

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Brohard-4

This comment summarizes the Project description, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Brohard-5

Regarding timing of traffic counts in 2006 and trip generation of previous uses at the Project site, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Based on the information provided in Master Response 1, the traffic trips associated with these previous uses are reflected in the Existing Conditions described in the Traffic Study prepared for the Project and in Section IV.L (Traffic, Transportation, and Parking).

Response to Comment Brohard-6

Regarding trip credits for prior uses at the Project site, the commenter is referred to Master Response 1 (Traffic Impact Analysis). As discussed in Response to Comment Brohard-5, the traffic trips associated

with the previous uses at the Project site are reflected in the Existing Conditions described in the Traffic Study prepared for the Project and in Section IV.L (Traffic, Transportation, and Parking). Thus, baseline traffic counts were not double-counted, as asserted by the commenter.

Response to Comment Brohard-7

Regarding timing of traffic counts in 2006 and trip generation of previous uses at the Project site, the commenter is referred to Response to Comment Brohard-5.

Response to Comment Brohard-8

Regarding the statements about “flaws in the traffic study” and project trip generation, the commenter is referred to Responses to Comments Brohard-9 through Brohard-26.

Response to Comment Brohard-9

Regarding trip credits for prior uses at the Project site, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-10

Regarding policies of other transportation agencies, because the Project falls within the jurisdiction of LADOT, the scope of the traffic analysis for the Project is primarily based on the requirements of LADOT and not the County. Conformance with the County of Los Angeles Congestion Management Program is also discussed within the traffic analysis. The commenter is referred to Draft EIR Section IV.L, page IV.L-34.

Response to Comment Brohard-11

Regarding the trip credits for prior uses at the Project site, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Based on Master Response 1, the Draft EIR does not violate LADOT standards, as asserted by the commenter.

Response to Comment Brohard-12

Regarding demolition of previous uses from the Project Site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Brohard-13

Regarding trip credits for prior uses at the Project site, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-14

Regarding trip credits for prior uses at the Project site, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-15

Regarding the trip credits for prior uses at the Project site, the reasons for taking trip credits for the prior uses at the Project site is explained in Master Response 1 (Traffic Impact Analysis). In short, credit for the prior uses was applied to the trip generation for the Project because application was allowed per LADOT standards. The existing baseline conditions for other sections/analyses in the Draft EIR do not reflect the prior uses, because the prior uses are not relevant to the topics of those sections/analyses.

Response to Comment Brohard-16

Regarding trip credits for prior uses at the Project site, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Regarding baseline conditions for other sections/analyses in the Draft EIR, the commenter is referred to Response to Comment Brohard-15.

Response to Comment Brohard-17

Regarding transit credit, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Furthermore, the trip reduction assumptions are based on proximity to transit and travel time that this transit has to downtown Los Angeles and the University of Southern California. The ITE Manual provides trip calculations based on a broad, national model and thus does not account for specifics related to project sites like this one, which is located in an urban area and adjacent to transit. Downtown Los Angeles is the major employment center of the region with a resident population of approximately 30,000 to 40,000 residents and a daytime population of approximately 270,000 persons. The Proposed Project is located approximately 2.3 miles from the 7th Street/Metro Center station located in downtown Los Angeles. It is reasonable to assume that residents of the Proposed Project would work in downtown Los Angeles and opt for public transit, rather than driving their automobiles only a few miles into downtown and paying for parking. The Proposed Project is located approximately one mile from the University of Southern California. It is reasonable to assume that residents of the Proposed Project would be students at USC and opt for public transit, rather than driving a mile and paying for parking in a constrained parking area. Thus, the 10 percent residential reduction is reasonable based on the immediately adjacent land uses that would be expected to be served by transit, without considering the additional regional benefits of fixed rail transit.

Commercial trip reductions were based on the proximity of the retail facing the light rail station platform. The LADOT MOU allowed a 50 percent trip generation rate reduction due to target customers being transit oriented. Note that the MOU did not allow any reductions for internal trips, a common reduction for mixed-use projects where the residents would be expected to walk to retail, or pass-by trip reductions, a common reduction for retail where customers stop on their way home or to other uses in the area, see

MOU page 3 (Appendix F to the Draft EIR). These components are factored into the overall 50 percent reduction for proximity to transit. The retail is anticipated to be neighborhood serving goods and services for local residents using the transit and residents of the proposed project. It is reasonable to assume that a substantial number of customers will be transit users and/or residents of the Proposed Project.

Response to Comment Brohard-18

Regarding transit credit, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-19

Regarding transit credit, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-20

Regarding the statement about excessive transit trip reductions, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19. Based on these responses, the traffic trips calculated for the Project in the Draft EIR are not underestimated, as asserted by the commenter.

Response to Comment Brohard-21

Regarding trip generation rates for the Project, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-22

Regarding trip generation rates for the Project, the commenter is referred to Master Response 1 (Traffic Impact Analysis). In addition, the issue of the use of rates versus formulas for the commercial retail uses was re-examined. The peak-hour shopping center rate details within Trip Generation, 7th edition, published by the Institute of Transportation Engineers (ITE), are as follows:

- AM – The standard deviation is 136.0 percent of the average rate and the R^2 regression value is 0.52
- PM – The standard deviation is 73.3 percent of the average rate and the R^2 regression value is 0.81

Regression equations are to be used, per the ITE Trip Generation Handbook, when R^2 is less than or equal to 0.75 and standard deviation is less than or equal to 110 percent of the average rate. A review of weekday peak-hour rate definitions for shopping center uses within *Trip Generation*, 7th edition indicates the following:

- For the a.m. peak period, the R^2 standard is met but the standard deviation percent is not met
- For the p.m. peak period, R^2 standard is not met but the standard deviation percent is met

The use of weighted average rate for the project shopping center uses is therefore acceptable, as the application of the ITE standards above is inconclusive on the need to use a formula-based rate. The average rates were included in the approved Memorandum of Understanding with LADOT, for the project traffic impact study report. Rates for similar uses at similar sizes are also used in many area studies.

Response to Comment Brohard-23

Regarding trip generation rates for the Project, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Regarding trip reduction for transit use, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19.

Response to Comment Brohard-24

Regarding trip generation for the Project, credit for prior uses of the Project site, and trip reduction for transit use, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19.

Response to Comment Brohard-25

Regarding trip generation for the Project, credit for prior uses of the Project site, and trip reduction for transit use, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19.

Response to Comment Brohard-26

Regarding trip generation for the Project, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Based on Master Response 1, the Draft EIR does not “fail to properly identify, disclose, analyze, and mitigate all the significant traffic and other impacts” of the Project, as asserted by the commenter.

Response to Comment Brohard-27

Regarding buildout year for the Project and the traffic analysis, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-28

Regarding buildout year for the Project and the traffic analysis, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-29

Regarding the annual growth factor and project buildout year, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Regarding related projects, the Related Projects list, as mentioned by the commenter, was updated after the 2006 traffic analysis to provide more current information and

includes all past, present and reasonably foreseeable future projects in the area identified after consultation with LADOT and the City Planning Department at the time it was prepared. The Related Projects list is not expected to be exhaustive because such lists are constantly changing, but provides a relevant setting from which to make cumulative analyses. If the City were to require that Related Projects lists were updated every year, the EIR would constantly be updated since the EIR process usually takes more than one year to complete. Also note that the traffic analysis includes an annual growth rate to further accommodate growth. Furthermore, regarding the validity of the traffic counts used in the Traffic Report, LADOT reviewed the traffic analysis in the Draft EIR and confirmed that the analysis, including baseline conditions, cumulative impacts, and mitigation measures identified in the Traffic Study for the Project are still valid (refer to Comment Letter LADOT).

Response to Comment Brohard-30

Regarding annual growth factor, project buildout year, trip generation rates, and the validity of the traffic analysis in the Draft EIR, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Brohard-31

Regarding trip generation for the Project, credit for prior uses of the Project site, and trip reduction for transit use, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19.

Response to Comment Brohard-32

Regarding the commenter's traffic numbers, trip generation for the Project, and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Based on Master Response 1, no additional traffic impacts have been identified beyond those impacts already identified in the Draft EIR as a result of this comment and response.

Response to Comment Brohard-33

Regarding the statement about "additional significant traffic impacts," the commenter is referred to Response to Comment Brohard-32. Because no additional significant impacts have been identified, no additional mitigation measures are required. Regarding recirculation of the Draft EIR, the commenter is referred to Master Response 5 (Recirculation of the Draft EIR).

Response to Comment Brohard-34

This comment states that the mitigation measures included in the Draft EIR does not include all of the requirements listed by LADOT in their memorandum (dated October 31, 2006). However, on Page IV.L-37 of the Draft EIR, each of these intersections is listed as individual mitigation measures, with a site-specific explanation of the upgrades that can be made to that intersection.

Response to Comment Brohard-35

This comment states that the Draft EIR fails to require that the Proposed Project pay a proportionate share of the South Park, Coliseum, and Light Rail ATCS implementation. As stated in the Draft EIR (page IV.L-37), "...the Applicant will go forward with implementing ATSAC mitigation at all three intersections, in accordance with the previously-approved contributions to the ATSAC program by LADOT." Those three intersections (Figueroa Street and West 23rd Street; Flower Street and West 23rd Street; and Grand Avenue and West 23rd Street) are included in LADOT's South Park, Coliseum and Light Rail ATCS Sub-systems Implementation, to which the commenter refers.

Response to Comment Brohard-36

This comment summarizes project description information, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Brohard-37

The comment states that the Draft EIR does not analyze a potential traffic signal at the vehicle access point for the proposed tower on Flower Street. The commenter is referred to page IV.L-36 in Section IV.L (Traffic/Transportation and Parking) of the Draft EIR that includes the following text:

Vehicular access to Site B would be provided via an access point on South Flower Street. Access to Site A would be provided via two access points on West 23rd Street and an access point on Adams Boulevard. Driveways would be designed in accordance with the requirements of the LAMC, thus, project site access impacts would be less than significant. Further, the Proposed Project does not include any design features that could create vehicular hazards. Ingress and egress would be clearly designated and no sharp curves or other hazardous design elements are proposed. The vehicular driveways and a centrally located designated fire lane would be expected to provide adequate emergency access to the Proposed Project (as discussed in Section IV.K.1). No impacts on emergency access are anticipated to occur.

Furthermore, individual traffic control at subterranean garage entrances is not permitted because of citywide traffic engineering standards, see LADOT Manual of Policies and Procedures for Driveway Design, dated February 2003.

Response to Comment Brohard-38

Regarding the commenter's statements about the traffic analysis in the Draft EIR, the commenter is referred to the previous responses to Comment Letter Brohard.

St. Vincent Catholic School
2333 S. Figueroa Street
Los Angeles, CA 90007
231-748-5367 fax: 213-748-5347

svs1911@pacbell.net

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

As principal of St. Vincent Catholic Elementary School I am writing on behalf of our staff, students, and parents in response to the Lorenzo Project Case No. # ENV-2006-9471-EIR. The mission of our school is "...to proclaim the gospel of Jesus by forming students in the Catholic faith and by educating them in a complete academic program, within a nurturing, safe, and disciplined environment." The philosophy of our school states that teachers and parents work together 'to nourish the students in body, mind, and spirit.'" The Lorenzo project will make it extremely difficult for us to fulfill our mission to the students, families, and the surrounding community and to accomplish our school's philosophy.

The proposed project which would redevelop the vacant site located on 2330 and 2337 South Flower St. is located one block due east of the school property. The proposed site is located entirely around community residents who are already subjected to the ongoing elimination of affordable housing, environmental injustice on health and well-being, gentrification, forced evictions, rezoning, and eminent domain policies. Construction activity related to the project would exacerbate pollution levels in an already troubled area. Toxic air contaminants would affect our school children as well as the children who live in this densely populated neighborhood. Students with asthma and asthma related symptoms already suffer because of these toxic air contaminants. In our immediate area, there are two other elementary schools, four middle/high schools and two colleges. Thousands of pre-school through college-age young adults will be impacted negatively with this construction.

1

2

Our school yard faces Figueroa Street. We have one access gate for vehicles on the south end of the yard and a walking gate entrance on the north end of the yard with the 110 Freeway off ramp merging at this north entrance. We have no back access to our property. Existing on our property is a structure that houses offices. Access in and out of the school yard for school parents and these office workers is already difficult because of existing traffic congestion on Figueroa.

3

In addition, the project site was formally occupied by Orthopedic Hospital. The hospital's demolition in January of 2008 exacerbated the lack of hospitals and clinics in an area that was already underserved in terms of health care. Removing the Q condition and building this luxury housing would eliminate the possibility of remedying that problem for the estimated 93, 937 residents that will populate the area in 2010 (per SCAG forecast).

4

We are most concerned about the failure of the draft EIR to adequately address the imminent gentrification of the surrounding community, including physical deterioration of buildings due to neglect and the loss of affordable housing in the area; the complete lack of an environmental energy analysis in the draft EIR; the identified negative air and noise quality impacts of the construction and operations; the possible violation of water quality regulations; and the failure to maintain the "Q" condition reserved for the proposed site. The draft EIR also defines the neighborhood too narrowly—the neighborhood is much bigger than the area studied in the EIR.

5

Specifically, we request the following the City maintain the "Q" condition on the site to address health needs in the community.

6

We are sure that you understand the severity of the proposed project and its negative impact on our community residents, especially our children, our future. We look forward to your response as you take into account our community needs.

7

Sincerely,

Sister Cabrini DC

Principal, St. Vincent Catholic Elementary School

Comment Letter Cabrini*Response to Comment Cabrini-1*

The comment states that the Project will impede the mission of the St. Vincent Catholic Elementary School, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Cabrini-2

Regarding construction-related air quality, the commenter is referred to Response to Comment Ahkiam-5.

Regarding exposure of students and children to toxic air contaminants, the commenter is referred to Pless-36.

Response to Comment Cabrini-3

The comment includes statements about access to the St. Vincent Catholic Elementary School, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Cabrini-4

Regarding removal of the [Q] condition from the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Cabrini-5

This comment is the same as Comment Ahkiam-6. The commenter is referred to Response to Comment Ahkiam-6.

Response to Comment Cabrini-6

The comment includes a request that the City maintain the [Q] condition for the Project site, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Cabrini-7

The comment states that the Project would have a negative impact on the community residents, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

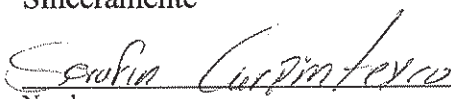
Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente


Nombre
513 E 23RD ST - LA. CA. 90011
Dirección
LOS ANGELES - CA. 90011
Ciudad, estado y código

Comment Letter Carpinteyro

Response to Comment Carpinteyro-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Carpinteyro-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Carpinteyro-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Esperanza Carrillo

Name

1953 Estralla Ave Apt #13

Address

Los Angeles CA 90007

City, State and Zipcode

Comment Letter Carrillo

Response to Comment Carrillo-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Carrillo-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Carrillo-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Maria Castellanos

Nombre

513 E. 23RD St #2

Dirección

LA CA. 90011

Ciudad, estado y código

Comment Letter Castellanos

Response to Comment Castellanos-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Castellanos-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Castellanos-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Pablo Castillo
Nombre
505 E 23 st Apt #1
Dirección
LA CA 90011
Ciudad, estado y código

Comment Letter Castillo

Response to Comment Castillo-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Castillo-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Castillo-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,


 Name
 919 BONSALL BLVD #101
 Address
 LA, CA 90007
 City, State and Zipcode

Comment Letter Cerratos

Response to Comment Cerratos-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Cerratos-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Cerratos-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro fisico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Adelicia Cruz

Nombre

2240 WALLS + APT #10

Dirección

Los Angeles CA 90011

Ciudad, estado y código

Comment Letter Cruz

Response to Comment Cruz-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Cruz-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Cruz-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.



Los Angeles Community Action Network

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012

RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

I am writing on behalf of the Los Angeles Community Action Network (LA CAN) in response to the Lorenzo Project Case No. # ENV-2006-9471-EIR. LA CAN is a grassroots organization located in downtown Los Angeles working on housing, health and other human rights issues. Our grassroots members are extremely low-income and homeless residents living in downtown and South Los Angeles, including near the proposed project. We are most concerned about how the proposed project will negatively affect community residents in the area, who are predominantly low-income people of color.

1

The proposed project is to redevelop a vacant site located on 2330 and 2337 South Flower Street. The proposed site is located entirely around community residents who are already subjected to the ongoing elimination of affordable housing, environmental injustice on health and well-being, gentrification, forced evictions, rezoning, and eminent domain policies.

2

In addition, the project site was formally occupied by Orthopaedic Hospital. Orthopedic Hospital, situated at the nexus of the two Service Planning Areas (SPA) in the County of Los Angeles, has the highest percentages of people with no regular source of health care-- 25.9% (SPA 4) and 20.9% (SPA 6) of adults, and 11.2% (SPA 4) and 10.2% (SPA 6) of children. The hospital's demolition in January of 2008 exacerbated the lack of hospitals and clinics in an area that was already underserved in terms of health care. Removing the Q condition and building this luxury housing would eliminate the possibility of remedying that problem for the 93, 937 residents estimated to live in South Los Angeles in 2010 (per SCAG forecast). It is a critical area in dire need of development that addresses the deficit of health services.

3

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) and Esperanza Community Housing Corporation, found

4

Los Angeles Community Action Network
530 S. Main Street, Ground Floor, Los Angeles, CA 90013
Phone # 213-228-0024 Fax # 213-228-0048 www.cangress.org

Page 2

that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. Thus, children's health would suffer.

4 cont.

We are most concerned about the failure of the draft EIR to adequately address the imminent gentrification of the surrounding community; including physical deterioration of buildings due to neglect and the loss of affordable housing in the area; the complete lack of an environmental energy analysis in the draft EIR; the identified negative air and noise quality impacts of the construction and operations; the possible violation of water quality regulations; and the failure to maintain the "Q" condition reserved for the proposed site. The draft EIR also defines the neighborhood too narrowly—the neighborhood is much bigger than the area studied in the EIR.

5

Specifically, we request the following:

1. The City properly and thoroughly address the significant environmental impacts identified in the draft EIR through mitigation measures that are community developed and community based;

6

2. The City request that a full energy analysis be completed in the final EIR, including appropriate mitigation and conservation measures as required by CEQA;

7

3. The City provide all of the final EIR materials translated into Spanish so that community residents can take active part in this important decision-making process. To refuse to translate the materials would be a violation of civil rights law, and bad public policy;

8

4. The City maintain the "Q" condition on the site to address a community underserved by the inequitable distribution and disinvestment of public and private health care resources.

9

Please contact either of us with any question or for further information.

Sincerely,



Becky Dennison
Co-Directors

Pete White

Comment Letter Dennison*Response to Comment Dennison-1*

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Dennison-2

This comment includes statements about the commenter's community, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Dennison-3

This comment is the same comment as Comment Ahkiam-4. The commenter is referred to Response to Comment Ahkiam-4.

Response to Comment Dennison-4

This comment is similar to Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

Response to Comment Dennison-5

This comment is the same as Ahkiam-6. The commenter is referred to Response to Comment Ahkiam-6.

Response to Comment Dennison-6

This comment is the same as Ahkiam-7. The commenter is referred to Response to Comment Ahkiam-7.

Response to Comment Dennison-7

This comment is the same as Ahkiam-8. The commenter is referred to Response to Comment Ahkiam-8.

Response to Comment Dennison-8

This comment is the same as Ahkiam-9. The commenter is referred to Response to Comment Ahkiam-9.

Response to Comment Dennison-9

This comment is the same as Ahkiam-10. The commenter is referred to Response to Comment Ahkiam-10.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Norberta Gonzalez

Nombre

1940 Park Grove Ave

Dirección

LA CA 90007

Ciudad, estado y código

Comment Letter Gonzalez

Response to Comment Gonzalez-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Gonzalez-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Gonzalez-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

From: Jesús Hermosillo <jahermos@ucla.edu>
To: <Adam.Villani@lacity.org>
Date: 1/25/2010 8:59 PM
Subject: Regarding Palmer's proposed development in Fig Corridor

Mr Villani-

I hope this is still in time to be included in the DEIR.

For quite obvious reasons, I'm writing to register my deep concern about Mr. Geoff Palmer's proposal to build a 44-story residential building on an old hospital site. As a life-long resident of Boyle Heights, I know about the grave need for economic development in our communities. And this proposed project is not, by any stretch of the imagination, the kind of development we need.

1

The problem is not density---we need to accept density because we have a growing population in Los Angeles. However, luxury housing developments in spaces such as this one represent not only a squandered opportunity to provide area residents with what it needs (services, affordable housing, etc.) but also present a danger to the community, as it will inevitably cause a rise in rents in a neighborhood full of rent-paying tenants (a vulnerable population).

2

Even if when we can't afford to buy a home or pay luxury rents, as longtime residents of Los Angeles we deserve not to be forced out of our communities.

Thank you.

Jesus Hermosillo
2676 E 8th St
Los Angeles CA 90023

Comment Letter Hermosillo*Response to Comment Hermosillo-1*

This comment expresses opposition to the Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Hermosillo-2

This comment asserts that the Project will cause increased rents in the area, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Brisa Hernandez
Name
1940 Park Grove Ave
Address
LA CA 90007
City, State and Zipcode

Comment Letter Hernandez B

Response to Comment Hernandez B-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Hernandez B-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Hernandez B-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Maria Hernandez

Nombre

2240 WALLS+APT#8

Dirección

Los Angeles Ca- 90011

Ciudad, estado y código

Comment Letter Hernandez M

Response to Comment Hernandez M-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Hernandez M-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Hernandez M-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

Sincerely,

Rogua Hernandez
Name
1940 Park Grove Ave
Address
LA CA 90007
City, State and Zipcode

Comment Letter Hernandez R

Response to Comment Hernandez R-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Hernandez R-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Hernandez R-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.



Esperanza Community Housing Corporation

2337 South Figueroa Street • Los Angeles, California 90007

IBRAHIM

tel: (213) 748-7285

fax: (213) 748-9630

www.esperanzachc.org

January 24, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012

RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

I am writing on behalf of the staff and board of Esperanza Community Housing Corporation (Esperanza) in response to the "Lorenzo" Project Case No. # ENV-2006-9471-EIR. For more than twenty years Esperanza has worked to empower the residents of the Figueroa Corridor of South Central Los Angeles and has helped make the area a healthier, safer place in which to live and work. We are most concerned about how the proposed project will negatively affect community residents in the area, who are predominantly low-income people of color.

1

The proposed project, which would redevelop the vacant site located on 2330 and 2337 South Flower Street, is located one block due east of Esperanza. The proposed site is located entirely around community residents who are already subjected to the ongoing elimination of affordable housing, environmental injustices in health and well-being, gentrification, forced evictions, rezoning, and eminent domain policies.

2

Construction activity related to the project would exacerbate pollution levels in an already troubled area. Toxic air contaminants would affect our residents and their children who attend St. Vincent Elementary, Norwood Elementary, John Adams Middle School, New Design Charter and Santee Industrial Complex--schools within walking distance of the proposed project, not to mention the Orthopedic Hospital Medical Magnet which directly abuts the proposed project site. According to "Shame of the City," a 2008 report co-authored by Esperanza Community Housing, Strategic Actions for a Just Economy (SAJE), St. John's Well Child and Family Center, and Los Angeles Community Action Network (LACAN), 28% of St. John's young patients in this area have asthma (compared with Los Angeles County's asthma rate of 9% of children across Los Angeles, and 14% of students in inner city schools having asthma). Thus, children's respiratory health in the area would be particularly compromised by the "Lorenzo" Project.

3

In addition, the project site was formerly occupied by Orthopaedic Hospital. Orthopedic Hospital, situated at the nexus of the two Service Planning Areas (SPA) in the County of Los Angeles, has the highest percentages of people with no regular source of health care -- 25.9% (SPA 4) and 20.9% (SPA 6) of adults, and 11.2% (SPA 4) and 10.2% (SPA 6) of children. The hospital's demolition in January of 2008

4

Adam Villani, Planning Assistant
Page 2

exacerbated the deficit of hospitals and clinics in an area that was already underserved in terms of health care. Removing the extant "Q" Condition at the site, and replacing a valued medical facility with luxury housing would eliminate the possibility of remedying that problem for the 93,937 residents estimated to live in South Los Angeles in 2010 (per SCAG forecast). This is a critical area in dire need of development that addresses the deficit of health services.

4 cont.

We are most concerned about the failure of the draft EIR to adequately address the imminent gentrification of the surrounding community; including physical deterioration of buildings due to neglect and the loss of affordable housing in the area; the lack of an environmental energy analysis; the negative air and noise quality impacts of the construction and operations; the possible violation of water quality regulations; and the failure to maintain the "Q" condition reserved for the proposed site. The draft EIR also defines the neighborhood too narrowly—the contiguous neighborhood is much bigger than the area studied in the EIR. For residents in the community, pedestrians – especially school children – regularly navigate this area east of Figueroa Street, to the schools located to the west of Figueroa Street.

5

Specifically, we request the following:

1. The City maintain the "Q" condition on the site to address a community underserved by the inequitable distribution and disinvestment of public and private health care resources.

6

2. The City properly and thoroughly address the significant environmental impacts identified in the draft EIR through mitigation measures that are community developed and community based;

7

3. The City request that a full and accurate environmental analysis be completed in the final EIR, including appropriate mitigation and conservation measures as required by CEQA;

8

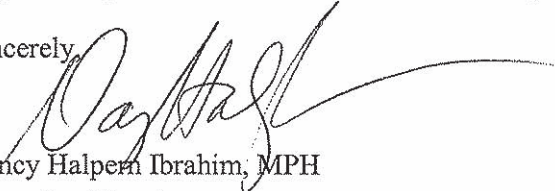
4. The City provide all of the final EIR materials translated into Spanish so that community residents can take active part in this important decision-making process. Not to translate the materials would be a violation of civil rights law, and bad public policy.

9

We are sure that you understand the severity of the proposed project and its negative impact on our community residents, particularly the most vulnerable of them -- children. We look forward to your response as you take into account our community needs.

10

Sincerely,


 Nancy Halpern Ibrahim, MPH
 Executive Director

Comment Letter Ibrahim*Response to Comment Ibrahim-1*

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ibrahim-2

This comment is similar to Comment Dennison-2. The commenter is referred to Response to Comment Dennison-2.

Response to Comment Ibrahim-3

Regarding construction air quality impacts of the Project, the commenter is referred to Response to Comment Ahkiam-5.

Response to Comment Ibrahim-4

This comment is substantially the same as Comment Ahkiam-4. The commenter is referred to Response to Comment Ahkiam-4.

Response to Comment Ibrahim-5

This comment is substantially the same as Comment Ahkiam-6. The commenter is referred to Response to Comment Ahkiam-6.

Response to Comment Ibrahim-6

This comment is the same as Comment Ahkiam-10. The commenter is referred to Response to Comment Ahkiam-10.

Response to Comment Ibrahim-7

This comment is the same as Comment Ahkiam-7. The commenter is referred to Response to Comment Ahkiam-7.

Response to Comment Ibrahim-8

This comment requests that the City request a full and accurate environmental analysis and identify mitigation measures, but the comment does not state a specific concern or question regarding the

sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ibrahim-9

This comment is the same as Comment Ahkiam-9. The commenter is referred to Response to Comment Ahkiam-9.

Response to Comment Ibrahim-10

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Agustina Islas
Nombre
2230 Wall St #2
Dirección
Los Angeles Ca, 90011
Ciudad, estado y código

Comment Letter Islas

Response to Comment Islas-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Islas-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Islas-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Leonarda Lucena

Nombre

505 Est 23. St Apt #4

Dirección

Los Angeles California 90011

Ciudad, estado y código

Comment Letter Lucena

Response to Comment Lucena-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Lucena-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Lucena-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Margarita Madero
 Name
1999 Estrella Ave 706
 Address
Los Angeles, CA 90009
 City, State and Zipcode

Comment Letter Madero

Response to Comment Madero-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Madero-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Madero-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.



Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles CA 90012
 RE: Draft EIR NO. ENV. 2006-9471-EIR

Dear Mr. Villani,

I am writing on behalf of St. John's Well Child and Family Center (SJWCFC) in response to the Lorenzo Project Case No. #ENV-2006-9471-EIR. SJWCFC is one of the largest 'safety-net' health care providers in Los Angeles. We are a network of Federally Qualified Health Centers, a mental health clinic and five school-based clinics in Downtown, Northeast, and South Los Angeles, and in Compton.

Our mission is to address the unmet needs of low-income, uninsured and under-insured residents for regular access to culturally appropriate primary medical, dental and mental health services, regardless of ability to pay. Founded as a small voluntary clinic in 1965, over the past decade the organization has undergone significant expansion to become one of the largest health care safety-net providers in all of L.A. County. In 2008 we provided approximately 90,000 clinic visits to over 33,000 unduplicated children, adolescents and adults.

We strongly oppose the proposed project which would redevelop the vacant site located on 2330 and 2337 South Flower Street. It is in the heart of the community served by SJWCFC. The proposed site was formally occupied by Orthopedic Hospital. Orthopedic Hospital was situated at the nexus of 2 Service Planning Areas (SPA) in the County of Los Angeles, with the highest percentages of people with no regular source of health care-25.9% (SPA 4) and 20.9% (SPA 6) for adults, and 11.2 (SPA 4) and 10.2% (SPA 6) of children. Orthopedic Hospital's demolition in January 2008 exacerbated the lack of hospitals and specialty care in this chronically underserved area.

Removing the "Q" condition and building market-rate housing as proposed through the Lorenzo Project would eliminate the opportunity to bring these greatly needed medical services to the 93,937 residents estimated to live in South Los Angeles in 2010 (per SCAG forecast). Prior to its demolition, SJWFC referred thousands of South Los Angeles children every year to specialty care services at Orthopedic Hospital. These children must now be referred to often inaccessible specialty care outside of their community.

Construction activity related to this project would exacerbate pollution levels in a community already overburdened by asthma and other respiratory diseases. A recent study of our patient population estimates that 28% pediatric population suffers from

1

2

3

4



asthma. This number is 2-3 times greater than Los Angeles County as a whole. There are many families who work and play within walking distance of this site, including 4 schools. The combination of construction generated pollution and an absence of quality accessible specialty medical care services to treat those affected will greatly impact surrounding residents.

4 cont.

We are also concerned with the draft EIR's failure to address this project's potential to exacerbate the epidemic of slum housing in South Los Angeles. The physical deterioration of buildings due to intentional neglect negatively impacts the health of a large percentage of SJWCFC's patients. In addition to our above mentioned high rate of asthma, more than 1 in 5 of our pediatric population currently experiences elevated levels of blood lead (exceeding 3.3 micrograms per deciliter), the majority of which results from exposure in the home. Elevated levels of lead in the blood result in irreversible developmental delays and significant health problems.

5

We are sure that you understand the severity of the proposed project and its negative impact on the health of the South Los Angeles residents. We urge you not to overlook the health of our community.

6

Sincerely,

A handwritten signature in black ink, appearing to read "James Mangia". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

James Mangia, President and CEO
St. John's Well Child and Family Center

Comment Letter Mangia*Response to Comment Mangia-1*

The comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Mangia-2

The comment expresses opposition to the Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Regarding lack of hospitals in the area, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Mangia-3

Regarding removal of the [Q] conditions from the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Mangia-4

Regarding construction air quality impacts of the Project, the commenter is referred to Response to Comment Ahkiam-5.

This comment also asserts that construction-related air quality impacts and the lack of a hospital at the Project site will “greatly impact surrounding residents,” but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Mangia-5

Regarding building deterioration the commenter is referred to Responses to Comments Aguilar-1 and Aguilar-2. For the reasons stated in those responses, it is not a failure of the Draft EIR that these issues were not addressed.

Regarding levels of lead in the blood of the pediatric population, the Project has no involvement or effect on the existing or any future levels of lead in the blood of the pediatric population. If the commenter

knows of such an existing issue, the commenter should contact the Los Angeles Housing Department and/or the U.S. Department of Housing and Urban Development.

Response to Comment Mangia-6

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Heiser Matamoros

Heiser Matamoros

Name
 801 W. 23rd St. Apt. 103

Address
 LA, CA 90007

City, State and Zipcode

Comment Letter Matamoros M

Response to Comment Matamoros M-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Matamoros M-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Matamoros M-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,



Sandra Matamoros

Name

801 W. 23Rd St. Apt. 103

Address

LA, CA 90007

City, State and Zipcode

Comment Letter Matamoros S

Response to Comment Matamoros S-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Matamoros S-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Matamoros S-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.



FIGUEROA CORRIDOR
COMMUNITY LAND TRUST

January 13, 2010

Adam Villani, Planning Assistant

Los Angeles City Planning Department

200 North Spring Street, Room 750

Los Angeles, CA 90012

RE: Draft EIR NO. ENV-2006-9471-EIR

RECEIVED
CITY OF LOS ANGELES

JAN 28 2010

ENVIRONMENTAL
UNIT

Dear Mr. Villani,

I am writing on behalf of the Figueroa Corridor Community Land Trust in response to the Lorenzo Project Case No. # ENV-2006-9471-EIR. The Figueroa Corridor Community Land Trust is a community-based effort to stabilize the neighborhoods south of downtown Los Angeles, where rising property values and rents are pushing out many long-term residents. Our goals are to build community control over land, to preserve and build opportunities for working-class people to remain in the community, and to build the capacity and power of local residents to have a say in the future of their neighborhoods.

We are most concerned about how the proposed project will negatively affect community residents in the area, who are predominantly low-income people of color.

The proposed project which would redevelop the vacant site located on 2330 and 2337 South Flower St. is located within the boundaries of our service area and sits just north of our actual office. The proposed site is located entirely in an area heavily trafficked by low-income community residents who are already subjected to the ongoing elimination of affordable housing, environmental injustice on health and well-being, gentrification, forced evictions, rezoning, and eminent domain policies.

We are deeply concerned that the removal of this land as a health serving community use and the replacing of it with luxury apartments both harms the community by removing a vital resource and only helps accelerate the pressures on the surrounding affordable housing stock. It does nothing to bring new affordable units to the community (a dire community need) and in fact helps raise the surrounding land values and associated rents.

The project site was formally occupied by Orthopedic Hospital. Orthopedic Hospital, situated at the nexus of the two Service Planning Areas (SPA) in the County of Los Angeles, has the highest percentages of people with no regular source of health care-- 25.9% (SPA 4) and 20.9% (SPA 6) of adults, and 11.2% (SPA 4) and 10.2% (SPA 6) of children. The hospital's demolition in January of 2008 exacerbated the lack of hospitals and clinics in an area that was already underserved in terms of health care. Removing the Q condition and building this luxury housing would eliminate the possibility of remedying that problem for the 93, 937 residents estimated to live in South Los Angeles

Office: 213.784.4140 | Fax: 213.748.4101 | 152 West 32nd Street, Los Angeles, CA 90007

in 2010 (per SCAG forecast). It is a critical area in dire need of development that addresses the deficit of health services.

5 cont.

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) and Esperanza Community Housing Corporation, found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. Thus, children's health would suffer.

6

We are most concerned about the failure of the draft EIR to adequately address the imminent gentrification of the surrounding community; including physical deterioration of buildings due to neglect and the loss of affordable housing in the area; the complete lack of an environmental energy analysis in the draft EIR; the identified negative air and noise quality impacts of the construction and operations; the possible violation of water quality regulations; and the failure to maintain the "Q" condition reserved for the proposed site. The draft EIR also defines the neighborhood too narrowly—the neighborhood is much bigger than the area studied in the EIR.

7

Specifically, we request the following:

1. The City properly and thoroughly address the significant environmental impacts identified in the draft EIR through mitigation measures that are community developed and community based;

8

2. The City request that a full energy analysis be completed in the final EIR, including appropriate mitigation and conservation measures as required by CEQA;

9

3. The City provide all of the final EIR materials translated into Spanish so that community residents can take active part in this important decision-making process. To refuse to translate the materials would be a violation of civil rights law, and bad public policy;

10

4. The City maintain the "Q" condition on the site to address a community underserved by the inequitable distribution and disinvestment of public and private health care resources.

11

We appreciate the opportunity to voice our concerns and we look forward to engaging with the city on ensuring responsible development occurs on this site.

12

Sincerely,



Sandra McNeill

Executive Director

Comment Letter McNell*Response to Comment McNell-1*

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment McNell-2

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment McNell-3

This comment is substantially the same as Comment Dennison-2. The commenter is referred to Response to Comment Dennison-2.

Response to Comment McNell-4

This comment expresses concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The comment also asserts that the Project will “accelerate the pressures on the surrounding affordable housing stock,” but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this implication. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 3 (Affordable Housing).

Response to Comment McNell-5

This comment is the same as Comment Ahkiam-4. The commenter is referred to Response to Comment Ahkiam-5.

Response to Comment McNell-6

This comment is substantially the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

Response to Comment McNell-7

This comment is the same as Ahkiam-6. The commenter is referred to Response to Comment Ahkiam-6.

Response to Comment McNell-8

This comment is the same as Ahkiam-7. The commenter is referred to Response to Comment Ahkiam-7.

Response to Comment McNell-9

This comment is the same as Ahkiam-8. The commenter is referred to Response to Comment Ahkiam-8.

Response to Comment McNell-10

This comment is the same as Ahkiam-9. The commenter is referred to Response to Comment Ahkiam-9.

Response to Comment McNell-11

This comment is the same as Ahkiam-10. The commenter is referred to Response to Comment Ahkiam-10.

Response to Comment McNell-12

This comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

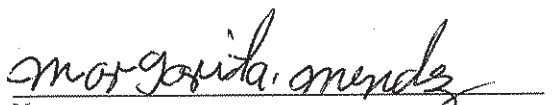
We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,


 Name
 1953 Estrella Ave APT #12
 Address
 Los Angeles CA 90007
 City, State and Zipcode

Comment Letter Mendez M

Response to Comment Mendez M-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Mendez M-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Mendez M-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

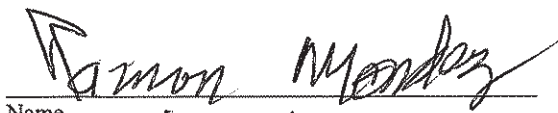
We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,



Name

1010 W. 23rd St

Address

LA - CA 90007

City, State and Zipcode

Comment Letter Mendez R

Response to Comment Mendez R-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Mendez R-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Mendez R-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

LAURA MEYERS

1818 South Gramercy Place ☒ Los Angeles, CA 90019

Tel: 323-737-6146 ☒ Fax: 323-730-0432 ☒ E-mail: lauram ink@aol.com

January 4, 2010

Adam Villani, Project Coordinator
Los Angeles Department of City Planning
200 North Spring Street, Room 750
Los Angeles, California 90012

RE: The Lorenzo Project
Case No. ENV-2006-9471-EIR
2300 & 2327 South Flower Street

Dear Mr. Villani:

I am a longtime resident of West Adams, and have served for twenty years representing the North University Park Community Association on the Community Redevelopment Agency's advisory committee for the former Hoover, now University-Exposition Park Redevelopment Project Area, which abuts (but does not include) the subject project. I am also the editor for West Adams Heritage Association. I am writing this letter personally, on my own behalf, but the information contained herein is gleaned from these many years of community activism and historic preservation advocacy.

1

The Lorenzo Project accomplishes the creation of housing without a negative impact on the nearby historic districts (including the Chester Place National Register District and the University Park HPOZ). It also does not seem to have a negative impact on important nearby individual landmarks and Historic Cultural Monuments (such as St. John's Cathedral and St. Vincent's Cathedral), except possibly traffic impacts. So I would very much like to support it.

2

However, the DEIR completely overlooks all traffic impacts on 23rd Street between Figueroa and Hoover/Union. It also fails to identify (and thus address) quite a few nearby projects currently in development phase.

3

I am particularly surprised that the traffic study doesn't address either the project slated for 2700 S. Figueroa or the project proposed (note the difference in word choice) for 2537-41 S. Figueroa ("Red Oak" Adams/Figueroa Student Housing), both of which are within just a few hundred feet of the subject project. I might add that the related DEIR for Red Oak's Adams/Figueroa Student Housing FAILS to mention the Palmer/Lorenzo Project. Your fellow staff planner Jimmy Liao was apprised of this Lorenzo project in (at minimum) a phone conversation with Caltrans staff member Elmer Alvarez on July 9, 2008. Moreover, the Initial Study was published in June, 2008, well before either project had completed its respective

4

DEIR. I wonder therefore how it is that neither DEIR cross references the other (e.g., neither DEIR adds daily trips or traffic counts for the other project) though both DEIRs were being processed nearly simultaneously in your section?

4 cont.

The list of “Related Projects” is not only incomplete, it is completely out of date. In the Appendix, where the EAF and DOT project #s were shown, they dated from the year 2000 to 2006. The majority of projects proposed and in current development on the Figueroa Corridor and/or in University Park date from 2007 to present. While I might understand missing projects that were announced in very recent months, there is no good reason to not capture projects which have gone through the public hearing process and/or have been approved by the Los Angeles City Council or other Los Angeles governmental body, including all of those described below. Furthermore, the information is readily available; I simply entered the search term “Figueroa Los Angeles development” into Google and found a list on Councilmember Bernard Parks’ CD8 website.

5

Section 15151 of the State CEQA Guidelines, which define the standards for EIR adequacy, notes: *An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.*

6

It was reasonably feasible to ask the DEIR authors to do their own research related to nearby projects (and not to rely on a 2006 transportation study).

7

Nearby projects in development but not listed in the DEIR and not studied related to traffic issues (particularly on Figueroa and on 23rd Street) include but may not be limited to (descriptions from LAUSD and CD8 website):

1). Norwood School Workforce Housing. LAUSD issued an RFP and accepted a proposal by developer Tom Safran to develop workforce housing, a joint-use facility, community amenities and retention of parking for school use on property adjacent to the Norwood School, located at the corner of Oak Street and 21st Street

8

2). 3025 S. Figueroa Blvd. This market-rate apartment project is a 34-unit student housing development project located within the Exposition/University Park Redevelopment Project Area. The project is privately financed and consists of a three-story apartment building with 34 apartments and a garage below with 65 parking spaces and 154 bicycle spaces.

3). Icon Plaza, 3574-3584 S. Figueroa Street. Icon Plaza is a mixed-use student housing project being developed by Forward Progress Management. It will be a LEED certified environmental development along the Figueroa Corridor and will provide 56 units of much needed student

housing along with over 18,000 square feet of neighborhood-serving retail. Additionally, this project will be providing much-needed tax increment revenue to the project area.

4). 2700 S. Figueroa Blvd. Located in the Exposition/University Park project area, this \$51 million development project proposes a seven story mixed-use building consisting of 171 apartments and over 22,000 sq. ft. of commercial retail space. In addition to bringing new tax increment to the project area, the Martin Group development team will also be providing the benefit of relieving pressure off of the local community residents.

8 cont.

This list may not be complete; I would suggest contacting the Community Redevelopment Agency staff members working on both the University-Exposition Park and the CD9 project areas to ascertain what other projects are in the pipeline. Similarly the planning/economic development deputies at CD 9, CD1 and CD8 probably have knowledge of development projects in their respective jurisdictions.

9

Regarding the traffic study, it is imperative that the authors study the impact of this project on 23rd Street, which is a small but vital corridor that connects Flower Street to Hoover (traveling over the freeway). Local residents use it for easy-access circulation around the neighborhood. It is clear that this project (and as well the Red Oak project) will significantly impact traffic on that street. By way of obvious example, for a resident at the Lorenzo project, the best way to access the 10 freeway westbound will be to drive west on 23rd Street to Hoover, turn right, and go to blocks to the freeway entrance at circa 20th and Hoover.

10

The traffic study does not analyze the intersection of 23rd and Hoover/Union, and certainly doesn't address the potential increase of cut-through traffic through the University Park residential neighborhood.

I think it would be important for the Final EIR to take a look at these (and possibly other) potential impacts on the nearby residential neighborhoods.

11

Thank you for your consideration.

Cordially,

Laura Meyers

Comment Letter Meyers*Response to Comment Meyers-1*

This comment includes statements about the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Meyers-2

This comment notes that the project would not result in any significant impacts related to historic resources. Regarding traffic impacts associated with the project, the commenter is referred to Section IV.L, Traffic/Transportation and Parking, of the Draft EIR that includes an analysis of the traffic impacts associated with the project. The analysis concludes that with mitigation, all traffic impacts of the project would be less than significant.

Response to Comment Meyers-3

Regarding traffic impacts of the project along 23rd Street between Figueroa Street and Hoover Street/Union Avenue, the east-to-west distribution of project traffic west of Interstate 110 (the “Harbor Freeway”) would be fairly limited, as shown on Figures IV.L-8 through IV.L-9 in Section IV.L, Traffic/Transportation and Parking, of the Draft EIR. Those project trips that would travel west of the Harbor Freeway would likely use Adams Boulevard, as opposed to 23rd Street, because Adams Boulevard is a Major Highway Class II, which primarily serves thru and commute traffic and provides access to abutting properties as a secondary function, whereas 23rd Street is a collector street, which primarily provides access to abutting properties and limited traffic circulation. For these reasons, project traffic would not result in any significant traffic impacts along 23rd Street between Figueroa Street and Hoover/Union Avenue. Thus, the Draft EIR did not “overlook” potential traffic impacts of the project along 23rd Street.

Regarding failing to identify nearby related projects beyond those identified in the Draft EIR, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Meyers-4

Regarding other related projects, the Related Projects list (see Section III of the Draft EIR) was updated after the 2006 traffic analysis to provide more current information and includes all past, present and reasonably foreseeable future projects in the area identified after consultation with LADOT and the City Planning Department at the time it was prepared. Specifically, the commenter states that the EIR does not address the 2700 S. Figueroa project, nor the 2537-41 S. Figueroa “Red Oak” project. The 2700 S. Figueroa project was applied for in October of 2008, several months after the NOP for the Proposed

Project was issued. The commenter misstates the address of the Red Oak project, which is actually 2455 S. Figueroa, and is listed as related project #1 in the Draft EIR. In the same way, the Lorenzo Project (Proposed Project) is listed as related project #34 in the Red Oak EIR.

Response to Comment Meyers-5

Regarding other related projects, the Related Projects list is not expected to be exhaustive because such lists are constantly changing, but provides a relevant setting from which to make cumulative analyses. If the City were to require that Related Projects lists were updated every year, the EIR would constantly be updated since the EIR process usually takes more than one year to complete. Also note that the traffic analysis includes an annual growth rate to further accommodate growth. The commenter is also referred to Response to Comment Meyers-4.

Response to Comment Meyers-6

This comment quotes language from the *CEQA Guidelines* but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Meyers-7

Regarding related projects, the related projects list used in the EIR was developed in 2007 and includes all past, present and reasonably foreseeable future projects in the area identified after consultation with LADOT and the City Planning Department at the time it was prepared.

Response to Comment Meyers-8

Regarding other related projects, the commenter is referred to Response to Comment Meyers-4.

Response to Comment Meyers-9

Regarding related projects, the commenter is referred to Response to Comment Meyers-4.

Response to Comment Meyers-10

Regarding project traffic on 23rd Street west of the Harbor Freeway, the commenter is referred to Response to Comment Meyers-3.

Regarding “cut-through traffic” through the University Park residential neighborhood, the commenter is referred to study intersection number six (6) on Figures IV.L-8 (page IV.L-27), IV.L-9 (page IV.L-28), IV.L-10 (page IV.L-29), and IV.L-11 (page IV.L-30) of the Draft EIR which shows that traffic distribution from the project into the University Park neighborhood is negligible. The figures

demonstrate that distribution of project traffic is largely north, south, and east, because the project site is located east of the Harbor Freeway, which is where most traffic will be directed from the project site. Also, the local streets within the areas west of the Harbor Freeway do not provide traffic distribution convenience. Thus, travelers associated with the project would not cut through the University Park residential neighborhood and impacts would be less than significant.

Response to Comment Meyers-11

Regarding “these...potential impacts,” the commenter is referred to Response to Comment Meyers-3. Regarding “(and possibly other) potential impacts, on the nearby residential neighborhoods” the commenter suggests that additional traffic impacts associated with the project that were not identified in the Draft EIR could occur, but the commenter does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to this comment is required.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

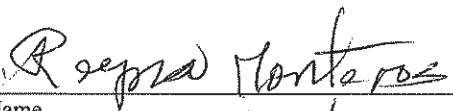
We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

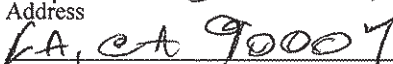
2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,


Name

Address

City, State and Zipcode

Comment Letter Montaros

Response to Comment Montaros-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Montaros-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Montaros-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

I am writing in response to the Lorenzo Project Case No. # ENV-2006-9471-EIR. I am concerned about how the proposed project will negatively affect community residents in the area, who are predominantly low-income people of color.

1

The proposed site is located entirely around community residents who are already subjected to the ongoing elimination of affordable housing, environmental injustice on health and well-being, gentrification, forced evictions, rezoning, and eminent domain policies.

2

In addition, the project site was formally occupied by Orthopedic Hospital. Orthopedic Hospital, situated at the nexus of the two Service Planning Areas (SPA) in the County of Los Angeles with the highest percentages of people with no regular source of health care-- 25.9% (SPA 4) and 20.9% (SPA 6) among adults. Among children, 11.2% (SPA 4) and 10.2% (SPA 6) do not have health coverage. The hospital's demolition in January of 2008 exacerbated the lack of hospitals and clinics in an area that was already underserved in terms of health care. Removing the Q condition and building this luxury housing would eliminate the possibility of remedying that problem for the 93,937 residents estimated to live in South Los Angeles in 2010 (per SCAG forecast). It is a critical area in dire need of development that addresses the deficit of health services.

3

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) and Esperanza Community Housing Corporation, found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. Thus, children's health would suffer.

4

We are most concerned about the failure of the draft EIR to adequately address the imminent gentrification of the surrounding community; including physical deterioration of buildings due to neglect and the loss of affordable housing in the area; the complete lack of an environmental energy analysis in the draft EIR; the identified negative air and noise quality impacts of the construction and operations; the possible violation of water quality regulations; and the failure to maintain the "Q" condition

5

reserved for the proposed site. The draft EIR also defines the neighborhood too narrowly—the neighborhood is much bigger than the area studied in the EIR.

5 cont.

Specifically, we request the following:

1. The City properly and thoroughly address the significant environmental impacts identified in the draft EIR through mitigation measures that are community developed and community based;

6

2. The City request that a full energy analysis be completed in the final EIR, including appropriate mitigation and conservation measures as required by CEQA;

7

3. The City provide all of the final EIR materials translated into Spanish so that community residents can take active part in this important decision-making process. To refuse to translate the materials would be a violation of civil rights law, and bad public policy;

8

4. The City maintain the "Q" condition on the site to address a community underserved by the inequitable distribution and disinvestment of public and private health care resources.

9

Thank you for your consideration.

Sincerely,

Aiha Nguyen

Comment Letter Nguyen*Response to Comment Nguyen-1*

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Nguyen-2

This comment includes statements about the commenter's community, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Nguyen-3

This comment is the same comment as Comment Ahkiam-4. The commenter is referred to Response to Comment Ahkiam-4.

Response to Comment Nguyen-4

This comment is substantially the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

Response to Comment Nguyen-5

This comment is the same as Ahkiam-6. The commenter is referred to Response to Comment Ahkiam-6.

Response to Comment Nguyen-6

This comment is the same as Ahkiam-7. The commenter is referred to Response to Comment Ahkiam-7.

Response to Comment Nguyen-7

This comment is the same as Ahkiam-8. The commenter is referred to Response to Comment Ahkiam-8.

Response to Comment Nguyen-8

This comment is the same as Ahkiam-9. The commenter is referred to Response to Comment Ahkiam-9.

Response to Comment Nguyen-9

This comment is the same as Ahkiam-10. The commenter is referred to Response to Comment Ahkiam-10.

PATRICE

ST. VINCENT
2333 So Figueroa St.
Los Angeles, Ca. 90007
213 748-5367
Fax 213 748-5347

Fax

To: Adam Villani From: Sister Sean Patrice
Fax: 213-978-1343 Date: Dec 2009
Phone: 213-978-1472 Pages: 2
Re: The Lorenzo Project cc:

☒ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

-Comments: [\[Click here and type any comments\]](#)

Adam Villani, Planning Assistant
Los Angeles Department of City Planning
200 North Spring Street, Room 750
Los Angeles, CA 90012

Dear Mr. Villani,

I have questions regarding the Lorenzo Project (reference # ENV-2006-9471-EIR). My questions are two and reflect two concerns: tremendous increase of population in an already crowded neighborhood and affordable family housing in our area. So question #1 is "How do you perceive the increase in population in a very small area which already has The Gateway project of 1200 student apartments, Nokia-Staples Center-LA Live and the Convention Center, impacting the way of life for those of us who already live in the Figueroa corridor? Question #2 is "Will the multi-family residential units be affordable to the considerable number of low in-come families who work at USC, the hotel industries and garment district?" If not, what kind of families is the project aiming at?

My response to this project goes in two directions. I am for it if low-income families will have the opportunity for affordable housing. I can survive, but uncomfortably, with the tremendous increase in population. If the housing is not attainable for these families because the rent is beyond their means, then I go with not allowing the congestion that will result in the construction of the two buildings.

Thank you for your attention in this matter,
Sister Sean Patrice
St. Vincent Community
2421 1/2 S. Figueroa St.
Los Angeles, CA 90007 FAX 213-748-5347

Comment Letter Patrice

Response to Comment Patrice-1

Regarding the Gateway project and the Staples Center, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Regarding affordable housing, the commenter is referred to Master Response 3 (Affordable Housing).

Response to Comment Patrice-2

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Pless Environmental, Inc.

440 Nova Albion Way, Suite 2
San Rafael, CA 94903
(415) 492-2131 voice
(815) 572-8600 fax

PLESS

January 25, 2010

Kristin B. Burford
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, CA 94102

Re: Review of Draft Environmental Impact Report for "The Lorenzo"

Dear Ms. Burford,

Per your request, I have reviewed the Draft Environmental Impact Report ("Draft EIR") for the proposed 1,400-unit residential development "The Lorenzo" ("Project") in Los Angeles, CA.

My qualifications as an environmental expert include a doctorate in Environmental Science and Engineering ("D. Env.") from the University of California Los Angeles. The Environmental Science and Engineering program's multidisciplinary coursework requirements and applied research training emphasize the interactions and interdependencies between science, engineering, public policy, economics, and law in the protection of the environment and public health. My professional experience in the environmental field, more than 15 years, includes the areas of air quality and soil and groundwater contamination. In my professional practice, I have reviewed and commented on hundreds of CEQA documents including numerous residential and commercial developments. My current resume is attached to this letter.

1

As discussed in my attached comments, the Draft EIR's air quality analysis is flawed and fails to identify and properly mitigate significant impacts. Specifically, the Draft EIR is deficient because it impermissibly piecemeals the Project, fails to adequately characterize the air quality in the Project vicinity, underestimates Project operational emissions, fails to adequately address and identify significant health risks for future residents of the Project, and underestimates and fails to adequately mitigate Project construction emissions recommend that the Draft EIR be revised these issues and recirculated for public review.

2

The most serious deficiency in the Draft EIR's air quality section relates to the health risk assessment which erroneously finds that the Project's future residents would not experience significant cancer risks due to emissions from Interstate 110, which is parallels the western boundary of the Project site. Contrary to the Draft EIR's conclusion, emissions from I-110 indeed result significant cancer risks. Further, the emissions from I-110 must be considered in conjunction with the extremely unhealthy background air pollutant concentrations in Los Angeles County, which together would expose future residents to unacceptable levels of pollution with the resultant health effects including cancer, asthma, and increased incidences of heart attacks. In my opinion, the Project site is an extremely poor location for a residential development.

3

Very truly yours,

A handwritten signature in black ink, appearing to read "Robt. R. R.", with a stylized flourish above the first name.

Comments
on
The Lorenzo
Draft Environmental Impact Report

Prepared for

Kristin B. Burford
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, CA 94102

Prepared by

Petra Pless, D.Env.
Pless Environmental, Inc.
440 Nova Albion Way, Suite 2
San Rafael, CA 94903

January 25, 2010

Table of Contents

I.	Review of the Project Is Impermissibly Piecemealed.....	2
II.	The Draft EIR Fails to Adequately Characterize the Existing Air Quality in the Project Vicinity.....	3
III.	The Draft EIR Underestimates Project Operational Emissions and Fails to Identify and Adequately Mitigate Significant Impacts on Air Quality.....	4
III.A	URBEMIS Modeling Runs Are Based on Incorrect Vehicle Trip Generation Rates	5
III.B	Mitigation Measures for Reduction of Vehicle Trip Generation Rates Are Double-Counted.....	6
III.C	URBEMIS Modeling Runs Fail to Account for Emissions of Re-entrained Fugitive Road Dust	7
III.D	Revised URBEMIS Modeling for Project Daily Operational Mitigated Emissions.....	8
III.E	Air Pollutant Concentrations Associated with Localized Operational Emissions Presented in Draft EIR Are Based on Erroneous Assumptions and Should Be Remodeled.....	9
III.F	Mitigation Measures for the Project's Operational Phase Exist and Should Be Required to Mitigate the Project's Significant Impacts on Air Quality.....	9
IV.	The Draft EIR Fails to Adequately Address and Identify Significant Health Risks Associated with Locating Residential Uses Next to Freeway.....	10
IV.A	The Health Risk Assessment Underestimates Potential Health Risks for Future Residents Associated with Vehicle Emissions from I-10.....	14
IV.A.1	The Health Risk Assessment Relies on an Incorrect Average Vehicle Fleet Speed.....	14
IV.A.2	The Health Risk Assessment Erroneously Relies on Ambient Air Pollutant Concentrations Modeled at Building Top Floor	17
IV.A.3	The Health Risk Assessment Fails to Account for A Number of Emission Sources.....	17
IV.A.4	The Health Risk Assessment Assumes an Incorrect Cancer Potency Factor for Diesel Particulate Matter	18
IV.A.5	The Health Risk Assessment Relies on Non-conservative Exposure Duration.....	18
IV.B	The Draft EIR Fails to Adequately Discuss the Health Risks for Future Residents of the Project.....	19
IV.C	The Draft EIR's Proposed MERV-13 Filtration System Is Inadequate to Protect Future Residents from Adverse Health Effects	20

V. The Draft EIR Underestimates and Fails to Adequately Mitigate Construction Emissions	23
V.A The Draft EIR Underestimates Emissions Associated with Earthmoving	23
V.B The Draft EIR Underestimates Building Construction Emissions	23
V.C The Draft EIR Overestimates the Control Efficiency of the Proposed Mitigation Measures for Fugitive Dust	24
V.D The Proposed Mitigation Measures for Reducing Exhaust Emissions from Construction Equipment Are Inadequate and Additional Mitigation Is Feasible.....	24
V.D.1 Mitigation Measures to Reduce Construction Equipment Engine Exhaust Is Ineffective and Should Be Revised	26
V.D.2 The Construction Mitigation Measures Required by the Draft EIR Fail to Include Monitoring, Feedback, or Enforcement.....	27

Figures

Figure 1: Traffic spreads pollutants up to 1,500 feet from the roadway	11
Figure 2: Health risks in proximity to traffic	13
Figure 3: Vehicle speed vs. emission rates	15
Figure 4: 2001 total cancer risk per million in South Central Los Angeles	20

Tables

Table 1: Number of days per year in SRA I (Central Los Angeles Area) exceeding ambient air quality standards for PM10 and PM2.5	4
Table 2: Revised estimated future (2013) Project daily operational mitigated emissions.....	8
Table 3: Average running exhaust emission factors for ROG and diesel particulate matter for vehicle fleet in Los Angeles County in 2013	16

Exhibits

- Exhibit 1: URBEMIS output files “Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)” and “Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)”
- Exhibit 2: URBEMIS modeling for Project operational phase emissions using the Draft EIR’s assumptions but with fugitive dust option checked
- Exhibit 3: Revised URBEMIS modeling for future (2013) Project daily operational mitigated emissions
- Exhibit 4: Excel spreadsheets provided by Christopher Joseph & Associates
- Exhibit 5: Federal Highway Administration, Recurring Traffic Bottlenecks: A Primer – Focus on Low-Cost Operational Improvements, 2009
- Exhibit 6: Spreadsheets for revised estimates of cancer risks associated with I-110 (accounting for 70-year exposure duration and DPM cancer potency factor of 1.10)
- Exhibit 7: Excerpt from Union of Concerned Scientists, Digging Up Trouble, November 2006
- Exhibit 8: Los Angeles Times, December 6, 2006

COMMENTS

The City of Los Angeles (“City”) as the lead agency under the California Environmental Quality Act (“CEQA”) has published a Draft Environmental Impact Report (“Draft EIR”) for the mixed-use development “The Lorenzo” to be located at 2300 South Flower Street and 2327 South Flower Street in southwestern Los Angeles¹ (“Project”).²

The Project, proposed by Palmer/Flower Street Properties, LP, (“Applicant”), would include construction of 1,400 multi-family residential units (230 one-bedroom units, 888 two-bedroom units, and 282 three-bedroom units) and ancillary common area and recreation amenities including two subterranean parking garages providing a total of 3,204 parking spaces; 34,000 square feet of commercial retail uses; including 6,000 square feet of restaurant use.³

4

The 9.5-acre Project site, located approximately half a mile southeast from the intersection of the I-110 and I-10 freeways, consists of two currently vacant parcels generally bounded by West 23rd Street to the north, Orthopaedic Hospital Medical Magnet High School and South Grand Avenue to the east, West Adams Boulevard to the south, and South Flower Street and the interstate 110 Freeway (“I-110”) to the west. The Project site is bisected by South Flower Street, forming Project Sites A and B.⁴

As discussed in the following comments, the Draft EIR is deficient because it impermissibly piecemeals the Project (*see* Comment I); fails to adequately characterize the air quality in the Project vicinity (*see* Comment II); underestimates Project operational emissions, (*see* Comment III); fails to adequately address and identify significant health risks for future residents of the Project (*see* Comment III.F); and underestimates and fails to adequately mitigate Project construction emissions (*see* Comment V). The Draft EIR should be revised these issues and recirculated for public review.

5

¹ The Draft EIR states that the Project site is located in the Southeast Community of Los Angeles; *see* p. II-5.

² City of Los Angeles, Southeast Los Angeles Community Plan Area, The Lorenzo Project, Draft Environmental Impact Report, Case No. ENV-2006-9471-EIR, November 2009.

³ Draft EIR, pp. II-5 through II-7.

⁴ Draft EIR, p. II-1.

I. Review of the Project Is Impermissibly Piecemealed

The Project site currently consists of two vacant, graded lots which are used as surface parking lots and does not contain any structures. The Project site was formerly occupied by the Orthopaedic Hospital, clinical space, medical office buildings, and associated surface parking areas. According to the project description contained in the City's Notice of Preparation of a Draft EIR, dated June 11, 2008, the Project included the demolition of existing structures and the removal of the associated landscaping and surface parking areas.⁵ Yet the Draft EIR makes no mention and contains no analysis of the demolition phase. It appears that the Applicant demolished these buildings in preparation for the Project and that the demolition permits were issued without CEQA review.⁶

6

CEQA forbids "piecemeal" review of the significant environmental impacts of a project. This rule derives, in part, from section 21002.1(d), which requires the lead agency to consider the effects, both individual and collective, of all activities involved in a project. The CEQA Guidelines, Section 15378(a), define the term "project" as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably indirect physical change in the environment..." Thus, the environmental impacts of demolishing the existing buildings should have been analyzed as part of the Draft EIR's analysis of Project's construction phase.

7

The potential adverse impacts on air quality associated with the demolition of the buildings that existed at the Project site include combustion exhaust emissions from diesel-powered construction equipment and haul trucks, substantial amounts of fugitive dust, as well as the potential releases of asbestos containing materials. Particularly troublesome is the fact that the Project site is located in proximity to a number of schools: Orthopaedic Hospital Medical Magnet High School is located immediately east of Site A. The Project site is also approximately 0.2 miles north-northwest of Adams Middle School and approximately 0.2 miles west-southwest of Lanterman High School.⁷ In addition, St. Vincent School and the New Designs Charter School are located about 0.1 miles from Project Site B, immediately to the west of Figueroa Street.⁸ Other sensitive in receptors in the vicinity of the Project include the hotel to the northwest of the project site, the various medical buildings to the south of Site A, and an adult health care center (Felices Dias Adult Day Health Care Center) to

8

⁵ City of Los Angeles, Notice of Preparation, EIR No.: ENC-2006-9471-EIR, Project Name: Palmer Lorenzo, June 11, 2008, p. 1.

⁶ Personal communication with Kristin Burford, Shute, Mihaly & Weinberger, January 12, 2010.

⁷ Draft EIR, pp. III-5 and IV.F-2.

⁸ See Google Maps at <http://snipurl.com/u6yxk> [maps_google_com].

the north of Site B.⁹ The potential adverse impacts on air quality associated with the demolition of the existing buildings on these and other sensitive receptors should have been evaluated in the Draft EIR and adequately mitigated, but were not.

8 cont.

II. The Draft EIR Fails to Adequately Characterize the Existing Air Quality in the Project Vicinity

The Draft EIR presents a summary of the ambient air quality in the Project vicinity as represented by monitoring data from the Central Los Angeles Area station ("SRA 1") in Table IV.C-4. There are several problems with this presentation.

9

First, the Draft EIR simply presents the monitoring results in a summary table but contains no discussion of these results.

Second, the Draft EIR presents monitoring data for the years 2005 through 2007; however, data for 2008 were available when the Draft EIR was published and these more recent data should have been included in the summary table.

10

Third, and most importantly, the Draft EIR incorrectly summarizes the number of days per year exceeding the national and state 24-hour ambient air quality standards for particulate matter with a diameter of 10 micrometers and smaller ("PM10") and with a diameter of 2.5 micrometers and smaller ("PM2.5") at the monitoring site. The number of days per year presented in the Draft EIR, Table IV.C-4, is not the total number of days per year the ambient air quality standards were exceeded for these pollutants but rather the number of days these pollutants were monitored in the respective years at the SRA 1 monitoring station. Because the monitoring station collected data on far fewer than 365 days in any year, the number of days exceeding ambient air quality standards must be proportionally estimated based on to the actual number of days monitored. Table 1 summarizes the number of days per year exceeding the ambient air quality standards for PM10 and PM2.5 based on the total number of days monitored per year at the Central Los Angeles Area ("SRA 1") monitoring station.

11

⁹ Draft EIR, pp. III-5 and IV.F-2 and Figure III-1.

Table 1: Number of days per year in SRA I (Central Los Angeles Area) exceeding ambient air quality standards for PM10 and PM2.5

Air Pollutants Monitored Within SRA I (Central Los Angeles Area)		Year ^a			
		2005	2006	2007	2008
PM10	Total number (%) of days monitored per year	61 (16.7%)	59 (16.2%)	56 (15.3%)	45 ^b (12.3%)
	Number (%) of days monitored per year exceeding state 50 µg/m ³ 24-hour standard (Draft EIR, Table IV.C-4 2005-2007)	4 (6.6%)	3 (5.1%)	5 (8.9%)	2 (4.4%)
	Number (%) of days per year exceeding state 50 µg/m ³ 24-hour standard	24	19	33	16^b
PM2.5	Total number (%) of days monitored per year	334 (91.5%)	330 (90.4%)	324 (88.8%)	337 (92.3%)
	Number (%) of days monitored per year exceeding national 35 µg/m ³ 24-hour standard (Draft EIR, Table IV.C-4 2005-2007)	2 (0.6%)	11 (3.3%)	20 (6.2%)	10 (3.0)
	Number of days per year exceeding national 35 µg/m ³ 24-hour standard	2	12	23	11

a Data from South Coast Air Quality Management District, Historical Data by Year;
<http://www.aqmd.gov/smog/historicaldata.htm>.

b Less than 12 full months of data; may not be representative.

As Table 1 shows, the number of days per year exceeding the state 24-hour ambient air quality standard for PM10 in the Project vicinity is considerably higher than presented by the Draft EIR because this pollutant was monitored on less than 20% of all days in the year. In other words, PM10 pollutant concentrations in the Project vicinity registered at unhealthy levels on substantially more days than summarized in the Draft EIR, *e.g.*, instead of 5 days in 2007 exceeding the state 24-hour standard (which is the number of day *monitored* that exceeded the standard), the estimated number of days per year when local air quality exceeded the standard was 33 or about 10% of the year (see shaded cell in Table 1).

III. The Draft EIR Underestimates Project Operational Emissions and Fails to Identify and Adequately Mitigate Significant Impacts on Air Quality

The Draft EIR uses the URBEMIS 2007 computer model (Version 9.2.4) to quantify air pollutant emissions from the Project's operational phase, *i.e.*, emissions from vehicle engines and area sources (natural gas combustion, hearths, landscaping equipment, consumer products and architectural coatings).¹⁰ The Draft EIR presents

¹⁰ Draft EIR, p. IV.C-40.

future (2013) daily unmitigated area and mitigated vehicle engine emissions of criteria pollutants for the Project's operational phase (for summertime and wintertime) compared to the CEQA thresholds of significance set by the South Coast Air Quality Management District ("SCAQMD") in Table IV.C-10. The Draft EIR concludes that total emissions associated with the Project's operational phase would exceed the SCAQMD's thresholds of significance for volatile organic compounds ("VOCs") but not for nitrogen oxides ("NOx"), carbon monoxide ("CO"), sulfur oxides ("SOx"), PM10, and PM2.5.¹¹ As discussed in the following comments, the Draft EIR's URBEMIS modeling runs rely on a number of erroneous assumptions and, as a result, significantly underestimate air pollutant emissions associated with the Project's operational phase.

12 cont.

III.A URBEMIS Modeling Runs Are Based on Incorrect Vehicle Trip Generation Rates

The URBEMIS emissions model calculates vehicle traffic emissions for various land uses (residential, commercial, etc.) based on the number of dwelling units or square footage and default trip generation rates associated with these land uses which are based on the Institute of Transportation Engineers ("ITE") Trip Generation Rate Manual. Review of the Draft EIR's URBEMIS modeling runs, contained in Appendix B, shows that the Draft EIR considerably underestimated Project operational emissions associated with vehicle traffic from residential and commercial uses because it relied on incorrect vehicle trip generation rates.

13

The Draft EIR states that default vehicle trip generation rates for residential uses in URBEMIS were considerably reduced to be consistent with the traffic impact analysis.¹² The URBEMIS modeling is based on a total of only 4,410 vehicle trips per day from the proposed 1,400 residential units¹³, taking a 25% trip generation credit for the nearby planned Expo light rail "as allowed by updates to the LADOT traffic impact study guidelines" and a total of only 730 vehicle trips per day attributable to the commercial uses of the site.¹⁴ However, review of this traffic analysis by Tom Brohard & Associates found that the trip generation rates assumed by the Draft EIR are considerably underestimated. Tom Brohard & Associates found that the Project would result in 4,998 vehicle trips per day from residential units and 3,137 vehicle trips per day associated with the proposed commercial uses. These revised vehicle trip

14

¹¹ See Draft EIR, Table IV.C-10.

¹² Draft EIR, Appendix B, Air Quality Calculation Sheets, "Explanation of Changes Made to Default Settings in Urbemis 2007," at pdf page 30.

¹³ Draft EIR, Appendix B, Air Quality Calculation Sheets, URBEMIS modeling run, at pdf pages 16, 20, 24, and 28.

¹⁴ Draft EIR, Appendix F, Supplemental Traffic Analysis Memorandum Traffic Study, Technical Memorandum from KOA Corporation to Christopher A. Joseph & Associates, November 6, 2009, pp. 1-2.

generation estimates also take into account the trip generation credit for the nearby planned Expo light rail.¹⁵ Thus, the inputs to the URBEMIS modeling underestimates residential trips by 13% and commercial trips by a factor of more than four. The remarkable discrepancy in the Draft EIR's vehicle trip generation rates for commercial uses and those developed by Tom Brohard & Associates are partially explained by the fact that the Draft EIR failed to account for the high vehicle trip generation rates associated with the proposed 6,000 square feet of restaurant uses. Instead, the Draft EIR's URBEMIS modeling included these 6,000 square feet in the "regional shopping center" category.¹⁶

14 cont.

III.B Mitigation Measures for Reduction of Vehicle Trip Generation Rates Are Double-Counted

The Draft EIR's estimates for vehicle emissions associated with the Project's operational phase assumes a considerable reduction, between about 6% to about 15% depending on pollutant, due to selection of a number of mitigation options in the URBEMIS modeling runs.¹⁷ The mitigation options selected in URBEMIS include "Transit Service Mitigation," "Pedestrian/Bicycle Friendliness Mitigation," "Local-Serving Retail Mitigation."¹⁸

15

For the "Transit Service Mitigation" option, the Draft EIR specifies 12 daily weekday bus stops within ¼ mile of the site and 1 daily rail or bus rapid transit stops within ½ mile of the site. As discussed in the previous comment, the Draft EIR's vehicle trip generation rates, which were the basis for the URBEMIS modeling, already account for a 25% credit for the nearby planned Expo light rail as well as for the specific land uses of the Project. Thus, the trip reductions associated with the URBEMIS mitigation measures are double-counted and inappropriately reduce the emissions estimates for the Project's operational phase.

16

¹⁵ Personal communication with Tom Brohard, Tom Brohard & Associates, January 14, 2010.

¹⁶ See Draft EIR, Appendix B, Air Quality Calculation Sheets, URBEMIS modeling runs, at pdf pages 16, 20, 24, and 28.

¹⁷ See Draft EIR, Appendix B, Air Quality Calculation Sheets, URBEMIS modeling runs, at pdf pages 14, 18, 22, and 26.

¹⁸ URBEMIS modeling runs "Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)", and "Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)", file name "Palmer operational.urb924" provided "via email by Bryan Chen, Christopher Joseph & Associates, on January 20, 2010 (attached as Exhibit 1).

III.C URBEMIS Modeling Runs Fail to Account for Emissions of Re-entrained Fugitive Road Dust

When vehicles travel paved or unpaved roads, particles are pulverized by the force of the wheels, lifted and dropped from the rolling wheels, and lifted from the road surface due to strong air currents behind the vehicles. This 're-entrained' fugitive road dust contributes a substantial portion of an air basin's total particulate matter inventory. Since the mid 1970s, direct emissions of particulate matter have been increasing in the South Coast Air Basin, primarily due to fugitive road dust emissions, dust from construction, and demolition operations. This emission increase reflects the increased growth and vehicle miles traveled in the South Coast air basin.¹⁹ These re-entrained road dust emissions significantly affect the South Coast Air Basin's attainment of the particulate matter ambient air quality standards. For example, the current Transportation Conformity Emissions Budget attributes more than 50% of the entire emissions inventory of directly emitted PM_{2.5} to re-entrained road dust.²⁰

17

The URBEMIS model provides the option to include re-entrained road dust in vehicle traffic emission estimates. However, the Draft EIR's URBEMIS modeling for the Project's operational phase does not include re-entrained road dust emissions. Thus, by excluding road dust emissions, the modeling significantly underestimates the Project's operational phase PM₁₀ and PM_{2.5} emission estimates. The Draft EIR contains no explanation why re-entrained road dust was not included in these emission estimates.

18

A preliminary URBEMIS modeling run based on the Draft EIR's assumptions but with the "Paved Road Dust" option checked indicates that re-entrained road dust due to the Project's vehicle traffic would account for approximately 60 pounds per day ("lb/day") of PM and approximately 10 lb/day of PM_{2.5}.²¹ (See Exhibit 2.)

19

¹⁹ California Air Resource Board, The California Almanac of Emissions and Air Quality - 2009 Edition, Chapter 4: Air Basin Trends and Forecasts - Criteria Pollutants, pp. 4-10 and 4-11; <http://www.arb.ca.gov/aqd/almanac/almanac09/pdf/chap409.pdf>, accessed January 21, 2010.

²⁰ Total directly emitted PM_{2.5} inventory: 37.4 tons/day, thereof 17.8 tons/day re-entrained road dust (49.7%) from paved roads and 1.0 tons/day re-entrained road dust from unpaved roads (2.7%); see South Coast Air Quality Management District, Request to Revise 8-Hour Ozone and PM_{2.5} Transportation Conformity Emission Budgets for South Coast Air Basin and Coachella Valley; <http://www.aqmd.gov/hb/2010/January/100129a.htm> at <http://www.aqmd.gov/hb/attachments/2010/January/100129.exe>, accessed January 21, 2010.

²¹ (total mitigated PM₁₀ emissions including fugitive dust: 64.31 lb/day) - (total mitigated PM₁₀ emissions without fugitive dust: 3.13 lb/day) = **61.18 lb/day**;

(total mitigated PM_{2.5} emissions including fugitive dust: 12.24 lb/day) - (total mitigated PM_{2.5} without fugitive dust: 1.92 lb/day) = **10.32 lb/day**.

III.D Revised URBEMIS Modeling for Project Daily Operational Mitigated Emissions

I performed revised URBEMIS emissions modeling for the Project's future daily operational emissions based on the revised trip generation rates developed by Tom Brohard & Associates with the "Transit Service Mitigation" turned off to prevent double-counting transit-related emission reductions. In addition, this model run includes re-entrained road dust, to properly estimate the Project's particulate matter emissions. The URBEMIS model was run for Los Angeles County rather than the SCAQMD. The vehicle fleet mix was changed to reflect the Draft EIR's vehicle fleet mix; however, for catalyst, non-catalyst and diesel fractions URBEMIS defaults were used. Otherwise, the model run I performed was based on the same assumptions used in the Draft EIR's modeling.²² Table 2 summarizes the revised emissions estimates from this model run. (See Exhibit 3.)

Table 2: Revised estimated future (2013) Project daily operational mitigated emissions

Emission Source	Emissions in lb/day					
	VOC	NOx	CO	SO ₂	PM10	PM2.5
	Summertime (smog season)					
Water and space heating and cooking appliances	1.08	14.05	6.12	0.00	0.03	0.03
Landscape maintenance equipment	0.25	0.04	3.09	0.00	0.01	0.01
Consumer products	71.82					
Architectural coatings	2.59					
Mobile (vehicle) sources	55.29	42.60	550.30	0.62	106.78	20.35
Total future daily operational emissions	131.03	56.69	559.51	0.62	106.82	20.39
SCAQMD regional thresholds	55	55	550	150	150	55
Significant impact?	YES	YES	YES	no	no	no
	Wintertime(non-smog season)					
Water and space heating and cooking appliances	1.08	14.05	6.12	0.00	0.03	0.03
Consumer products	71.82					
Architectural coatings	2.59					
Mobile (vehicle) sources	57.40	52.60	533.65	0.49	106.78	20.35
Total future daily operational emissions	132.89	66.65	539.77	0.49	106.81	20.38
SCAQMD regional thresholds	55	55	550	150	150	55
Significant impact?	YES	YES	no	no	no	no

²² The vehicle fleet mix was changed to reflect the Draft EIR's vehicle fleet mix; however, for catalyst, non-catalyst and diesel fractions URBEMIS defaults were used.

As shown in Table 2, the revised mitigated operational emissions associated with the Project's operational phase exceed the SCAQMD's regional thresholds of significance for VOC, NO_x, and CO in summer and for VOC and NO_x in winter. The significant emissions of VOC and NO_x, which are both ozone precursors, will contribute to the already extreme ozone problem in Los Angeles County.

20 cont.

III.E Air Pollutant Concentrations Associated with Localized Operational Emissions Presented in Draft EIR Are Based on Erroneous Assumptions and Should Be Remodeled

The Draft EIR presents ambient air pollutant concentrations resulting from localized emissions for the Project's operational phase in Table IV.C-11. The localized emission rates used for calculating these ambient pollutant concentrations from the ISCST3 dispersion modeling were based on the daily operational emission rates obtained with URBEMIS modeling for area sources and vehicles assuming that each vehicle would travel for an average of 0.1 miles within the Project site.²³

As discussed in Comments III.A through III.C above, several of the Draft EIR's modeling assumptions for the URBEMIS runs with respect to vehicle emissions are erroneous. Thus, the localized operational air pollutant concentrations should be remodeled using correct assumptions to verify the Draft EIR's conclusions regarding their significance. In addition, rather than being compared to the 2007 ambient pollutant concentrations, emissions should be compared to the highest ambient pollutant concentrations in the past three years.

21

III.F Mitigation Measures for the Project's Operational Phase Exist and Should Be Required to Mitigate the Project's Significant Impacts on Air Quality

The Draft EIR requires no mitigation whatsoever for the significant emissions associated with the Project's operational phase beyond requiring that the Project design shall meet "the intent of the criteria for Leadership in Energy and Environment (LEED) certification level which shall meet the 2008 Title 24 standards. A number of mitigation measures beyond meeting "the intent" of LEED certification exist. These include, for example, increasing energy efficiency of the residential and commercial buildings beyond Title 24 requirements and the requirement that a percentage of housing units that are deed-restricted below market rate housing (4% reduction in vehicle trips for each deed-restricted unit).²⁴ The SCAQMD has also developed a list of mitigation

22

²³ Draft EIR, p. IV.C-41.

²⁴ South Coast Air Quality Management District, Software User's Guide: URBEMIS2007 for Windows Version 9.2, Emissions Estimation for Land Use Development Projects, November 2007, p. 41; <http://www.urbemis.com/software/URBEMIS9%20Users%20Manual%20Main%20Body.pdf>, accessed January 22, 2010.

measures for residential buildings that would be applicable to the Project including purchasing renewable energy; installation of smart meters; providing shade for a minimum of 50% of the non-roof surfaces; installation of solar-powered street-lights; use of solid wall systems in floors, walls, and roofs; installation of energy-reducing ceiling fans; installation of electrical outlets for plug-in hybrids; providing transportation information in a prominent area accessible to residents; and providing for one bicycle space for every 20 car parking spaces.²⁵ Other mitigation measures could include the requirement for neighborhood shuttles, paying into a transportation mitigation fund, or providing a donation to non-profit organizations that work on improving the air quality in Los Angeles. Numerous other mitigation measures could be developed that would contribute to improving the local and regional air quality. The City should require the Applicant to implement some of these measures.

22 cont.

IV. The Draft EIR Fails to Adequately Address and Identify Significant Health Risks Associated with Locating Residential Uses Next to Freeway

As mentioned before, the Project site is located adjacent to both I-110 and West Adams Boulevard, a busy arterial street. Over the last ten years, numerous public health studies have shown that that air pollutants are more concentrated near heavily traveled roadways. As a result, air pollution exposure levels are greater close to roadways than are typically reported through regional air pollution measurements and individuals living in proximity to freeways or busy roadways have poorer health outcomes.²⁶ The distance from the road within which pollution levels are noticeably higher varies by pollutant. (See Figure 1.)

23

²⁵ South Coast Air Quality Management District, PR 2301 Examples of Non-Quantifiable Operational Mitigation Measures, Residential, March 5, 2008; http://www.aqmd.gov/rules/proposed/2301/pr2301_residentia_nonquant_20080305.pdf, accessed January 25, 2010.

²⁶ California Air Resources Board, Air Quality and Land Use Handbook: A Community Health Perspective, April 2005; <http://www.arb.ca.gov/ch/handbook.pdf>, accessed January 22, 2010.

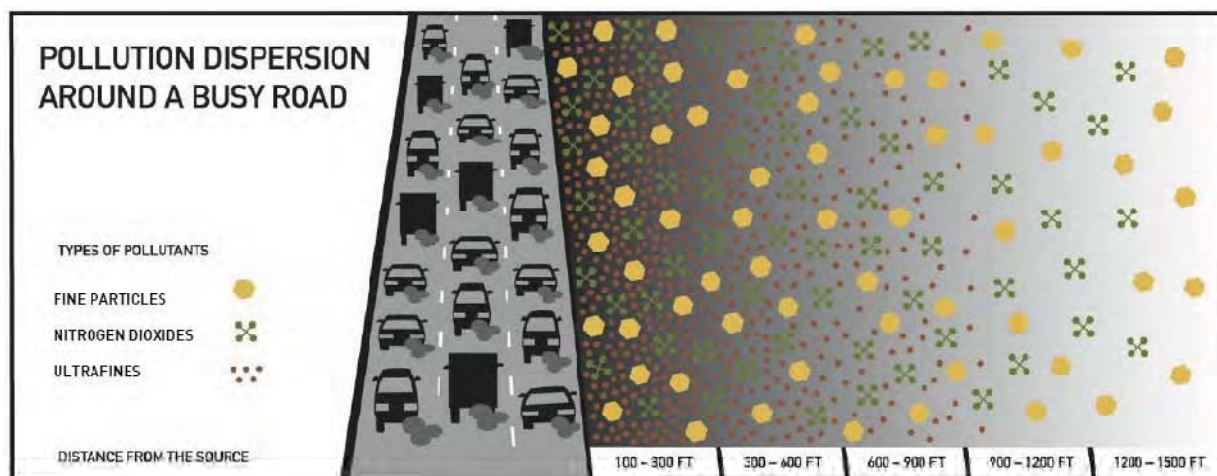


Figure 1: Traffic spreads pollutants up to 1,500 feet from the roadway
(from Environmental Defense Fund, All Choked Up, March 2007)

23 cont.

The distances from the road where levels are high enough to increase health risks are 500 to 1,500 feet for particulate matter (soot from gasoline or diesel); 600 to 1,500 feet for nitrogen dioxide (“NO₂”), and 300 to 1,000 feet for ultrafine particles (soot smaller than 0.1 micrometers or “PM_{0.1}”).

There is growing concern about the health effects of ultrafine particle pollution which originates both from gasoline and diesel-powered vehicles near busy roadways. In fact, the majority of particles from vehicle exhaust are considered ultrafine particles.²⁷ Recent toxicological studies indicate that, at the same mass concentration, ultrafine particles are more toxic than larger particles with the same chemical composition. Ultrafine particles are observed at their highest concentration close to the roadway, and, when the wind blows directly from the road, the concentration of fine and ultrafine particles drops off by about 50% at 300 to 500 feet away. (See Figure 1.) The smallest particles are concentrated within 100 to 200 feet of the roadway. California freeway studies show about a 70% drop in particulate pollution levels at 500 feet.²⁸ Laboratory studies demonstrate that, while new engine technology and fuel reformulation decrease, particle mass concentrations emitted from vehicles, ultrafine particle number concentrations remain unchanged or even increase.²⁹ As discussed in Comment IV.C, the building filtration system proposed as mitigation for the Project does not effectively filter out ultrafine particles.

24

²⁷ The majority of particles are in the size range of 20-130 nanometers (0.02-0.13 µm) for diesel engines and 20-60 nanometers (0.02-0.06 µm) for gasoline engines.

²⁸ See footnote 26.

²⁹ Y. Zhu, W.C. Hinds, S. Kim, and C. Sioutas, Concentration and Size Distribution of Ultrafine Particles Near a Major Highway, Journal of the Air and Waste Management Association, Vol. 52, pp. 1032-1042.

Studies implicate exposure to traffic-related pollutant emissions with a variety of cancer as well as non-cancer health risks including acute and chronic respiratory disease and heart attacks as well as premature death in elderly individuals with heart disease. Studies show that children living near a freeway have substantial deficits in lung formation compared with children living farther away. Another study shows that postmenopausal women living in communities with high levels of fine particulate matter have a 150% greater risk of dying from heart disease and stroke than women living in less polluted areas. In another study, adults with asthma who spent just two hours walking on a street with heavy diesel traffic suffered acute effects on their lung function, including lung and airway inflammation. Yet another study shows that exposure to ultrafine particles from incomplete combustion of fuel as well as lubricating oils can bypass the body's defense mechanisms, enter cells and tissues, and disrupt normal cellular function. Other studies link traffic-related pollutant exposure to increased risk for low birth weight and premature birth.^{30,31,32} A recent study found that particulate matter pollution also raises the risk of deep vein thrombosis, a particular concern for elderly people.³³ Most recently, a study implicated air pollution and traffic exposure with increased incidences of spontaneous abortion.³⁴

25

Figure 2 shows an illustration of the most common health effects depending on receptor proximity to traffic.

26

³⁰ Environmental Defense Fund, All Choked Up, Heavy Traffic, Dirty Air, and the Risk to New Yorkers, March 2007.

³¹ See footnote 26.

³² For a summary, see, e.g., D.G. Shendell and V.L. Boothe, Potential Health Effects Associated with Residential Proximity to Freeways and Primary Roads: Scientific Literature 1999-2006, Journal of Environmental Health, April 2008; <http://snipurl.com/u6fnw> [www_britannica_com], accessed January 24, 2010.

³³ A. Baccarelli, I. Martinelli, A. Zanobetti, P. Grillo, L.F. Hou, P.A. Bertazzi, P.M. Mannucci, J. Schwartz, Exposure to Particulate Air Pollution and Risk of Deep Vein Thrombosis; abstract available at: <http://snipurl.com/28nor> [www_ctv_ca], accessed January 21, 2010.

³⁴ R.S. Green, B. Malig, G.C. Windham, L. Fenster, B. Ostro, and S. Swan, Residential Exposure to Traffic and Spontaneous Abortion, Environmental Health Perspectives, 117(12): 1939-1944, 2009; abstract available at <http://snipurl.com/u6fui> [ehp03_niehs_nih_gov], accessed January 22, 2010.



Figure 2: Health risks in proximity to traffic
(from Environmental Defense Fund, All Choked Up, March 2007)

Recognizing the health risks of traffic-related emissions (beyond those associated with regional air pollution in urban areas), the California Air Resources Board ("CARB"), the state agency entrusted with the protection of California's air quality, recently developed guidelines to protect vulnerable populations, the so-called "Air Quality and Land Use Handbook: A Community Health Perspective."³⁵ These guidelines expressly advise against siting new "sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day." (Sensitive land uses include schools, residences, playgrounds, convalescent centers, nursing homes, long-term health care facilities, etc.) The CARB's recommendations comport with the above-discussed consistent health research findings demonstrating that proximity to high-traffic roadways results in both cancer and non-cancer health risks. Sensitive land uses deserve special attention because children, pregnant women, the elderly, and those with pre-existing health problems are especially vulnerable to the non-cancer effects of air pollution including reduced lung function and increased asthma hospitalizations, asthma symptoms, bronchitis symptoms, and medical visits.³⁶

26 cont.

The Draft EIR recognizes that proximity of the Project to I-110 poses potential health risks for the future residents. To assess these health risks, the Draft EIR conducts a health risk assessment for toxic air contaminant emissions including diesel particulate matter ("DPM") associated with vehicle engine exhaust emissions from I-110. The Draft EIR concludes that cancer risks and non-cancer health risks for future residents of the Project due its proximity to I-110 would not exceed health-based risk thresholds and would therefore be less than significant.³⁷ As discussed in Comment IV.A, this conclusion is incorrect and based on a number of erroneous assumptions. Further, as discussed in Comment IV.B, the Draft EIR fails to adequately discuss the health risks due to elevated background concentrations of pollutants in addition to the freeway

27

³⁵ See Footnote 31.

³⁶ *Ibid.*

³⁷ Draft EIR, p. IV.C-44.

emissions. Comment IV.C discusses the inadequacy of the proposed MERV-13 filtration system for protecting the future residents of the Project from air pollution.

27 cont.

IV.A The Health Risk Assessment Underestimates Potential Health Risks for Future Residents Associated with Vehicle Emissions from I-110

The Draft EIR's health risk assessment methodology claims that the evaluation is "based on a number of conservative assumptions, most of which are considered conservative."³⁸ The Draft EIR does not provide the underlying assumptions, calculations, and modeling runs (EMFAC2007, ISCST3) for the results presented in the health risk assessment. I obtained this information from the City's Consultant, Christopher Joseph & Associates.³⁹ Review of these files shows that this claim is incorrect, as discussed in the following comments. The health risk assessment is based on a number of erroneous assumptions and calculations. As a result, cancer and non-cancer health risks reported by the Draft EIR are considerably underestimated.

28

IV.A.1 The Health Risk Assessment Relies on an Incorrect Average Vehicle Fleet Speed

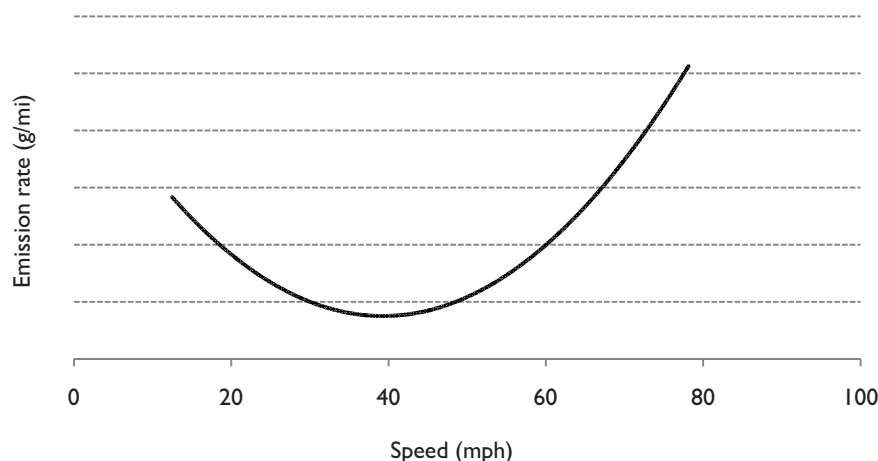
Emissions of air pollutants contained in vehicle exhaust depend on the average speed of a vehicle, or, when assessing emissions from a road, on the average speed of the vehicle fleet. Emissions per vehicle mile traveled ("VMT") decrease with increasing vehicle speed up to about 40 to 60 miles per hour ("mph") and then increase with increasing speed. Figure illustrates the general shape of pollutant emission rates versus vehicle speed curve.⁴⁰

29

³⁸ Draft EIR, Appendix B, pdf p. 690 (Health Risk Assessment, p. 5.)

³⁹ Multiple Adobe PDF and Excel files obtained via email from Bryan Chen, Christopher Joseph & Associates, January 19 through 22, 2010. Files that are cited to in this comment letter are attached as Exhibit 4.

⁴⁰ Figure 3 intentionally does not have any units on the y-axis as units will differ for pollutants. Also, the shape of the curve is generic and the location of the location will vary somewhat with pollutant.



30

Figure 3: Vehicle speed vs. emission rates

As Figure 3 shows, at very low average speeds, generally representing stop-and-go driving where vehicles do not travel far, the emission rates per mile are quite high. (When a vehicle's engine is running but it is not moving, its emission rate per mile reaches infinity.) Conversely, traveling at high speeds, demands very high engine loads, which requires more fuel, and which therefore leads to high emission rates. As a result, the emissions-speed curve has a distinctive parabolic shape, with high emission rates on both ends and low emission rates at moderate speeds of around 40 to 60 mph.⁴¹

The Draft EIR's air quality modeling is based on the EMFAC emission factors from EMFAC2007. EMFAC2007 provides several modules for estimating emission factors, including EMFAC and BURDEN. EMFAC generates speed-rated emission factors (*i.e.*, emission factors are generated for a specific vehicle speed; the model provides running exhaust, hot soak, etc.). (In contrast, the BURDEN module generates daily average emission factors: run, idle and start.) Table 3 summarizes average running exhaust emission factors for reactive organic gases ("ROG")⁴² and diesel particulate matter ("DPM") for the vehicle fleet in Los Angeles County in 2013 at various average speeds as estimated with EMFAC and used by the Draft EIR.

31

⁴¹ University of California Transportation Center, Tr; http://www.uctc.net/access/35/access35_Traffic_Congestion_and_Greenhouse_Gases.shtml, accessed January 19, 2010.

⁴² In this comment letter, the term ROG is used interchangeably with the term VOC.

Table 3:
Average running exhaust emission factors
for ROG and diesel particulate matter
for vehicle fleet in Los Angeles County in 2013^a

Average vehicle fleet speed (mph)	ROG (g/mile)	DPM (g/mile)
5	0.902	0.173
10	0.547	0.119
15	0.321	0.083
20	0.211	0.061
25	0.169	0.050
30	0.139	0.042
35	0.118	0.037
40	0.105	0.035
45	0.099	0.034
50^b	0.098	0.035
55	0.104	0.038
60	0.115	0.043

a Emission factors at 65 F and 50% relative humidity; based on EMFAC 2007, v. 2.3, modeling provided by Bryan Chen, Christopher Joseph & Associates, via email on January 19, 2010

b Used by Draft EIR to model acute and chronic health risks and incremental cancer risk

Table 3 shows that the lowest emission rates are estimated for an average vehicle fleet speed of 40 to 50 mph. The Draft EIR assumes an average vehicle fleet speed of 50 mph on I-110 for estimating acute and chronic health risks and incremental cancer risks for the Project due to its location next to I-110. The Draft EIR does not discuss why the average fleet speed of 50 mph is considered representative.

Considering that emissions of either ROG or DPM are higher if average vehicle fleet speeds are lower or higher than 50 mph, the choice of an average vehicle fleet speed of 50 mph is not a conservative assumption. In other words, most of the time, the vehicle fleet on the road, *i.e.* all cars, trucks, motorcycles, buses, etc. will be going either faster or slower than 50 miles per hour and, thus, unless the vehicle fleet on I-110 is always traveling at 50 mph, emission rates will be higher.

The Federal Highway Administration ("FHA") ranks the segment of I-110 northbound at Adams Boulevard, next to the Project site as the 14th worst bottleneck in the U.S. in terms of total delay to travelers, reporting an average speed of 15.8 miles per hour ("mph") when congested; similarly, the FHA ranks the intersection of I-110 northbound with interstate 10 ("I-10"), the Santa Monica Freeway, as the 21st worst

bottleneck in the U.S. with an average speed of 16.8 mph when congested.⁴³ (See Exhibit 5.) Clearly, an average vehicle fleet speed of 50 mph is bordering on wishful thinking for this segment of I-110. Thus, the emission rates for (and consequently emissions from) vehicle emissions from I-110 used by the Draft EIR are considerably underestimated.

34 cont.

The Draft EIR's emission estimates from I-110 vehicle traffic and the air dispersion modeling should be revised to reflect a realistic annual average vehicle fleet speed (based on emission factors estimated by the BURDEN module).

35

IV.A.2 The Health Risk Assessment Erroneously Relies on Ambient Air Pollutant Concentrations Modeled at Building Top Floor

The dispersion modeling for the Project estimates air pollutant concentrations at the top floor of the proposed on-site residential buildings, where air intakes are anticipated to be located.⁴⁴ This assumes that all air entering the residential units comes through the central air intake and assumes that all windows are non-operable. However, the drawings indicate that each residential unit would have a balcony, and, thus, operable windows/doors.⁴⁵ Thus, the Draft EIR's assumption of the future residents' exposure to central intake of air only is not conservative and, thus, underestimated. The health risk assessment should be revised to account for the potential exposure of residents to pollutant emissions from the freeway entering through open windows.

36

IV.A.3 The Health Risk Assessment Fails to Account for A Number of Emission Sources

The Draft EIR's health risk assessment does not take into account the considerable emissions associated with delivery trucks accessing the Project's commercial portion, including retail and restaurant uses, or waste management trucks. Emissions from delivery and waste management trucks include on-site running exhaust emissions and idling emissions. Other sources that are not included in the Draft EIR's health risk assessment are emissions from the testing of on-site diesel backup generators and potential dry cleaning operations.

37

These emissions will result in higher pollutant concentrations and higher exposure of the residents than estimated by the Draft EIR's health risk assessment.

⁴³ Federal Highway Administration, Recurring Traffic Bottlenecks: A Primer – Focus on Low-Cost Operational Improvements, 2009;
<http://ops.fhwa.dot.gov/publications/fhwahop09037/understanding.htm>, accessed January 21, 2010.

⁴⁴ Appendix B, pdf p. 687 (Health Risk Assessment, p. 2).

⁴⁵ Draft EIR, Figures II-3 through II-15.

IV.A.4 The Health Risk Assessment Assumes an Incorrect Cancer Potency Factor for Diesel Particulate Matter

The health risk assessment assumes a cancer potency factor for diesel particulate matter corrected of 1.05⁴⁶; the cancer potency factor established by the U.S. EPA and the OEHHA is 1.10.⁴⁷ The revised health risk assessment should be based on the correct cancer potency factor of 1.10 for diesel particulate matter.

38

IV.A.5 The Health Risk Assessment Relies on Non-conservative Exposure Duration

The Draft EIR's health risk assessment assumes a 30-year exposure duration for adult residents, arguing that this assumption is conservative as about 50% of the population lives in the same residence for only nine years, while only 10% remain in the same residence for 30 years.⁴⁸ While guidance exists for calculating risks based on 9-year and 30 year exposure timeframes, the 30-year exposure duration is not a conservative assumption and is not supported by Office of Environmental Health Hazard Assessment ("OEHHHA") or the SCAQMD.

39

According to the Air Toxics Hot Spots Program Risk Assessment Guidelines: The Air Toxics Hot Spots Program Guidance Manual for the Preparation of Health Risk Assessments ("Guidelines") published by OEHHHA "... recommends the 70-year exposure duration be used for determining residential cancer risks. This will ensure that the person residing in the vicinity of the facility for a lifetime will be included in the evaluation of risk posed by that facility. Exposure durations of 9-years and 30-years may also be evaluated as supplemental information to show the range of cancer risk based on residency periods." The Guidelines further clarify:

40

In addition to using an estimate of average and high-end consumption rates, cancer risk evaluations for 9, 30, and 70-year exposure durations can be presented instead of just a single 70-year exposure duration. While 9 and 30-year exposure durations are available to present potential impacts over a range of residency periods, **all HRAs must present the results based on 70-year exposure.**⁴⁹

⁴⁶ The spreadsheet "tox values" in file "HRA risk PL.xls" displays a cancer potency factor of 1.1; however, review shows that cell "C4" contains the value 1.05 and displays a rounded value of 1.1.

⁴⁷ Office of Environmental Health Hazard Assessment, OEHHHA Toxicity Criteria Database; <http://www.oehha.ca.gov/risk/chemicalDB/index.asp>, accessed January 20, 2010.

⁴⁸ Draft EIR, Appendix B, Health Risk Assessment, p. 6.

⁴⁹ California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Risk Assessment Guidelines: The Air Toxics Hot Spots Program Guidance Manual for the Preparation of Health Risk Assessments, August 2003, p. 2-4; http://oehha.ca.gov/air/hot_spots/pdf/HRAguidefinal.pdf, accessed January 22, 2010.

The SCAQMD recommends using the standard OEHHA 70-year timeframe as the basis for the site-specific health risk assessment. Also worth noting is that while most time is spent indoors, some studies show that the diesel PM penetration rate is around 65%:

In order to protect public health, and in accordance with the recommendations of the State of California Office of Environmental Health Hazard Assessment (OEHHA), a 70-year lifetime exposure is assumed for all receptor locations except for off-site workers (*i.e.*, receptor locations in commercial or industrial areas).⁵⁰

Based on an exposure duration of 70 years, a cancer potency factor for diesel particulate matter of 1.10 and otherwise assuming all of the Draft EIR's assumptions, the cancer risk associated with emissions from the freeway would be 18.5 in one million, by far exceeding the significance threshold of 10 in one million. (*See Exhibit 6.*) Thus, the Draft EIR fails to identify the significant impacts associated with locating the Project next to I-110. This cancer risk estimate is only a lower bound estimate and will considerably increase if direct exposure to freeway emissions at the lowest residential level is modeled rather than ambient air intake on the top floor of the residential buildings and when accounting for emissions from dry cleaners, backup generators, and delivery and waste management trucks. Thus, the health risk assessment should be revised to account for an exposure duration of 70 years and the Draft EIR be recirculated to discuss the revised results and any necessary mitigation.

41

IV.B The Draft EIR Fails to Adequately Discuss the Health Risks for Future Residents of the Project

The Draft EIR discusses potential health risks for future residents of the Project as if the I-110 freeway were the only concern. Yet, the extremely unhealthy ambient background concentrations of air pollutants in Los Angeles must be considered in addition to the freeway emissions when discussing the considerable health risks for the Project's future residents.

42

The ambient air quality in the South Coast Air Basin is dire. In Los Angeles County, 7% of the population or 650,000 residents experience asthma symptoms and an additional 9% or 931,000 residents experience asthma-like symptoms. In the City of Los Angeles' urban schools about 14% of all students have asthma and 28% of young patients at St. John's Downtown Los Angeles Clinic (located near Adams and Figueroa) are reported to have asthma.⁵¹ Further, because of the extremely unhealthy levels of air

43

⁵⁰ South Coast Air Quality Management District, Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis, August 2003, p. 9.

⁵¹ St. John's Well Child and Family Center, Esperanza Community Housing Corporation, Los Angeles Community Action Network, and Strategic Actions for a Just Economy, Shame of the City: Slum Housing

pollution in the South Coast Air Basin, a child has to live there only 12 days before he or she accumulates a lifetime's acceptable cancer risk.⁵² The SCAQMD and OEHHA have established a standard for stationary source cancer exposure risk of ten in one million. Development of the proposed Project would place receptors in a location where ambient air concentrations of pollutants are estimated to result in a cancer risk of between 1,000 and 1,500 per million, as shown in Figure 4 (shaded orange).

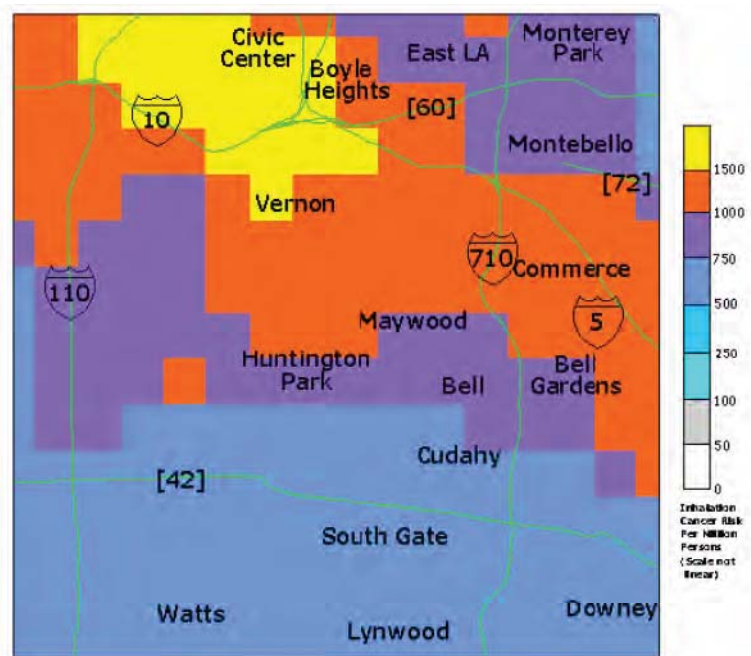


Figure 4: 2001 total cancer risk per million in South Central Los Angeles
(from CARB <http://www.arb.ca.gov/toxics/cti/hlthrisk/cncrinhl/riskmapviewfull.htm>)

The Draft EIR should be revised to contain a discussion that fully discloses the health risks for future residents associated with the location of the Project.

IV.C The Draft EIR's Proposed MERV-13 Filtration System Is Inadequate to Protect Future Residents from Adverse Health Effects

The Draft EIR proposes only one mitigation measure for the Project's operational phase, *i.e.*, the requirement that the Applicant install a centralized ventilation (filtration) system with a minimum efficiency reporting value ("MERV") of 13 in order to ensure that residents living at the Project site would not be exposed to excessive levels of

and the Critical Threat to the Health of L.A. Children and Families, April 2007, p. 14;
<http://snipurl.com/u6swj> [www_saje_net], accessed January 25, 2010.

⁵² National Environmental Trust, *Toxic Beginnings: Cancer Risks to Children from California's Air Pollution*, 2006.

particulate matter pollution in their homes.⁵³ Unfortunately, the MERV-13 filter specification is insufficient to achieve the goal of protecting future residents from traffic-related emissions.

44 cont.

First, as discussed before, the Draft EIR improperly assumes that the residents would only be exposed to air that has been filtered through the building's centralized filtration system. However, the building is not hermetically sealed and it appears that the residential buildings feature balconies and operable windows. Thus, unfiltered air can enter the building through open doors and windows, bypassing the centralized filtration system.

45

Second, the filtration system only addresses health risks associated with particle pollution. As shown by the Draft EIR's health risk assessment, more than 30% of the risk associated with freeway emissions can be attributed to TACs other than particulate matter.

46

Third, a MERV-13 filtration system⁵⁴ has the capacity to remove up to 75% of particles with a diameter between 0.3 to 1.0 μm and 90% of particles with a diameter between 1.0 and 10.0 μm .⁵⁵ Thus, 25% or more of the fine particle pollution (0.3 to 1.0 μm) and 10% of larger particles up to 10.0 μm would pass through the filter and enter the Project's apartments via the building's air conditioning and filtration system. For ultrafine particles (smaller than 0.1 μm), there is no guaranteed filtration efficiency. And, as previously discussed, exposure to ultrafine particles is associated with considerable health risks.

47

Fourth, the MERV-13 designation for the filters alone is insufficient. Even though the designation represents a comprehensive specification for the filter itself, it does not address the efficiency of the total air filtration system in the building because it does not address the total performance of the air filter when considered in tandem with the filter holding device. The use of a MERV-13 filter in a holding frame or housing that has gaps or leaks defeats any filter evaluation system. Air flow will follow the path of least resistance. Since a filter offers airflow resistance, gaps or leaks within the holding mechanism will allow air bypass. Therefore, system performance must be evaluated to

48

⁵³ Draft EIR, Mitigation Measure C-17, p. IVC-58.

⁵⁴ The MERV scale ranges from 1 (least efficient) to 16 (most efficient), and measures a filter's ability remove particles from 3 to 10 microns in size. Filters with higher ratings not only remove more particles from the air, they also remove smaller particles.

⁵⁵ Rosenthal J., CAFS, Understanding MERV or the Minimum Efficiency Reporting Value, How the ASHRAE 52.2 Helps You Select an Air Filter; <http://www.allergyclean.com/article-understandingmerv.htm>, accessed May 7, 2008.

assure that all the air moving through the system is treated by the filter.⁵⁶ To ensure that the building's entire air filtration system would function at the specified efficiency, other aspects of the ventilation system design such as ventilation rates, infiltration rates, and maintenance of positive pressure must be explicitly specified.

48 cont.

Fifth, the City should require a construction indoor air quality ("IAQ") management plan to ensure that the building ventilation system will perform at the MERV-13 rating and is not contaminated during the construction process. The following control measures have been suggested to meet the U.S. Green Building Council Leadership in Energy and Environmental Design ("LEED") Green Building Rating System during construction of buildings:

- A common practice used to protect the HVAC system during construction is to shut down the return side of the HVAC system during heavy construction activities, and to replace the ventilation system filters at frequent intervals throughout the construction process. Returns should be shrink-wrapped with plastic or even dampered off during especially disruptive construction activities.
- Temporary barriers should be constructed in an effort to isolate areas under construction from clean or occupied areas. If weather permits, construction areas should also be ventilated directly to the outdoors if particularly dusty operations or installation of VOC-emitting materials are being performed.
- Ensure that materials stored onsite do not get contaminated by dirt or other particulate matter that is always present on construction sites. An overall jobsite maintenance program should be developed that includes the storage and protection of building materials in a dry, clean location. Ductwork should be delivered to the jobsite shrink-wrapped on both ends until immediately prior to installation, and the returns should be kept wrapped until final installation of the finish grates. Implementing a no smoking policy for the workers during construction, using HEPA vacuums for cleanup, and making everyone on the jobsite aware of the housekeeping plan through onsite training programs.
- Conduct a minimum two-week building flush-out with new MERV 13 filtration media at 100% outside air. After the two-week flush-out is complete, new MERV 13 filters must be replaced in all locations except those that have been processing only outside air during the flush-out.⁵⁷

49

⁵⁶ Thornburg D., ASHRAE Filter Test Standard Provides New Tool for IAQ Control, Environment 2000; <http://www.invironment.com/research/v6n7f1.pdf>, accessed May 7, 2008.

⁵⁷ Abbreviated from: Southwest Contractor, Indoor Air Quality Management Plan to Meet LEED Requirements; http://southwest.construction.com/features/archive/0510_feature7.asp, accessed May 12, 2008.

V. The Draft EIR Underestimates and Fails to Adequately Mitigate Construction Emissions

The Draft EIR's estimates of construction emissions substantially underestimate the emissions associated with construction of the Project as discussed in the following comments.

50

V.A The Draft EIR Underestimates Emissions Associated with Earthmoving

The URBEMIS modeling for emissions for earthmoving is based on the assumption that only 2 acres per day would be actively disturbed and no on-site cut-and-fill would be required.⁵⁸ These assumptions fail to account for the considerable emissions associated with construction of the subterranean parking lots and leveling the project site. The Draft EIR indicates that approximately 385,000 cubic yards of soil would be excavated and exported to allow for the subterranean parking lots and building foundations.⁵⁹ The excavation and hauling of soil result in considerable emissions that are not accounted for in the Draft EIR's estimates. Further, the URBEMIS modeling only includes emissions from mass grading but fails to include emissions from fine grading. Thus, the URBEMIS modeling should be revised and included in a recirculated Draft EIR.

51

V.B The Draft EIR Underestimates Building Construction Emissions

The Draft EIR's URBEMIS estimates of construction emissions during building construction are based on the assumption of a maximum of seven pieces of equipment operating on site (1 cement and mortar mixer, 1 crane, 2 forklifts, 2 rough-terrain forklifts, 1 tractor/loader/backhoe, 1 trencher).⁶⁰ This appears to be a considerable underestimate for the scale of the Project. Presumably there would be more than one crane, more than one cement and mortar mixer, and several welders, flatbed trucks, etc. on site to construct the Project's five-story and 44-story buildings within the proposed construction timeframe of three years. To properly estimate construction emissions, the equipment counts must be provided by a construction company experienced in determining the maximum quantity of each type of construction equipment that would realistically be operating on site.

52

⁵⁸ Draft EIR, Appendix B, URBEMIS modeling run for construction emissions, p. 6 (pdf page 11)

⁵⁹ Draft EIR, p. II-24.

⁶⁰ *Ibid.*

V.C The Draft EIR Overestimates the Control Efficiency of the Proposed Mitigation Measures for Fugitive Dust

The Draft EIR's URBEMIS modeling runs for the construction phase include the following control efficiencies for PM10 and PM2.5 emissions: 84% for using soil stabilizers on inactive areas; 5% for replacing ground cover in disturbed areas quickly; 55% for watering exposed surfaces twice daily; and 69% for equipment loading/unloading measures.⁶¹ The estimated reduction in construction emissions associated with these mitigation measures is overestimated because the URBEMIS model version 9.2.4 used by the Draft EIR incorrectly estimates the emission reductions, as noted by the SCAQMD: "An error has been identified associated with the fugitive dust construction mitigation measures for PM. Therefore, the only mitigation measures acceptable for use are either watering OR chemical suppressants."⁶² The Draft EIR's URBEMIS modeling for construction should therefore be revised and recirculated for public review.

53

V.D The Proposed Mitigation Measures for Reducing Exhaust Emissions from Construction Equipment Are Inadequate and Additional Mitigation Is Feasible

Most heavy-duty construction equipment is diesel-powered. Diesel exhaust is a complex mixture of gaseous and solid materials. The visible emissions in diesel exhaust are known as diesel particulate matter ("DPM"), which includes carbon particles or "soot." Diesel exhaust also contains a variety of harmful gases and over 40 other known cancer-causing substances and is estimated to contribute to more than 75% of the added cancer risk from air toxics in the United States. Diesel exhaust also has the potential to cause serious adverse health effects including pulmonary and cardiovascular diseases.^{63,64}

54

Lagging emission standards and very old equipment in the fleet have made construction equipment one of the largest sources of toxic diesel particulate matter (soot) pollution in California. An estimated 70% of California's construction equipment

55

⁶¹ *Ibid*, p. 11 (pdf page 12).

⁶² South Coast Air Quality Management District, Air Quality Modeling, Transportation and Land Use Programs Computer Model (URBEMIS 2007 v.9.2.4); <http://www.aqmd.gov/CEQA/models.html>, accessed January 21, 2010.

⁶³ California Air Resources Board, Health Effects of Diesel Exhaust; <http://www.arb.ca.gov/research/diesel/diesel-health.htm>, accessed January 22, 2010.

⁶⁴ Environmental Defense Fund, Cleaner Diesel Handbook, Bring Cleaner Fuel and Diesel Retrofits into Your Neighborhood, April 2005, p. iv; http://www.environmentaldefense.org/documents/4941_cleanerdieselhandbook.pdf, accessed January 22, 2010.

is currently not covered by federal and state regulations because it is too old.⁶⁵ Clouds of soot emitted with the exhaust from construction equipment can travel downwind for miles, then drift into heavily populated areas.

55 cont.

A recent analysis found that air pollution from construction equipment is already taking a staggering toll on the health and economic well-being of Californians. For the South Coast Air Basin, 2005 estimates for health and economic damage from construction equipment emissions included more than 700 premature deaths, about 650 hospitalizations for respiratory and cardio-vascular disease, almost 27,000 incidences of asthma attacks, acute bronchitis, and other lower respiratory symptoms, about 125,000 days of lost work, about 175,000 school absences, and almost one million restricted activity days. This loss of life and productivity cost South Coast Air Basin residents an estimated \$5.9 billion.⁶⁶ These estimates are conservative because they do not include emissions from a large number of smaller construction projects (residential and commercial and projects smaller than one acre in size and because multi-story buildings were treated as one-story buildings). Further, John Hakel, Vice President of the Associated General Contractors, an organization representing construction equipment fleet owners and general contractors, indicated that the analysis appeared to underestimate the sheer volume of construction equipment in use.⁶⁷

56

The entire City of Los Angeles including the Project site is located in a high risk area for construction equipment emissions.⁶⁸ The Project would be built out over a period of three years⁶⁹, concurrently with many other construction projects in the region. During this time, heavy-duty diesel-powered construction equipment would emit considerable amounts of diesel particulate matter, which would travel into nearby residential areas, increase ambient concentrations of this pollutant, and result in potentially adverse health impacts. Sensitive receptors that may be adversely affected include the schools, residences, the hotel, and medical buildings in the vicinity of the Project site. The Project's construction emission would exacerbate the already existing severe health impacts on the City's residents caused by construction equipment.

57

The Draft EIR proposes four mitigation measures to reduce exhaust emissions from construction equipment: keeping construction equipment in proper tune (C-11);

58

⁶⁵ Union of Concerned Scientists, Digging up Trouble, The Health Risk of Construction Pollution in California, November 2006; http://www.ucsusa.org/assets/documents/clean_vehicles/digging-up-trouble.pdf, accessed January 22, 2010; pp. 12 and 13 attached as Exhibit 7.

⁶⁶ *Ibid*, p. 12.

⁶⁷ Los Angeles Times, Dire Health Effects of Pollution Reported, Diesel Soot from Construction Equipment Is Blamed for Illnesses and Premature Deaths, December 6, 2006; attached as Exhibit 8.

⁶⁸ See Exhibit 7, p. 13.

⁶⁹ See Draft EIR, Appendix B, URBEMIS modeling for construction emissions.

restricting idling to five minutes (C-12); use of electricity infrastructure (C-13), and a requirement that a number of construction equipment be equipped with a diesel oxidation catalyst (C-14). These mitigation measures are inadequate as discussed in the following comments. In light of the undisputed dire health consequences including excess deaths resulting from increased elevations of diesel particulate matter and other pollutants in construction equipment exhaust, the City should require the Applicant to implement effective mitigation measures to reduce these emissions.

58 cont.

V.D.I Mitigation Measures to Reduce Construction Equipment Engine Exhaust Is Ineffective and Should Be Revised

The Draft EIR's Mitigation Measure C-14 requires that "all scrapers, excavators, crawlers, forklifts, water trucks, pavers, and tractors used in the construction phase ... be equipped with diesel oxidation catalyst systems that would achieve a 20 percent reduction of NOx emissions from approved systems." This mitigation measure is poorly worded and, consequently, ineffective as it contains no reference level to which the 20% reduction of NOx is compared and does not include all diesel-powered equipment that would potentially be operating on site (e.g., cranes, backhoes, loaders, trenchers). Further, the mitigation measure should specify a percent reduction for particulate matter.

59

Effective language for this mitigation measure has, for example, been developed by the Sacramento Metropolitan Air Quality Management District ("SMAQMD"):

Category 1: Reducing NOx emissions from off-road diesel powered equipment

The project shall provide a plan, for approval by the lead agency and SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) self-propelled off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction¹ compared to the most recent CARB fleet average at time of construction; and The project representative shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

60

and:

Category 2: Controlling visible emissions from off-road diesel powered equipment

The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the lead agency and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.

60 cont.

and/or:

If at the time of construction, the SMAQMD has adopted a regulation applicable to construction emissions, compliance with the regulation may completely or partially replace this mitigation. Consultation with SMAQMD prior to construction will be necessary to make this determination.

¹ Acceptable options for reducing emissions may include use of newer model year engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.⁷⁰

To effectively control emissions from heavy-duty diesel-powered construction equipment, the Draft EIR's mitigation measures should be revised to include similar language.

V.D.2 The Construction Mitigation Measures Required by the Draft EIR Fail to Include Monitoring, Feedback, or Enforcement

The mitigation measures proposed in the Draft EIR only instruct the Applicant to require the construction contractor to implement the listed measures. None of the mitigation measures stipulates any monitoring, feedback, or enforcement in case the construction contractor should fail to implement or adequately execute the control measures, thereby rendering the proposed mitigation measures essentially meaningless. The Draft EIR should require the development of a construction mitigation plan and the presence of an on-site construction mitigation manager during construction of the Project.

61

⁷⁰ Sacramento Metropolitan Air Quality Management District, SMAQMD Recommended Mitigation for Reducing Emissions from Heavy-Duty Construction Vehicles, Revised December 1, 2008; <http://www.airquality.org/ceqa/mitigation.shtml#construction>, accessed January 20, 2010.

Exhibit I:

URBEMIS output files “Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)” and “Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)”

Exhibit 2:
URBEMIS modeling for Project operational phase emissions
using the Draft EIR's assumptions but with fugitive dust option checked

Exhibit 3:
Revised URBEMIS modeling for future (2013) Project daily operational mitigated emissions

Exhibit 4:
Excel spreadsheets provided by Christopher Joseph & Associates

Exhibit 5:
Federal Highway Administration, Recurring Traffic Bottlenecks:
A Primer – Focus on Low-Cost Operational Improvements, 2009

Exhibit 6:

Spreadsheets for revised estimates of cancer risks associated with I-110
(accounting for 70-year exposure duration and DPM cancer potency factor of 1.10)

Exhibit 7:

Excerpt from Union of Concerned Scientists, Digging Up Trouble, November 2006

Exhibit 8:
Los Angeles Times, December 6, 2006

Exhibit I:

URBEMIS output files “Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)” and “Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)”

Detail Report for Winter Operational Mitigated Emissions (Pounds/Day)

File Name: F:\MSWord 2007 Projects\Palmer Lorenzo\New Project\AQ\URBEMIS\Palmer operational.urb924

Project Name: Palmer Lorenzo - operation

Project Location: South Coast AQMD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

OPERATIONAL EMISSION ESTIMATES (Summer Pounds Per Day, Mitigated)

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Apartments high rise	28.05	26.22	261.78	0.26	2.79	1.71	28,296.84
Regnl shop. center	3.53	3.40	32.88	0.03	0.34	0.21	3,474.98
TOTALS (lbs/day, mitigated)	31.58	29.62	294.66	0.29	3.13	1.92	31,771.82

Includes correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2013 Temperature (F): 60 Season: Winter

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Operational Mitigation Options Selected

Residential Mitigation Measures

Residential Local-Serving Retail Mitigation

Percent Reduction in Trips is 2% (calculated as a % of 9.57 trips/day)))

Note that the above percent is applied to a baseline of 9.57 and that product is

Page: 2

1/20/2010 10:05:22 AM

Operational Mitigation Options Selected

Residential Mitigation Measures

subtracted from the Unmitigated Trips

Inputs Selected:

The Presence of Local-Serving Retail checkbox was selected.

Residential Transit Service Mitigation

Percent Reduction in Trips is 0.16% (calculated as a % of 9.57 trips/day)

Note that the above percent is applied to a baseline of 9.57 and that product is

subtracted from the Unmitigated Trips

Inputs Selected:

The Number of Daily Weekday Buses Stopping Within 1/4 Mile of Site is 12

The Number of Daily Rail or Bus Rapid Transit Stops Within 1/2 Mile of Site is 1

The Number of Dedicated Daily Shuttle Trips is 0

Residential Pedestrian/Bicycle Friendliness Mitigation

Percent Reduction in Trips is 3% (calculated as a % of 9.57 trips/day)

Note that the above percent is applied to a baseline of 9.57 and that product is

subtracted from the Unmitigated Trips

Inputs Selected:

The Number of Intersections per Square Mile is 0

The Percent of Streets with Sidewalks on One Side is 0%

1/20/2010 10:05:22 AM

Operational Mitigation Options Selected

Residential Mitigation Measures

- The Percent of Streets with Sidewalks on Both Sides is 100%
- The Percent of Arterials/Collectors with Bike Lanes or where Suitable, Direct Parallel Routes Exist is 0%
- Nonresidential Mitigation Measures

Non-Residential Local-Serving Retail Mitigation

- Percent Reduction in Trips is 2%
- Inputs Selected:
- The Presence of Local-Serving Retail checkbox was selected.

Non-Residential Transit Service Mitigation

- Percent Reduction in Trips is 0.16%
- Inputs Selected:
- The Number of Daily Weekday Buses Stopping Within 1/4 Mile of Site is 12
- The Number of Daily Rail or Bus Rapid Transit Stops Within 1/2 Mile of Site is 1
- The Number of Dedicated Daily Shuttle Trips is 0

Non-Residential Pedestrian/Bicycle Friendliness Mitigation

- Percent Reduction in Trips is 3%

Page: 4

1/20/2010 10:05:22 AM

Nonresidential Mitigation Measures

Inputs Selected:

The Number of Intersections per Square Mile is 0

The Percent of Streets with Sidewalks on One Side is 0%

The Percent of Streets with Sidewalks on Both Sides is 100%

The Percent of Arterials/Collectors with Bike Lanes or where Suitable,
Direct Parallel Routes Exist is 0%

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Apartments high rise	9.50	2.66	dwelling units	1,400.00	3,719.26	33,347.75
Regnl shop. center		20.36	1000 sq ft	34.00	692.35	4,115.73
					4,411.61	37,463.48

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	59.4	0.4	99.4	0.2
Light Truck < 3750 lbs	8.5	1.4	95.9	2.7
Light Truck 3751-5750 lbs	26.7	0.4	99.6	0.0
Med Truck 5751-8500 lbs	0.8	0.9	99.1	0.0
Lite-Heavy Truck 8501-10,000 lbs	0.1	0.0	81.2	18.8
Lite-Heavy Truck 10,001-14,000 lbs	0.0	0.0	60.0	40.0
Med-Heavy Truck 14,001-33,000 lbs	0.1	0.0	22.2	77.8
Heavy-Heavy Truck 33,001-60,000 lbs	0.0	0.0	0.0	100.0
Other Bus	0.0	0.0	0.0	100.0

Page: 5

1/20/2010 10:05:22 AM

Vehicle Fleet Mix						
Vehicle Type	Percent Type		Non-Catalyst		Catalyst	Diesel
Urban Bus	0.1		0.0		0.0	100.0
Motorcycle	3.2		53.6		46.4	0.0
School Bus	0.1		0.0		0.0	100.0
Motor Home	1.0		0.0		88.9	11.1
Travel Conditions						
Urban Trip Length (miles)	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
	12.7	7.0	9.5	13.3	7.4	8.9
	17.6	12.1	14.9	15.4	9.6	12.6
	30.0	30.0	30.0	30.0	30.0	30.0
% of Trips - Residential	32.9		18.0		49.1	
% of Trips - Commercial (by land use)						
Regnl shop. center				2.0	1.0	97.0
Operational Changes to Defaults						

Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)

File Name: F:\MSWord 2007 Projects\Palmer Lorenzo\New Project\AQ\URBEMIS\Palmer operational.urb924

Project Name: Palmer Lorenzo - operation

Project Location: South Coast AQMD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

OPERATIONAL EMISSION ESTIMATES (Summer Pounds Per Day, Mitigated)

<u>Source</u>	ROG	NOX	CO	SO2	PM10	PM25	CO2
Apartments high rise	29.91	21.24	274.63	0.33	2.79	1.71	31,484.77
Regnl shop. center	3.14	2.77	33.64	0.04	0.34	0.21	3,868.43
TOTALS (lbs/day, mitigated)	33.05	24.01	308.27	0.37	3.13	1.92	35,353.20

Includes correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2013 Temperature (F): 80 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Operational Mitigation Options Selected

Residential Mitigation Measures

Residential Local-Serving Retail Mitigation

Percent Reduction in Trips is 2% (calculated as a % of 9.57 trips/day)))

Note that the above percent is applied to a baseline of 9.57 and that product is

Page: 2

1/20/2010 10:03:53 AM

Operational Mitigation Options Selected

Residential Mitigation Measures

subtracted from the Unmitigated Trips

Inputs Selected:

The Presence of Local-Serving Retail checkbox was selected.

Residential Transit Service Mitigation

Percent Reduction in Trips is 0.16% (calculated as a % of 9.57 trips/day)

Note that the above percent is applied to a baseline of 9.57 and that product is

subtracted from the Unmitigated Trips

Inputs Selected:

The Number of Daily Weekday Buses Stopping Within 1/4 Mile of Site is 12

The Number of Daily Rail or Bus Rapid Transit Stops Within 1/2 Mile of Site is 1

The Number of Dedicated Daily Shuttle Trips is 0

Residential Pedestrian/Bicycle Friendliness Mitigation

Percent Reduction in Trips is 3% (calculated as a % of 9.57 trips/day)

Note that the above percent is applied to a baseline of 9.57 and that product is

subtracted from the Unmitigated Trips

Inputs Selected:

The Number of Intersections per Square Mile is 0

The Percent of Streets with Sidewalks on One Side is 0%

1/20/2010 10:03:53 AM

Operational Mitigation Options Selected

Residential Mitigation Measures

- The Percent of Streets with Sidewalks on Both Sides is 100%
- The Percent of Arterials/Collectors with Bike Lanes or where Suitable, Direct Parallel Routes Exist is 0%
- Nonresidential Mitigation Measures

Non-Residential Local-Serving Retail Mitigation

- Percent Reduction in Trips is 2%
- Inputs Selected:
- The Presence of Local-Serving Retail checkbox was selected.

Non-Residential Transit Service Mitigation

- Percent Reduction in Trips is 0.16%
- Inputs Selected:
- The Number of Daily Weekday Buses Stopping Within 1/4 Mile of Site is 12
- The Number of Daily Rail or Bus Rapid Transit Stops Within 1/2 Mile of Site is 1
- The Number of Dedicated Daily Shuttle Trips is 0

Non-Residential Pedestrian/Bicycle Friendliness Mitigation

- Percent Reduction in Trips is 3%

Page: 4

1/20/2010 10:03:53 AM

Nonresidential Mitigation Measures

Inputs Selected:

The Number of Intersections per Square Mile is 0

The Percent of Streets with Sidewalks on One Side is 0%

The Percent of Streets with Sidewalks on Both Sides is 100%

The Percent of Arterials/Collectors with Bike Lanes or where Suitable,

Direct Parallel Routes Exist is 0%

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Apartments high rise	9.50	2.66	dwelling units	1,400.00	3,719.26	33,347.75
Regnl shop. center		20.36	1000 sq ft	34.00	692.35	4,115.73
					4,411.61	37,463.48

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	59.4	0.4	99.4	0.2
Light Truck < 3750 lbs	8.5	1.4	95.9	2.7
Light Truck 3751-5750 lbs	26.7	0.4	99.6	0.0
Med Truck 5751-8500 lbs	0.8	0.9	99.1	0.0
Lite-Heavy Truck 8501-10,000 lbs	0.1	0.0	81.2	18.8
Lite-Heavy Truck 10,001-14,000 lbs	0.0	0.0	60.0	40.0
Med-Heavy Truck 14,001-33,000 lbs	0.1	0.0	22.2	77.8
Heavy-Heavy Truck 33,001-60,000 lbs	0.0	0.0	0.0	100.0
Other Bus	0.0	0.0	0.0	100.0

1/20/2010 10:03:53 AM

Vehicle Fleet Mix					
Vehicle Type	Percent Type	Non-Catalyst	Catalyst		Diesel
Urban Bus	0.1	0.0	0.0		100.0
Motorcycle	3.2	53.6	46.4		0.0
School Bus	0.1	0.0	0.0		100.0
Motor Home	1.0	0.0	88.9		11.1
Travel Conditions					
	Residential			Commercial	
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work
Urban Trip Length (miles)	12.7	7.0	9.5	13.3	7.4
Rural Trip Length (miles)	17.6	12.1	14.9	15.4	9.6
Trip speeds (mph)	30.0	30.0	30.0	30.0	30.0
% of Trips - Residential	32.9	18.0	49.1		
% of Trips - Commercial (by land use)					
Regnl shop. center				2.0	1.0
					97.0
Operational Changes to Defaults					

Exhibit 2:
URBEMIS modeling for Project operational phase emissions
using the Draft EIR's assumptions but with fugitive dust option checked

Detail Report for Summer Operational Mitigated Emissions (Pounds/Day)

File Name: C:\Users\Petra 2\AppData\Roaming\Urbemis\Version9a\Projects\Lorenzo.urb924

Project Name: Lorenzo

Project Location: South Coast AQMD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

OPERATIONAL EMISSION ESTIMATES (Summer Pounds Per Day, Mitigated)

<u>Source</u>	PM10	PM25
Apartments high rise	57.25	10.90
Regnl shop. center	7.06	1.34
TOTALS (lbs/day, mitigated)	64.31	12.24

Includes correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2013 Temperature (F): 80 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Operational Mitigation Options Selected

Residential Mitigation Measures

Residential Local-Serving Retail Mitigation

Percent Reduction in Trips is 2% (calculated as a % of 9.57 trips/day)))

Note that the above percent is applied to a baseline of 9.57 and that product is

Page: 2

1/25/2010 1:46:47 PM

Operational Mitigation Options Selected

Residential Mitigation Measures

subtracted from the Unmitigated Trips

Inputs Selected:

The Presence of Local-Serving Retail checkbox was selected.

Residential Transit Service Mitigation

Percent Reduction in Trips is 0.16% (calculated as a % of 9.57 trips/day)

Note that the above percent is applied to a baseline of 9.57 and that product is

subtracted from the Unmitigated Trips

Inputs Selected:

The Number of Daily Weekday Buses Stopping Within 1/4 Mile of Site is 12

The Number of Daily Rail or Bus Rapid Transit Stops Within 1/2 Mile of Site is 1

The Number of Dedicated Daily Shuttle Trips is 0

Residential Pedestrian/Bicycle Friendliness Mitigation

Percent Reduction in Trips is 3% (calculated as a % of 9.57 trips/day)

Note that the above percent is applied to a baseline of 9.57 and that product is

subtracted from the Unmitigated Trips

Inputs Selected:

The Number of Intersections per Square Mile is 0

The Percent of Streets with Sidewalks on One Side is 0%

Operational Mitigation Options Selected

Residential Mitigation Measures

The Percent of Streets with Sidewalks on Both Sides is 100%
The Percent of Arterials/Collectors with Bike Lanes or where Suitable,
Direct Parallel Routes Exist is 0%

Nonresidential Mitigation Measures

Non-Residential Local-Serving Retail Mitigation

Percent Reduction in Trips is 2%
Inputs Selected:
The Presence of Local-Serving Retail checkbox was selected.

Non-Residential Transit Service Mitigation

Percent Reduction in Trips is 0.16%
Inputs Selected:
The Number of Daily Weekday Buses Stopping Within 1/4 Mile of Site is 12
The Number of Daily Rail or Bus Rapid Transit Stops Within 1/2 Mile of Site is 1
The Number of Dedicated Daily Shuttle Trips is 0

Non-Residential Pedestrian/Bicycle Friendliness Mitigation

Percent Reduction in Trips is 3%

Page: 4

1/25/2010 1:46:47 PM

Nonresidential Mitigation Measures

Inputs Selected:

The Number of Intersections per Square Mile is 0

The Percent of Streets with Sidewalks on One Side is 0%

The Percent of Streets with Sidewalks on Both Sides is 100%

The Percent of Arterials/Collectors with Bike Lanes or where Suitable,

Direct Parallel Routes Exist is 0%

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Apartments high rise	9.50	2.66	dwelling units	1,400.00	3,719.26	33,347.75
Regnl shop. center		20.36	1000 sq ft	34.00	692.35	4,115.35
					4,411.61	37,463.10

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	59.4	0.4	99.4	0.2
Light Truck < 3750 lbs	8.5	1.4	95.9	2.7
Light Truck 3751-5750 lbs	26.7	0.4	99.6	0.0
Med Truck 5751-8500 lbs	0.8	0.9	99.1	0.0
Lite-Heavy Truck 8501-10,000 lbs	0.1	0.0	81.2	18.8
Lite-Heavy Truck 10,001-14,000 lbs	0.0	0.0	60.0	40.0
Med-Heavy Truck 14,001-33,000 lbs	0.1	0.0	22.2	77.8
Heavy-Heavy Truck 33,001-60,000 lbs	0.0	0.0	0.0	100.0
Other Bus	0.0	0.0	0.0	100.0

Page: 5

1/25/2010 1:46:47 PM

Vehicle Fleet Mix						
Vehicle Type	Percent Type		Non-Catalyst		Catalyst	Diesel
Urban Bus		0.1		0.0	0.0	100.0
Motorcycle		3.2		53.6	46.4	0.0
School Bus		0.1		0.0	0.0	100.0
Motor Home		1.0		0.0	88.9	11.1
<u>Travel Conditions</u>						
Urban Trip Length (miles)	Residential					
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
	12.7	7.0	9.5	13.3	7.4	8.9
	17.6	12.1	14.9	15.4	9.6	12.6
	30.0	30.0	30.0	30.0	30.0	30.0
Trip speeds (mph)						
% of Trips - Residential		32.9	18.0	49.1		
% of Trips - Commercial (by land use)						
Regnl shop. center				2.0	1.0	97.0

Operational Changes to Defaults

Exhibit 3:
Revised URBEMIS modeling for future (2013) Project daily operational mitigated emissions

Combined Summer Emissions Reports (Pounds/Day)

File Name: C:\Users\Petra 2\AppData\Roaming\Urbemis\Version9a\Projects\Lorenzo operational revised.urb924

Project Name: Lorenzo revised operational

Project Location: Los Angeles County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

AREA SOURCE EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>
TOTALS (lbs/day, unmitigated)	75.74	14.09	9.21	0.00	0.04	0.04

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>
TOTALS (lbs/day, unmitigated)	55.29	42.60	550.30	0.62	106.78	20.35
TOTALS (lbs/day, mitigated)	55.29	42.60	550.30	0.62	106.78	20.35
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>
TOTALS (lbs/day, unmitigated)	131.03	56.69	559.51	0.62	106.82	20.39

Both Area and Operational Mitigation must be turned on to get a combined mitigated total.

Page: 2

1/25/2010 8:30:49 PM

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

<u>Source</u>	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>
Natural Gas	1.08	14.05	6.12	0.00	0.03	0.03
Hearth						
Landscape	0.25	0.04	3.09	0.00	0.01	0.01
Consumer Products	71.82					
Architectural Coatings	2.59					
TOTALS (lbs/day, unmitigated)	75.74	14.09	9.21	0.00	0.04	0.04

Area Source Changes to Defaults

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

<u>Source</u>	<u>ROG</u>	<u>NOX</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM25</u>
Apartments high rise	40.54	29.80	391.64	0.44	75.92	14.47
Regnl shop. center	14.75	12.80	158.66	0.18	30.86	5.88
TOTALS (lbs/day, unmitigated)	55.29	42.60	550.30	0.62	106.78	20.35

1/25/2010 8:30:49 PM

Operational Mitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

Source	ROG	NOX	CO	SO2	PM10	PM25
Apartments high rise	40.54	29.80	391.64	0.44	75.92	14.47
Regnl shop. center	14.75	12.80	158.66	0.18	30.86	5.88
TOTALS (lbs/day, mitigated)	55.29	42.60	550.30	0.62	106.78	20.35

Operational Settings:

Includes correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2013 Temperature (F): 80 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Apartments high rise	9.50	3.57 dwelling units	1,400.00		4,998.00	44,207.32
Regnl shop. center		92.26 1000 sq ft	34.00		3,136.84	17,971.77
					8,134.84	62,179.09

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	59.4	0.7	99.1	0.2
Light Truck < 3750 lbs	8.5	2.9	94.2	2.9
Light Truck 3751-5750 lbs	26.7	0.4	99.6	0.0
Med Truck 5751-8500 lbs	0.8	1.0	99.0	0.0

Page: 4

1/25/2010 8:30:49 PM

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Lite-Heavy Truck 8501-10,000 lbs	0.1	0.0	86.7	13.3
Lite-Heavy Truck 10,001-14,000 lbs	0.0	0.0	60.0	40.0
Med-Heavy Truck 14,001-33,000 lbs	0.1	0.0	22.2	77.8
Heavy-Heavy Truck 33,001-60,000 lbs	0.0	0.0	0.0	100.0
Other Bus	0.0	0.0	0.0	100.0
Urban Bus	0.1	0.0	0.0	100.0
Motorcycle	3.2	65.2	34.8	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.0	0.0	87.5	12.5

Travel Conditions

	Residential				Commercial	
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	12.7	7.0	9.5	13.3	7.4	8.9
Rural Trip Length (miles)	17.6	12.1	14.9	15.4	9.6	12.6
Trip speeds (mph)	30.0	30.0	30.0	30.0	30.0	30.0
% of Trips - Residential	32.9	18.0	49.1			
% of Trips - Commercial (by land use)						
Regnl shop. center				2.0	1.0	97.0

Combined Winter Emissions Reports (Pounds/Day)

File Name: C:\Users\Petra 2\AppData\Roaming\Urbemis\Version9a\Projects\Lorenzo operational revised.urb924

Project Name: Lorenzo revised operational

Project Location: Los Angeles County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

Summary Report:

AREA SOURCE EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	75.49	14.05	6.12	0.00	0.03	0.03	17,916.63

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	57.40	52.60	533.65	0.49	106.78	20.35	52,794.27
TOTALS (lbs/day, mitigated)	57.40	52.60	533.65	0.49	106.78	20.35	52,794.27
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (lbs/day, unmitigated)	132.89	66.65	539.77	0.49	106.81	20.38	70,710.90

Both Area and Operational Mitigation must be turned on to get a combined mitigated total.

Page: 2

1/25/2010 8:31:32 PM

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

<u>Source</u>	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
Natural Gas	1.08	14.05	6.12	0.00	0.03	0.03	17,916.63
Hearth							
Landscaping - No Winter Emissions							
Consumer Products	71.82						
Architectural Coatings	2.59						
TOTALS (lbs/day, unmitigated)	75.49	14.05	6.12	0.00	0.03	0.03	17,916.63

Area Source Changes to Defaults

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

<u>Source</u>	<u>ROG</u>	<u>NOX</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM25</u>	<u>CO2</u>
Apartments high rise	40.12	36.85	377.10	0.35	75.92	14.47	37,581.93
Regnl shop. center	17.28	15.75	156.55	0.14	30.86	5.88	15,212.34
TOTALS (lbs/day, unmitigated)	57.40	52.60	533.65	0.49	106.78	20.35	52,794.27

1/25/2010 8:31:32 PM

Operational Mitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Apartments high rise	40.12	36.85	377.10	0.35	75.92	14.47	37,581.93
Regnl shop. center	17.28	15.75	156.55	0.14	30.86	5.88	15,212.34
TOTALS (lbs/day, mitigated)	57.40	52.60	533.65	0.49	106.78	20.35	52,794.27

Operational Settings:

Includes correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2013 Temperature (F): 60 Season: Winter

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Apartments high rise	9.50	3.57 dwelling units	1,400.00		4,998.00	44,207.32
Regnl shop. center		92.26 1000 sq ft	34.00		3,136.84	17,971.77
					8,134.84	62,179.09

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	59.4	0.7	99.1	0.2
Light Truck < 3750 lbs	8.5	2.9	94.2	2.9
Light Truck 3751-5750 lbs	26.7	0.4	99.6	0.0
Med Truck 5751-8500 lbs	0.8	1.0	99.0	0.0

Page: 4

1/25/2010 8:31:32 PM

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Lite-Heavy Truck 8501-10,000 lbs	0.1	0.0	86.7	13.3
Lite-Heavy Truck 10,001-14,000 lbs	0.0	0.0	60.0	40.0
Med-Heavy Truck 14,001-33,000 lbs	0.1	0.0	22.2	77.8
Heavy-Heavy Truck 33,001-60,000 lbs	0.0	0.0	0.0	100.0
Other Bus	0.0	0.0	0.0	100.0
Urban Bus	0.1	0.0	0.0	100.0
Motorcycle	3.2	65.2	34.8	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.0	0.0	87.5	12.5

Travel Conditions

	Residential				Commercial	
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	12.7	7.0	9.5	13.3	7.4	8.9
Rural Trip Length (miles)	17.6	12.1	14.9	15.4	9.6	12.6
Trip speeds (mph)	30.0	30.0	30.0	30.0	30.0	30.0
% of Trips - Residential	32.9	18.0	49.1			
% of Trips - Commercial (by land use)						
Regnl shop. center				2.0	1.0	97.0

Exhibit 4:
Excel spreadsheets provided by Christopher Joseph & Associates

VEHICLE FLEET MIX CALCULATIONS

AADT Total	Total Trucks	Truck %/100	2 axle vol	3 axle vol	4 axle vol	5 axle vol	2 axle %	3 axle %	4 axle %	5 axle %
286000	15072	0.0527	8764	1560	613	4134	0.581	0.104	0.041	0.274

Fleet Mix Computation w/ Truck Volume Adjustment

Non-HDT	0.947
2-axle	0.031
3-axle	0.005
4-axle	0.002
5-axle	0.014

Time of Day Adjustment

	morning		midday		evening		nocturnal		all average
	in	out	in	out	in	out	in	out	
Non-HDT	2.20	1.15	1.36	1.36	1.64	2.57	0.13	0.13	1.32
2-axle	1.35	1.71	1.74	1.74	1.78	1.58	0.23	0.23	1.30
3-axle	1.10	1.67	1.82	1.82	1.69	1.08	0.34	0.34	1.23
4-axle	0.84	1.50	1.55	1.55	1.05	1.06	0.52	0.52	1.07
5-axle	0.98	1.06	1.23	1.23	0.91	1.12	0.89	0.89	1.04

Fleet Mix Computation w/ Time of Day Adjustment

Non-HDT	1.32	1.248	0.951
2-axle	1.30	0.040	0.030
3-axle	1.23	0.007	0.005
4-axle	1.07	0.002	0.002
5-axle	1.04	0.015	0.011

Corrected Fleet Mix (EMFAC7F Vehicle Classes)

LDA	0.761
LDT	0.133
MDT	0.048
HDGT	0.017
HDDT	0.032
MCY	0.010

Notes:
Methodology from UCD, Institute of Transportation Studies, Transpiration Project-Level Carbon Monoxide Protocol. UCD-ITS-RR-96-1
Traffic volumes obtained from the California Department of Transportation, Traffic Vehicle Data Systems Unit

TRIP GENERATION CALCULATIONS

Version : Emfac2007 V2.3 Nov 1 2006
Scen Year: 2013 -- All model years in the range 1969 to 2013 selected
Season : Annual
Area : Los Angeles

Estimated Travel Fractions															
	LDA	LDA	LDA	LDA	LDA	LDT1	LDT1	LDT1	LDT1	LDT1	LDT2	LDT2	LDT2	LDT2	LDT2
	NCAT	CAT	DSL	ALL	NCAT	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	CAT	DSL	ALL
%VEH	0.002	0.55	0.001	0.553	0.001	0.001	0.066	0.001	0.068	0.001	0.218	0	0.218	0	0.219
	MDV	MDV	MDV	MDV	LHD1	LHD1	LHD1	LHD1	LHD1	LHD2	LHD2	LHD2	LHD2	LHD2	LHD2
	NCAT	CAT	DSL	ALL	NCAT	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	CAT	DSL	ALL
%VEH	0.001	0.095	0	0.096	0	0.012	0.002	0.002	0.014	0	0.003	0.002	0.003	0.002	0.004
	MHD	MHD	MHD	MHD	HHD	HHD	HHD	HHD	HHD	OBUS	OBUS	OBUS	OBUS	OBUS	OBUS
	NCAT	CAT	DSL	ALL	NCAT	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	CAT	DSL	ALL
%VEH	0	0.002	0.007	0.009	0	0	0	0.004	0.004	0	0	0.001	0	0.001	0.001
	UBUS	UBUS	UBUS	UBUS	MCY	MCY	MCY	MCY	MCY	SBUS	SBUS	SBUS	SBUS	SBUS	SBUS
	NCAT	CAT	DSL	ALL	NCAT	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	CAT	DSL	ALL
%VEH	0	0	0.001	0.001	0.013	0.013	0.01	0	0.022	0	0	0.001	0	0.001	0.001
	MH	MH	MH	MH	ALL	ALL	ALL	ALL	ALL	ALL	ALL	ALL	ALL	ALL	ALL
	NCAT	CAT	DSL	ALL	NCAT	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	CAT	DSL	ALL
%VEH	0	0.006	0.001	0.007	0.018	0.018	0.963	0.02	1						

Profile (Emfac2007 Format)
AADT 286000

Class	All	Gas	Diesel
LDA	217685.7	217292.1	393.6
LDT1	9026.0	8893.3	132.7
LDT2	29069.0	29069.0	0.0
MDV	11457.1	11457.1	0.0
LHD1	1670.8	1432.1	238.7
LHD2	477.4	286.4	191.0
MHD	5436.3	1208.1	4228.3
HHD	2416.1	0.0	2416.1
OBUS	604.0	0.0	604.0
UBUS	604.0	0.0	604.0
MCY	2721.1	2721.1	0.0
SB	604.0	0.0	604.0
MH	4228.3	3624.2	604.0

Total	286000.0	275983.4	10016.6

Notes

Estimated Travel Fractions obtained from EMFAC2007 for Los Angeles County in 2013.

Trip Generation

Vehicles Per Hour (VPH)			
Fraction		Vehicle Type	
All	Gas	Diesel	
1.000	0.998	0.002	
0.237	0.985	0.015	
0.763	1.000	0.000	
0.842	1.000	0.000	
0.123	0.857	0.143	
0.035	0.600	0.400	
0.391	0.222	0.778	
0.174	0.000	1.000	
0.043	0.000	1.000	
0.043	0.000	1.000	
1.000	1.000	0.000	
0.043	0.000	1.000	
0.304	0.857	0.143	

Diesel Vehicle Fraction	0.0350229

Emission Factor (EMF) Calculations

Emission Factors from EMFAC2007

Speed	TOG g/mi	DPM g/mi
5	0.902	0.173
50	9.80E-02	3.50E-02

TOG Emission Fractions

Compound	2013
Benzene	0.025656
Formaldehyde	0.0185
1,3-Butadiene	0.005873
Acetaldehyde	0.00437
Acrolein	0.00138

Adjusted Emission Factors

Source	TOG g/mi	DPM g/mi	Benzene g/mi	Formaldehyde g/mi	1,3-Butadiene g/mi	Acetaldehyde g/mi	Acrolein g/mi
Main Link	9.80E-02	3.50E-02	2.51E-03	1.81E-03	5.76E-04	4.28E-04	1.35E-04
SB Off-Ramp	1.35E+00	2.60E-01	3.47E-02	2.50E-02	7.95E-03	5.91E-03	1.87E-03
NB Off-Ramp	1.35E+00	2.60E-01	3.47E-02	2.50E-02	7.95E-03	5.91E-03	1.87E-03

Notes

TOG emission fractions for 2013 from UC Davis-Caltrans Air Quality Project, Estimating Mobile Source Air Toxic Emissions: A Step-by-Step Project Analysis Methodology. Task Order No. 61.

Emission factor for off-ramp deceleration adjusted using the following equation: Emfac (grlmi) = (emfac at idle speed *1.5)

Emission Rate Calculations

Location: I-110 Freeway, Main Link

Emissions	DPM	Benzene	Formaldehyde	1,3-Butadiene	Acetaldehyde	Acrolein
Link Length (mi)	6.30E-01	6.30E-01	6.30E-01	6.30E-01	6.30E-01	6.30E-01
Volume (vehicles per hours)	4.17E+02	1.15E+04	1.15E+04	1.15E+04	1.15E+04	1.15E+04
Emission Factor (g/mi)	3.50E-02	2.51E-03	1.81E-03	5.76E-04	4.28E-04	1.35E-04
Emission Rate (g/s)	2.56E-03	5.06E-03	3.65E-03	1.16E-03	8.62E-04	2.72E-04

Location: I1105 Southbound Off-Ramp

Emissions	DPM	Benzene	Formaldehyde	1,3-Butadiene	Acetaldehyde	Acrolein
Link Length (mi)	1.75E-01	1.75E-01	1.75E-01	1.75E-01	1.75E-01	1.75E-01
Volume (vehicles per hours)	1.27E+01	3.50E+02	3.50E+02	3.50E+02	3.50E+02	3.50E+02
Emission Factor (g/mi)	2.60E-01	3.47E-02	2.50E-02	7.95E-03	5.91E-03	1.87E-03
Emission Rate (g/s)	1.60E-04	5.90E-04	4.26E-04	1.35E-04	1.01E-04	3.17E-05

Location: I-110 Northbound Off-Ramp

Emissions	DPM	Benzene	Formaldehyde	1,3-Butadiene	Acetaldehyde	Acrolein
Link Length (mi)	1.25E-01	1.25E-01	1.25E-01	1.25E-01	1.25E-01	1.25E-01
Volume (vehicles per hours)	1.27E+01	3.50E+02	3.50E+02	3.50E+02	3.50E+02	3.50E+02
Emission Factor (g/mi)	2.60E-01	3.47E-02	2.50E-02	7.95E-03	5.91E-03	1.87E-03
Emission Rate (g/s)	1.14E-04	4.22E-04	3.04E-04	9.65E-05	7.18E-05	2.27E-05

Toxic Air Contaminant Concentrations

Compound	Annual	Short-term
DPM	4.40E-02	
Benzene	8.92E-02	5.98E-01
Formaldehyde	6.43E-02	6.10E-01
1,3-Butadiene	2.04E-02	
Acetaldehyde	1.52E-02	1.54E-01
Acrolein	4.80E-03	4.87E-02

Notes

Short-term concentrations were not evaluated for DPM or 1,3-butadiene as they are not considered acute concerns.

Exposure Factors

Variable	Abbrev	Value	Unit
Daily breathing rate- child	DBR c	452	L/kg-d
Daily breathing rate- adult	DBR a	271	L/kg-d
Inhalation absorption factor	A	1	unitless
Exposure frequency	EF	350	days/years
Exposure duration child	ED c	9	years
Exposure duration adult	ED a	30	years
Averaging time period	AT	25,550	days

Notes
Emission factors obtained from OEHHA's The Air Toxics Hot spots Program Guidance for Preparation of Health Risk Assessments, August 2003.

Toxicity Values

Compound	Cancer Potency Factor (mg/kg-d) ⁻¹	Chronic Reference Exposure Level ug/m ³	Acute Reference Exposure Level ug/m ³
DPM	1.1	5	NT
Benzene	0.1	60	1300
Formaldehyde	0.021	9	55
1,3-Butadiene	0.6	NT	NT
Acetaldehyde	0.01	9	470
Acrolein	NT	0.35	2.5
Source: OEHHA Toxicity Criteria Database. http://www.oehha.ca.gov/risk/chemicalDB/index.asp . Accessed October 21, 2008.			

Residential Cancer Risks

Source	Compound	Concentration ug/m3	Child Dose mg/kg-day	Adult Dose mg/kg-day	CPF (mg/kg-d) ⁻¹	Cancer Risk Child	Cancer Risk Adult
Interstate 110 Vehicle Traffic	DPM	4.40E-02	2.45E-06	4.90E-06	1.05E+00	2.57E-06	5.14E-06
	Benzene	8.92E-02	4.97E-06	9.93E-06	1.00E-01	4.97E-07	9.93E-07
	Formaldehyde	6.43E-02	3.59E-06	7.17E-06	2.10E-02	7.53E-08	1.50E-07
	1,3-Butadiene	2.04E-02	1.14E-06	2.28E-06	6.00E-01	6.84E-07	1.37E-06
	Acetaldehyde	1.52E-02	8.47E-07	1.69E-06	1.00E-02	8.47E-09	1.69E-08
	Acrolein	4.80E-03	2.67E-07	5.34E-07	---	---	---
				TOTAL		3.84E-06	7.67E-06

Residential Chronic Non-Cancer Health Indices

Source	Compound	Conc ug/m3	REL ug/m3	Noncancer Hazard Indices / Toxicological Endpoints						
				RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GL/LV	EYES
Interstate 5 Vehicle Traffic	DPM	4.40E-02	5	8.80E-03						
	Benzene	8.92E-02	60	1.49E-03	1.49E-03	1.49E-03				
	Formaldehyde	6.43E-02	9	7.15E-03						1.49E-03
	1,3-Butadiene	2.04E-02	NT	--						7.15E-03
	Acetaldehyde	1.52E-02	9	1.69E-03						
	Acrolein	4.80E-03	0.35	1.37E-02						1.37E-02
	Total			3.28E-02	1.49E-03	1.49E-03	0.00E+00	0.00E+00	0.00E+00	2.08E-02

MAX	3.28E-02

- Notes:
- RESP

CNSIPNS

CVIBL

IMMUN

KIDN

GILV

REPRO

EYES
- Respiratory System

Central/Peripheral Nervous System

Cardiovascular/Blood System

Immune System

Kidney

Gastrointestinal System/Liver

Reproductive System (e.g., teratogenic and developmental effects)

Eye irritation and/or other effects

Residential Acute Non-Cancer Health Indices

Source	Compound	Conc ug/m3	REL ug/m3	Non-cancer Hazard Indices / Toxicological Endpoints						
				RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GL/LV	EYES
Interstate 5	DPM	0.00E+00	NT							
	Benzene	5.98E-01	1300							
	Formaldehyde	6.10E-01	55	1.11E-02			1.11E-02			1.11E-02
	1,3-Butadiene	0.00E+00	NT							
	Acetaldehyde	1.54E-01	470	3.28E-04						3.28E-04
	Acrolein	4.87E-02	2.5	1.95E-02						1.95E-02
	Total			3.09E-02	0.00E+00	0.00E+00	1.11E-02	0.00E+00	0.00E+00	3.09E-02

MAX	3.09E-02

- Notes:
- RESP

CNS/PNS

CVIBL

IMMUN

KIDN

GIILV

REPRO

EYES
- Respiratory System

Central/Peripheral Nervous System

Cardiovascular/Blood System

Immune System

Kidney

Gastrointestinal System/Liver

Reproductive System (e.g., teratogenic and developmental effects)

Eye irritation and/or other effects

	x/Q
Avg Time	ug/m3/(g/s)
1-HR	442.18
8-HR	131.12
24-HR	109.31

Hours of Operation	8

Localized Emissions Rates

	NOx	CO	PM10	PM2.5
Phase	lbs/day	lbs/day	lbs/day	lbs/day
Operation - local	18.76	72.42	0.17	0.15

2007 Air Quality SCAQMD					
	Nox	CO		PM10	PM2.5
SRA	1 Hr (ppm)	1 Hr (ppm)	8 Hr (ppm)	24 Hr (ug/m3)	24 Hr (ug/m3)
1	0.1	3	2.2		

Thresholds					
	Nox	CO		PM10	PM2.5
	1 Hr (ppm)	1 Hr (ppm)	8 Hr (ppm)	24 Hr (ug/m3)	24 Hr (ug/m3)
	0.18	20	9	2.5	2.5

Localized Operational Concentrations																
Phase	Nitrogen Dioxide				Carbon Monoxide				Particulate Matter 10				Particulate Matter 2.5			
	ER g/s	1-Hr Site ug/m3	1-Hr Site ppm	Background 1-Hr Total ppm	ER g/s	1-Hr Site ug/m3	1-Hr Site ppm	Background 1-Hr Total ppm	ER g/s	24-Hr ug/m3	Significance Exceed?	ER g/s	24-Hr ug/m3	Significance Exceed?		
Operation - local	0.00	1.31	0.0000	0.10	0.00	3.05	0.00	1.50	0.00	0.00	NO	0.00	0.00	NO		
	0.00	0	0.0000	0.10	0.00	0	0.00	0	0.00	0.00	NO	0.00	0.00	NO		
Notes:																
Includes NOx to NO2 conversion ratio of 0.059, consistent with a distance of 50 meters from the emission source.																

	x/Q
Avg Time	ug/m3/(g/s)
1-HR	442.18
8-HR	131.12
24-HR	109.31

Hours of Operation	8

Localized Emissions Rates

	NOx	CO	PM10	PM2.5
Phase	lbs/day	lbs/day	lbs/day	lbs/day
Operation - local	18.12	63.76	0.18	0.16

2007 Air Quality SCAQMD					
	Nox	CO		PM10	PM2.5
SRA	1 Hr (ppm)	1 Hr (ppm)	8 Hr (ppm)	24 Hr (ug/m3)	24 Hr (ug/m3)
1	0.1	3	2.2		

Thresholds					
	Nox	CO		PM10	PM2.5
	1 Hr (ppm)	1 Hr (ppm)	8 Hr (ppm)	24 Hr (ug/m3)	24 Hr (ug/m3)
	0.18	20	9	2.5	2.5

Localized Operational Concentrations (summer)																
Phase	Nitrogen Dioxide					Carbon Monoxide					Particulate Matter 10					
	1-Hr Site		Background		1-Hr Total	1-Hr Site		Background		8-Hr Total	8-Hr Site		Background		8-Hr Total	Significance
	g/s	ug/m3	ppm	ppm		g/s	ug/m3	ppm	ppm		g/s	ug/m3	ppm	ppm		
Operation - local	0.29	126	0.0040	0.10	0.10	1.01	445	3.00	3.39	NO	0.0028	0.31	2.31	2.31	NO	NO
	0.00	0	0.0000	0.10	0.10	0.00	0	3.00	3.00	NO	0.00	0.00	2.2	2.20	NO	NO
	0.00	0	0.00	0.10	0.10	0.00	0	3.00	3.00	NO	0.00	0.00	2.2	2.20	NO	NO

Exhibit 5:

Federal Highway Administration, Recurring Traffic Bottlenecks:
A Primer – Focus on Low-Cost Operational Improvements, 2009

Recurring Traffic Bottlenecks: A Primer

Focus on Low-Cost Operational Improvements

Understanding Bottlenecks

What is a “Traffic Bottleneck”?

Webster’s dictionary defines a “bottleneck” as: i) a narrow or obstructed portion of a highway or pipeline, or ii) a hindrance to production or progress. Certainly the elemental characteristics of traffic bottlenecks exist in these descriptions. However, a road does not necessarily have to “narrow” for a bottleneck to exist (e.g., witness bottlenecks caused by a weave condition, sun glare, or a vertical climb).

Traffic bottlenecks (hereafter, bottlenecks) have a myriad of causes and durations. The most egregious ones tend to be freeway-to-freeway interchanges, but we all know that smaller, lesser chokepoints are frustrating too. Many of these chokepoints are “operationally influenced bottlenecks,” defined as localized sections of highway where traffic experiences reduced speeds and delays due to recurring operational conditions. The fact that many recurring locations are “facility determinate” (i.e., the design condition contributes to the resulting backup) is both encouraging and discouraging. Facility design is a tangible feature that can always be improved; however the cost or the necessary right-of-way may be prohibitive.

Bottlenecks may be compared to constricted storm pipes that can carry only so much water – during floods the excess water just backs up, much the same as traffic does at bottleneck locations. Like the friction that results from turbulence in a pipe, once traffic flow breaks down to stop-and-go conditions, capacity is reduced – fewer cars can get through the bottleneck because of the extra turbulence. The options available to free up “the pipe” are to carry less water, increase the size of the pipe or system, or remove whatever constriction exists (i.e., remove the kink, reduce cavitations, or reduce head loss due to friction at junctures, et al.). Obviously the pipe comparison is analogous to options available to improve traffic flow; namely, to reduce demand (by effecting driver behavior), build new infrastructure, or improve that which already exists. Bottleneck mitigation is the third of these options.

What is “Congestion”?

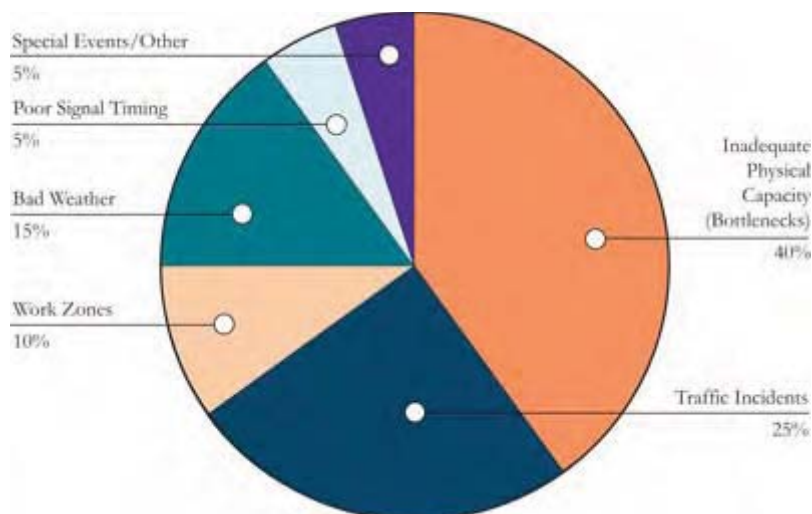
FHWA’s Traffic Congestion and Reliability Report defines congestion as “an excess of vehicles on a roadway at a particular time resulting in speeds that are slower – sometimes much slower – than normal or free flow speeds; [Congestion is] stop-and-go traffic.” The root causes of congestion have long been understood, and there is now broad consensus that congestion generally reflects a fundamental imbalance of supply and demand. That is, during hours of peak usage of the transportation facilities most desirable to motorists, the supply of roadway capacity is insufficient to meet the demand for those facilities.

Traffic congestion can be characterized as either “recurring” or “nonrecurring.” This distinction is useful in helping the community of transportation professionals devise strategies that will either mitigate or reduce congestion.

Recurring congestion happens in roughly the same time and place on the same days of the week. It results when physical capacity is simply not adequate to accommodate demand during peak periods. Causes of recurring congestion include inadequate physical capacity and poor signal timing.

Nonrecurring congestion occurs randomly and is caused by events such as work zones, traffic incidents, and bad weather. Even if “planned” in some cases, these occurrences are irregular and are not predictably habitual or recurring in location. Obviously, when these nonrecurring events occur on an already congested facility, the impacts are magnified. Figure 1 presents a pie chart showing the factors that cause traffic congestion.

Figure 1. Sources of Traffic Congestion



Source: http://www.fhwa.dot.gov/congestion/describing_problem.htm.

So Who's to Blame?

One side of a popular coin says, "There are not enough roads out there!" The other side says, "There are too many cars!" And the edge of the coin reads, "What's out there doesn't work well!" Boy, it's just like humans to blame everything else – except ourselves.

The title of Tom Vanderbilt's 2008 book "Traffic: Why We Drive the Way We Do (And What it Says About Us)" reflects the human traits – and not the physical network – that have conspired to result in the system that we have (and how we use it). Sure, there is the inevitable "state of the system" baseline that discusses the age of the network, some measures of effectiveness (or lack thereof) and a "where do we go from here" look forward. But an equal amount of pages are given to psychologists as to engineers in explaining why the need to overcome our human traits drives the incremental technological advancements; something akin to the old adage that building better and more roads begets buying more vehicles and making more trips. These human factors include driver attention, reaction, and tendencies, and explain that we are creatures of habit or need (witness our penchant to battle the peak hour despite our hatred for it), that we essentially drive "for our personal gain" instead of for the greater good (e.g., reference his comparisons of ants and other animal colonies that seem to work for a common goal), and that we suffer a myriad of transformations (e.g., road rage, selfishness, vehicle envy, distraction-by-gadget, single-driver preference, et al.) that conspire to erode our driving skills and civility, the latter of which we are otherwise forced to address face-to-face when we are outside of our four-wheeled cocoons. Inside our cars we become emboldened; protected by 2,000 pounds of steel and anonymous behind our tinted windows.

George Carlin famously observed that "everyone driving slower than you is an idiot and everyone faster is a maniac."

Any slight – in terms of delay, encroachment in our lane, or imposition on our perceived "right" to an unencumbered trip – is a personal affront. A driver passes us; we feel compelled to pass him. We switch to the "fast lane" and invariably so do others, such that we are now in the "slow lane." Vanderbilt cites research that demonstrates 1) how this creates "density friction" that degrades efficiency of traffic for everyone; 2) how you and a neighboring "spotter" car will progress roughly equal; and 3) the fact that all that jockeying gains nary a time advantage when weighed against the nominal case of just staying with one lane. But still we lane jump. Compare to the fact that if one flips a coin enough times, the odds of heads versus tails eventually narrows to 50 percent each. But we continue to switch lanes – or play the odds – thinking that we can beat them, because every once in a while, we do. Further evidence of our human consequence exists in the fact that most all agencies now use the term "crashes" and not "accidents" to record those incidents, to overcome the excuse that "accident" somehow removes responsibility from our conscience. It's not an "accident" (except perhaps to the wrong place/wrong time victim) if you had been paying due diligence, staying awake, not talking on your cell phone, or not driving while impaired.

Specific to the topic of congestion (and bottlenecks), Vanderbilt's citations confirm what we intrinsically know; that in

survey after survey the majority of us consider ourselves superior drivers to practically anyone else despite that in other surveys we are very poor at estimating time spent in delay, distances traveled, and the cost of that delay. A quarter is worth twenty-five cents to everyone, but a minute is overestimated by the guy sitting in a queue, and underestimated by the guy racing to an appointment.

The aforementioned “superiority” manifests itself in our belief that somehow we are more worthy of being on the road and it is everyone else who is clogging it up. We are ridiculously inept at estimating our own speed (“I was going 30 MPH” when in fact he was clocked at 46); estimating time spent circling for a parking space (“I must have spent 5 minutes looking” when in fact she only spent 1 minute 45 seconds from street to space); and estimating others’ speed (“everyone travels 50 down my street” when in fact, a radar study found an average of 34 MPH and only two cars doing above 46 MPH in a three-day study). Or maybe in the latter case, it was the same car observed twice; hard to tell, but a moot point in terms of accusing “everyone.” We often travel at a speed that the road “allows” and not what the sign mandates. We’re not intentionally flouting the law, but hey, we know better than the police and the engineers what it takes to get from here to there! After all, the engineers dutifully allow for a “safety factor” in their design; that’s for me, right? Sometimes the prior examples of estimation can be written off as exaggeration but research consistently reproduces like results when people are observed first hand, or when focus groups are asked situational questions.

In the context of “a road never jumped up and bit me” it seems hardly right to “blame” the roads, absent poor maintenance or a malfunctioning signal. So we blame the planners, the engineers, the politicians, and the “idiots” on the road. Never mind that those same “idiots” are the neighbors, customers, and peers we somehow otherwise abide. Clearly our desire to drive more often, and further, and own more vehicles, has strained our major highway arteries. The effort becomes to reduce the rate of congestion, if not to eliminate it altogether in as many locations as funding and right-of-way can bear. All the while we will swim upstream against perpetual waves of drivers, mileage, and demand. So the battle against congestion wages on while our human instincts contribute to the malaise.

The Frustration of Congestion

It seems hardly necessary to state that we are frustrated by congestion. We are frustrated because we feel we can’t control it. We can control most everything else in our lives. We control what, when, and how much TV we watch because we have the remote and the DVR! We control what, when, and how much we eat. To the best of our ability, we control what we do (our jobs) and where we do it; although we’d like a little more control on how much they pay us! We control our pastimes, our hobbies, and our vacations. We somewhat control our spouses and children; or at least we have influence upon them. But unlike the scene in Bruce Almighty, we can’t part the “sea” of traffic in front of us like Jim Carrey did.

But do we have to accept congestion? Our grandparents – and theirs – didn’t have to endure the levels of congestion that we see today. But they also didn’t enjoy the extent of today’s roadway network, the availability of gas stations and services, and the efficiencies and perks of modern cars. Time marches on, not back, so we are left to suffer the ravages of our success.

Why Can’t it be Like This All the Time? (Uncongested, That Is!)

Shopping mall planners design parking lots for the twelfth highest demand day of the year so as not to “waste” valuable land that would otherwise be squandered 96 percent of the time. (Similar to insurance actuary tables, the “12th highest” axiom is an accord based on the intrinsic worth of land cost, parking demand, and of course, retail profit.) No doubt, during the Christmas shopping season, we all would love to get those “unnecessary” spaces back! Recurring congestion is sort of like that, except that highway builders don’t intentionally under-build; it just seems that way. Highways are built to “design hour” and “design year” tenets, but population and traffic demand are ever growing – and rarely receding – over time. Outside of peak hours, the great majority of highway facilities are more than sufficient for the dynamic demand. Unfortunately, we tend to see highways at their busiest hours. But we occasionally experience the off-hour conditions too, i.e., when traffic flows freely. And like those too-few vacations when we are pampered and coddled, we ask “why can’t it be like this all the time?” Recurring congestion is a function of physical constraints, as well as how and when drivers interact with a given facility and other vehicles on the facility.

A “Bottleneck” May Be “Congestion,” but Congestion is Not Always “Just a Bottleneck”

The word “paper” can mean either a single sheet or a ream; likewise, “congestion” can be a single bottleneck – or much more. A bottleneck is distinguished from congestion in that it occurs at a specific location, and not pervasively along the entire corridor. Recognizing this difference is the first important distinction in developing strategies for one or the other. When too many vehicles compete along all segments of a facility, corridor- or systemwide “congestion” will inevitably result. It is overarching in nature. But when only subordinate segments of that facility are burdened, then operationally recurring bottlenecks are said to exist. In this context then, a bottleneck certainly constitutes “congestion,” but congestion cannot be said to be universally analogous to a “bottleneck.”

The FHWA estimates that 40 percent of all congestion nationwide can be attributed to recurring bottlenecks (i.e., inadequate physical capacity) and another 5 percent is attributable to inefficient traffic signalization. The good news is that all these things are potentially correctable by remediation. The bad news is that there are many, many candidate locations, and agencies are fiscally constrained on how much they can do. All things being equal, a recurring bottleneck will disappear once traffic demand has decreased to a point where the operational or geometric deficiency is no longer a factor, while a nonrecurring bottleneck will disappear only after the random event has been removed. A nonrecurring bottleneck may be further impacted by traffic volumes, but it is not caused by traffic demand. Conversely, only a physical improvement will relieve a recurring bottleneck.

What Elements Typically Exist to Define a “Bottleneck”?

The Localized Bottleneck Reduction Program focuses on operationally influenced locations; that is to say, those that have a fundamentally design-based cause, resulting in recurring delays of generally predictable times and durations. The root cause of traffic flow degradation at the subject point of a recurrent constriction is almost always a correctable problem. The following conditions either exist or help to identify a recurring bottleneck condition.

- A traffic queue upstream of the bottleneck, wherein speeds are below free-flow conditions elsewhere on the facility. (Note: if speeds at all or most-all of the facility are consistently and regularly lower than free-flow speeds, then overarching congestion exists. This is congestion beyond a mere point-specific bottleneck location.)
- A beginning point for a queue. There should be a definable point that separates upstream and downstream conditions. The geometry of that point is often coincidently the root cause of the operational deficiency.
- Free flow traffic conditions downstream of the bottleneck that have returned to nominal or design conditions.
- As it pertains to an operational deficiency, a predictable recurring cause. (Note: this implies that all things being equal, a solution exists that is nevertheless theoretically “correctable” by design, as opposed to, say, an amorphous, random event.)
- Traffic volumes that exceed the capacity of the confluence to process traffic. (Note: this applies to recurring events even more-so than nonrecurring.)

What Options Exist to Combat Congestion (and by Extension, Bottlenecks)?

Fixing operationally influenced deficiencies applies to the fourth of the following four strategies available to combat congestion.

- Bring supply and demand in alignment through congestion pricing. Congestion pricing or peak-period pricing entails fees or tolls for road use that varies by level of vehicle demand on the facility. As with market pricing in other sectors, road pricing helps allocate limited supply – in this case, that of available road space. With user charges assessed at the point of use, greater efficiency results through improved response to market forces. Charges are typically assessed electronically to eliminate delays associated with manual toll collection facilities. Road-use charges that vary with the level of vehicle demand provide incentives to shift some trips to off-peak times, less congested routes, or alternative modes; or to cause some lower-value trips to be combined with other trips or simply to be eliminated. Congestion pricing has several important objectives. First, it seeks to balance demand with available capacity, i.e., the supply of road space. Second, it seeks to fairly allocate the costs associated with operating, maintaining, and expanding the transportation system to meet growing demand. Third, it seeks to improve operation of the highway system. A fourth objective may include revenue generation.
- Provide alternatives as to how, when, where, and if to travel. The goal of this strategy is to reduce the number of vehicles on a given road. This may take the form of promoting alternative commute options such as

employee telecommuting options or making transit easier and more attractive to use. Also of interest in managing demand are driver incentive programs that, for example, promote ridesharing and off-peak use.

- Invest in new highway capacity. Add new construction on new alignments to preserve or improve system performance.
- Improve the management and operation of the system. Improve the day-to-day operation of the system by retiming traffic signals, applying access management techniques, removing operational deficiencies, and improving response time and management of traffic disrupting events like work zones, accidents, and special events. Provide real time information about the system so that travelers can make immediate decisions about when, where, and how to travel, and transportation agencies can make real-time adjustments to improve system operations.

Why Do Recurring Bottlenecks Occur?

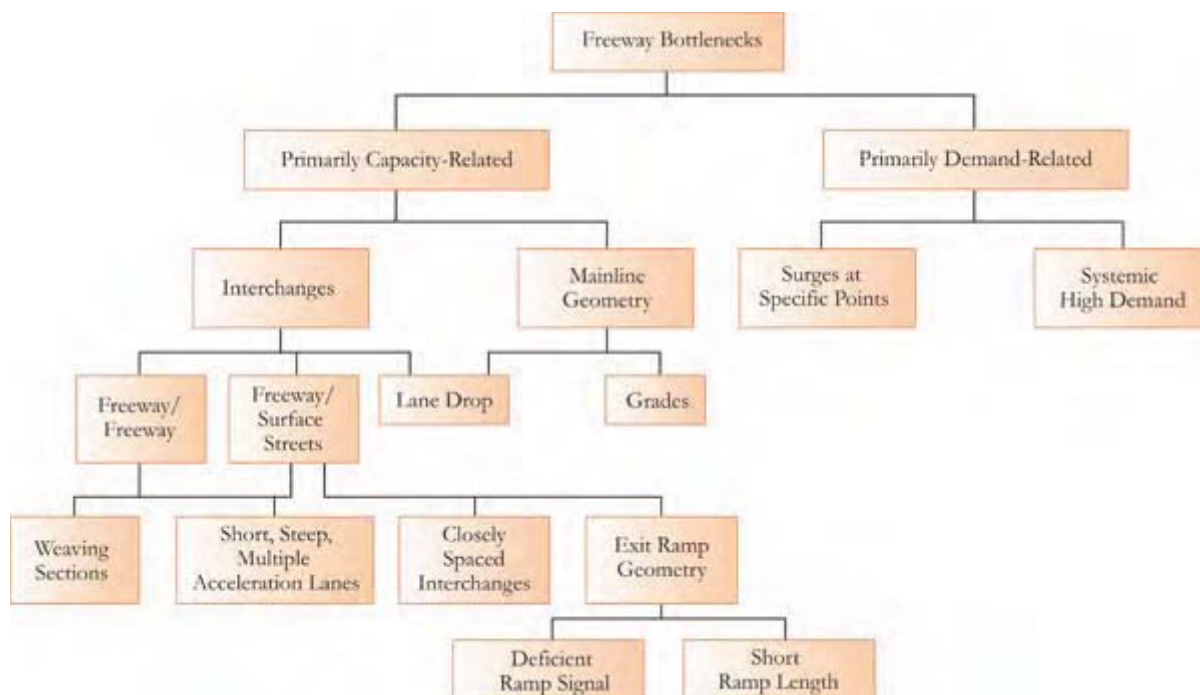
Every highway facility has decision points such as on and off ramps, merge areas, weave areas, lane drops, tollbooth areas, and traffic signals; or design constraints such as curves, climbs, underpasses, and narrow or nonexistent shoulders. In many thousands of cases, these operational junctions and characteristics operate sufficiently and anonymously; however, when the design itself becomes the constricting factor in processing traffic demand, then an operationally influenced bottleneck can result.

The degree of congestion at a bottleneck location is related to its physical design. Some operational junctions were constructed years ago using design standards now considered to be antiquated, while others were built to sufficiently high design standards but are simply overwhelmed by traffic demand. Whatever the root cause, operationally influenced bottlenecks can occur at:

- A lane drop particularly mid-segment where one or more traffic lanes are lost. These typically appear at bridge crossings and in work zones. The latter, however, is a nonrecurring event and is usually remedied when the work zone is removed. Ideally, lane drops should be located at exit ramps where there is a large volume of exiting traffic.
- A weaving area, where traffic must merge across one or more lanes to access entry or exit ramps. Bottleneck conditions are worsened when there are confusing or insufficient weaving lengths.
- Freeway on-ramps, which are merging areas where traffic from local streets can join a freeway. Bottleneck conditions are worsened on freeway on-ramps without auxiliary lanes, short acceleration ramps, or where there are multiple on-ramps in close proximity.
- Freeway-to-freeway interchanges, which are special cases of on-ramps where flow from one freeway is directed to another. These are typically the most severe form of physical bottlenecks because of the high traffic volumes involved.
- Freeway exit ramps, which are diverging areas where traffic leaves a freeway. Bottleneck conditions are worsened on freeway exit ramps that have a short ramp length, traffic signal deficiencies at the ramp terminal intersection, or other conditions that may cause ramp queues to back up onto freeway mainlanes.
- Abrupt changes in highway alignment, which occur at sharp curves and hills and cause drivers to slow down either because of safety concerns or because their vehicles cannot maintain speed on upgrades. Another example of this type of bottleneck is in work zones where lanes may be redirected or “shifted” during construction.
- Low clearance structures such as tunnels and underpasses. Drivers slow to use extra caution, or overload bypass routes. Even sufficiently tall clearances may impart problems. In one renowned case, the mere optical illusion of a bridge appearing lower than it really is causes drivers to slow down, resulting in recurring bottleneck conditions.
- Lane narrowing, caused by either narrow travel lanes or narrow or nonexistent shoulders.
- Intended interruptions to traffic flow are literally “traffic disruptions on purpose” that are sometimes necessary in order to manage system flow. Traffic signals, freeway ramp meters, and tollbooths can all contribute to capacity loss.

Figure 2 lists various types of freeway bottleneck causes.

Figure 2. Types of Freeway Bottlenecks



What is Stopping Us from Fixing Bottlenecks?

The knee jerk reaction might be “lack of money.” But that’s everyone’s first complaint about, well, most every problem! In visiting with many states to ascertain if they have a bottleneck-specific program or similar that targets chokepoint congestion, we have found a sampling of reasons.

- A predisposition to execute major projects. Certainly, no one is faulting an agency which is attentive to executing major transportation initiatives. There is no shortage of “fronts” on which to fight the congestion battle. A short list would include HOVs, tolling and pricing, transit alternatives, ridesharing programs, and bridge rehabilitation. But the onerous processes involved in many of these initiatives can squeeze out smaller programs.
- Lack of a champion. Many successful state or metropolitan planning organization (MPO) programs are the result of one or more persons taking charge to either mandate or adopt a program. High-level administrators form the direction for their agencies. Mid-level managers’ production reflects their priorities and skills in executing those initiatives.
- Lack of a “named” program. Unless there is an identity, bottleneck remediation is usually relegated to a few projects done “by rote,” e.g., as part of an annualized safety program, or as a subordinate part of larger, other-purposed projects.
- A culture of historical practices. Example: an agency that dutifully executed an annualized “safety” program looked only at crash rates in determining their annual top ten list of projects. After instituting a congestion mapping process, they identified several significant stand-alone chokepoints that did not correlate with their high crash mapping. Thereafter, high congestion hot spots competed with high accident hot spots on their unified top ten list of projects.

Solving Recurring Bottlenecks is a Win-Win Situation for Nonrecurring Incidents Too!

Strategies to alleviate bottlenecks will lessen delay caused by nonrecurring events such as accidents, weather, work zones, etc. For example, consider an accident that blocks a single lane of traffic. If only two lanes existed prior to the accident occurring, the impact would be greater than if three lanes existed. The capacity loss resulting from the nonrecurring event will be lessened due to the improvements made to the system to benefit the recurring situation.

Common Myths about Bottlenecks

"Bottlenecks are caused only by not enough lanes on an extended highway section."

In the past, recurring congestion was thought to be an overarching or systemic problem (i.e., not enough lanes) that could only be resolved by widening an entire corridor. However, the fact that other subordinate sections within the system operate sufficiently demonstrates that the uniform highway segments may not necessarily be under-designed.

Traditional capital solutions often grew from the misconception that a multilane facility should be designed to alleviate recurring congestion during the peak hours each day. The problem is that funding for such large scale projects is limited, and right-of-way is often restricted, such that these projects take many years to complete. As a result, recurring congestion historically goes untreated, or is forced to compete against other worthy projects, until funding becomes available to "catch up" to the problem that has grown from the day the facility opens.

With a shift in focus away from the perception that recurring congestion is systemic (and thus treatable with only large scale projects), it is possible to explore a wider range of improvement strategies that are possible in the short-term. While these will never replace the need for corridor-wide fixes – especially at "mega-bottlenecks" such as major freeway-to-freeway interchanges – low-cost, quick turnaround bottleneck fixes can provide congestion relief at the point of occurrence.

"Bottlenecks can't be fixed without massive reconstruction."

With the focus of traditional transportation planning and programming efforts on major capital projects, it has been assumed for many years that bottlenecks cannot be fixed without massive reconstruction of an interchange or corridor. However, there are numerous examples where agencies opted to make lower-cost improvements that resulted in significant improvements in traffic flow.

"Improving a bottleneck won't help traffic flow outside of peak periods."

Because traffic-influencing events like incidents, bad weather, work zones, and special events can happen at any time, congestion is not restricted to peak times of the day. Benefits realized from improvements made to address peak-period bottleneck problems will invariably carry over to the times outside of the peak when congestion occurs.

A Rogue's Gallery of Infamous Bottlenecks

On much of the urban highway system, there are specific points that are notorious for causing congestion on a daily basis. These locations – which can be a single interchange (usually freeway-to-freeway), a series of closely spaced interchanges, or lane drops – are focal points for congestion in corridors. Major bottlenecks tend to dominate the congestion problem in corridors where they exist, some even acquiring nicknames from local motorists such as the "Spaghetti Bowl," "Hillside Strangler," "Spaghetti Junction," "Malfunction Junction," and "Mixmaster".

Over the past several years, transportation professionals have come to realize that highway bottlenecks demand special attention. Several national studies have highlighted bottlenecks as a major congestion problem in urban areas. These studies have raised the level of awareness about bottlenecks as a problem, warranting that they be treated as a significant part of the congestion problem.

The American Highway Users Alliance (AHUA) conducted two studies of the nation's urban bottlenecks in 1999 and 2004. The studies produced rankings of the worst bottlenecks in terms of total delay to travelers and discussed what was being done to fix the problems at locations where specific improvements had been scheduled. The studies found that nearly all of the worst bottlenecks are major freeway-to-freeway interchanges in large urban areas. The 2004 study updated the rankings and discussed three bottleneck improvement success stories – bottlenecks identified in 1999 that were subsequently improved or well under construction.

Improvements Are Possible

"Seven of 18 bottlenecks identified in 1999 – including hotspots in Houston, Albuquerque, Denver, Boston, Los Angeles, and Washington, D.C. – no longer appeared on (subsequent) rankings of the country's worst chokepoints (due to) major reconstruction projects completed or underway."

*American Highway
Users Alliance, 2004*

FHWA's first effort related to bottlenecks was in the freight (trucking) arena. Using the AHUA studies as a starting point, the impact of bottlenecks on truck travel was assessed. Bottlenecks outside of urban areas were also considered (e.g., steep grades). A major finding of this study was that in terms of total delay, the urban bottlenecks – typically thought of as a commuter-related problem – are also major sources of truck delay.

States and regions are beginning to recognize the significance of bottlenecks as well. The Ohio Department of Transportation completed a study of freight (trucking) bottlenecks, and the Interstate-95 Corridor Coalition is undertaking a study of all potential bottlenecks in Coalition states. The Atlanta Regional Commission has defined bottlenecks as a specific portion of their Congestion Management Process and is identifying regional and local bottlenecks in their network.

More recently, an effort by a private data provider, Inrix, also identified the nation's worst bottlenecks (Table 1). Whereas previous bottleneck identification efforts were based on analytic procedures using traffic volumes and capacity data, Inrix's approach uses data assembled by them from a variety of sources. As direct travel time measurements become more common and better refined, the science of bottleneck identification and performance will improve.

Table 1. The Worst Physical Bottlenecks in the United States – 2008

2008 Rank	Area	Road/Direction	Segment/Interchange	State	Length	Hours Congested	Average Speed When Congested
1	New York	Cross Bronx Expressway/I-95 SB	Bronx River Parkway/Exit 48	NY	0.36	94	11.2
2	San Francisco	I-580 WB	Bellam Boulevard	CA	0.38	65	8.1
3	New York	Cross Bronx Expressway/I-95 SB	I-895/Sheridan Expressway/Exit 4A	NY	0.55	93	11.9
4	New York	Cross Bronx Expressway/I-95 SB	White Plains Road/Exit 5	NY	0.27	87	12.3
5	New York	Harlem River Drive SB	3rd Avenue	NY	0.15	81	12.4
6	New York	Van Wyck Expressway/I-678 NB	Liberty Avenue/Exit 4	NY	0.58	77	13.1
7	Los Angeles	Hollywood Freeway/U.S. 101 SB	Vermont Avenue	CA	0.64	77	14.0

PLESS (Cont)

8	Chicago	Dan Ryan Expressway/I-90/I-94 SB	Canalport Avenue/Cermak Road/Exit 53	IL	0.52	77	13.6
9	New York	Harlem River Drive SB	2nd Avenue/125th Street/Exit 19	NY	0.23	84	12.5
10	Chicago	Eisenhower Expressway/I-290 EB	U.S. 12/U.S. 20/U.S. 45/Exit 17	IL	0.98	57	12.3
11	New York	Cross Bronx Expressway WB/I-95 SB	Westchester Avenue/Exit 5	NY	1.15	77	14.5
12	Los Angeles	Hollywood Freeway/U.S. 101 NB	Los Angeles Street	CA	0.09	76	11.9
13	Los Angeles	Hollywood Freeway/U.S. 101 NB	Spring Street	CA	0.14	85	14.2
14	Los Angeles	Harbor Freeway/I-110 NB	Adams Boulevard	CA	0.13	73	15.8
15	New York	George Washington Bridge EB/I-95 NB	Center Avenue	NY	0.14	68	9.0
16	New York	I-95 NB	U.S. 1/U.S. 9/U.S. 46/Exit 72	NY	0.42	66	9.7
17	New York	Harlem River Drive NB	Lower Level Washington Bridge	NY	0.09	74	10.3
18	Los Angeles	Hollywood Freeway/U.S. 101 NB	Alameda Street	CA	0.26	73	14.0
19	Chicago	Dan Ryan Expressway/I-90/I-94 NB	Ruble Street/Exit 52B	IL	0.13	76	16.1
20	Los Angeles	Hollywood Freeway/U.S. 101 SB	Melrose Avenue	CA	0.31	68	15.9

PLESS (Cont)

21	Los Angeles	Harbor Freeway/I-110 NB	I-10/I-100/Santa Monica Freeway	CA	1.09	70	16.4
22	New Haven	I-91 SB	I-95	CT	0.47	63	13.4
23	New York	Van Wyck Expressway/I-678 NB	Hillside Avenue/Exit 6	NY	0.27	79	14.4
24	New York	Van Wyck Expressway/I-678 NB	Atlantic Avenue/Exit 5	NY	0.47	75	12.7
25	Chicago	Dan Ryan Expressway/I-90/I-94 NB	18th Street/Exit 52C	CA	0.34	75	15.7

Source: "Inrix's National Traffic Scorecard: 2008 Annual Report," February 2009, <http://scorecard.inrix.com/scorecard/request.asp>.



Exhibit 6:

Spreadsheets for revised estimates of cancer risks associated with I-110
(accounting for 70-year exposure duration and DPM cancer potency factor of 1.10)

VEHICLE FLEET MIX CALCULATIONS

Leg B

AADT Total	Volume Trucks					Percentage Trucks				
	Total Trucks	2 axle vol	3 axle vol	4 axle vol	5 axle vol	Truck %/100	2 axle %	3 axle %	4 axle %	5 axle %
286,000	15,072	8,764	1,560	613	4,134	0.0527	0.581	0.104	0.041	0.274

Fleet Mix Computation w/ Truck Volume Adjustment

Non-HDT	0.947
2-axle	0.031
3-axle	0.005
4-axle	0.002
5-axle	0.014
Total	1.000

Time of Day Adjustment

	morning		midday		evening		nocturnal		all
	in	out	in	out	in	out	in	out	average
Non-HDT	2.20	1.15	1.36	1.36	1.64	2.57	0.13	0.13	1.32
2-axle	1.35	1.71	1.74	1.74	1.78	1.58	0.23	0.23	1.30
3-axle	1.10	1.67	1.82	1.82	1.69	1.08	0.34	0.34	1.23
4-axle	0.84	1.50	1.55	1.55	1.05	1.06	0.52	0.52	1.07
5-axle	0.98	1.06	1.23	1.23	0.91	1.12	0.89	0.89	1.04

Fleet Mix Computation w/ Time of Day Adjustment

Non-HDT	1.32	1.248	0.951
2-axle	1.30	0.040	0.030
3-axle	1.23	0.007	0.005
4-axle	1.07	0.002	0.002
5-axle	1.04	0.015	0.011
Total		1.312	1.000

Corrected Fleet Mix (EMFAC7F Vehicle Classes)

LDA	0.761
LDT	0.133
MDT	0.048
HDGT	0.017
HDDT	0.032
MCY	0.010
Total	1.000

Based on Excel spreadsheet "Fleet Mix" provided by Christopher Joseph & Associates

TRIP GENERATION CALCULATIONS

Version : Emfac2007 V2.3 Nov 1 2006

Run Date : 2009/04/16 09:58:36

Scen Year: 2013 -- All model years in the range 1969 to 2013 selected

Season : Annual

Area : Los Angeles

Estimated Travel Fractions

	LDA	LDA	LDA	LDA	LDT1	LDT1	LDT1	LDT1	LDT2	LDT2	LDT2	LDT2
	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL
%VEH	0.002	0.55	0.001	0.553	0.001	0.066	0.001	0.068	0.001	0.218	0	0.219

	MDV	MDV	MDV	MDV	LHD1	LHD1	LHD1	LHD1	LHD2	LHD2	LHD2	LHD2
	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL
%VEH	0.001	0.095	0	0.096	0	0.012	0.002	0.014	0	0.003	0.002	0.004

	MHD	MHD	MHD	MHD	HHD	HHD	HHD	HHD	OBUS	OBUS	OBUS	OBUS
	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL
%VEH	0	0.002	0.007	0.009	0	0	0.004	0.004	0	0	0.001	0.001

	UBUS	UBUS	UBUS	UBUS	MCY	MCY	MCY	MCY	SBUS	SBUS	SBUS	SBUS
	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL
%VEH	0	0	0.001	0.001	0.013	0.01	0	0.022	0	0	0.001	0.001

	MH	MH	MH	MH	ALL	ALL	ALL	ALL
	NCAT	CAT	DSL	ALL	NCAT	CAT	DSL	ALL
%VEH	0	0.006	0.001	0.007	0.018	0.963	0.02	1

	NCAT	CAT	DSL	TOTAL
LDA	0.002	0.55	0.001	0.553
LDT	0.002	0.284	0.001	0.287
MDT	0.001	0.11	0.004	0.115
HDGT	0	0.008	0	0.008
HDDT	0	0	0.015	0.015
MCY	0.013	0.01	0	0.023

	Travel Fraction		Gasoline	Diesel
LDA	0.003616637	0.994575045	0.99819168	0.0018083
LDT	0.006968641	0.989547038	0.99651568	0.0034843
MDT	0.008695652	0.956521739	0.96521739	0.0347826
HDGT	0	1	1	0
HDDT	0	0	0	1
MCY	0.565217391	0.434782609	1	0

Population Profile (EFAC2007 Format)

AADT 286,000

Class	All	Gas	Diesel
LDA	217,686	217,292	394
LDT1	9,026	8,893	133
LDT2	29,069	29,069	-
MDV	11,457	11,457	-
LHD1	1,671	1,432	239
LHD2	477	286	191
MHD	5,436	1,208	4,228
HHD	2,416	-	2,416
OBUS	604	-	604
UBUS	604	-	604
MCY	2,721	2,721	-
SB	604	-	604
MH	4,228	3,624	604

Total 286,000 275,983 10,017

Fraction		
All	Gas	Diesel
1.000	0.998	0.002
0.237	0.985	0.015
0.763	1.000	0.000
0.842	1.000	0.000
0.123	0.857	0.143
0.035	0.600	0.400
0.391	0.222	0.778
0.174	0.000	1.000
0.043	0.000	1.000
0.043	0.000	1.000
1.000	1.000	0.000
0.043	0.000	1.000
0.304	0.857	0.143

Diesel Vehicle Fraction 0.035023

Vehicles Per Hour (VPH)

Location	AADT	Vehicle Type		
		All	Gas	Diesel
Main Link	286,000	11,917	11,499	417
SB Off Ramp	8,700	363	350	13
NB Off Ramp	8,700	363	350	13

Based on Excel spreadsheet "Trip Generation" provided by Christopher Joseph & Associates

Emission Factor Calculations

Emission Factors from EMFAC2007

Speed	TOG g/mi	DPM g/mi
5	0.902	0.173
50	9.80E-02	3.50E-02

TOG Emission Fractions

Compound	2013
Benzene	0.025656
Formaldehyde	0.0185
1,3-Butadiene	0.005873
Acetaldehyde	0.00437
Acrolein	0.00138

Adjusted Emission Factors

Source	TOG g/mi	DPM g/mi	Benzene g/mi	Formaldehyde g/mi	1,3-Butadiene g/mi	Acetaldehyde g/mi	Acrolein g/mi
Main Link	9.80E-02	3.50E-02	2.51E-03	1.81E-03	5.76E-04	4.28E-04	1.35E-04
SB Off-Ramp	1.35E+00	2.60E-01	3.47E-02	2.50E-02	7.95E-03	5.91E-03	1.87E-03
NB Off-Ramp	1.35E+00	2.60E-01	3.47E-02	2.50E-02	7.95E-03	5.91E-03	1.87E-03

Based on Excel spreadsheet "Emission Factors" provided by Christopher Joseph & Associates

Emission Rate Calculations

Location: I-110 Freeway, Main Link

Emissions	DPM	Benzene	Formaldehyde	1,3-Butadiene	Acetaldehyde	Acrolein
Link Length (mi)	6.30E-01	6.30E-01	6.30E-01	6.30E-01	6.30E-01	6.30E-01
Volume (vehicles per hours)	4.17E+02	1.15E+04	1.15E+04	1.15E+04	1.15E+04	1.15E+04
Emission Factor (g/mi)	3.50E-02	2.51E-03	1.81E-03	5.76E-04	4.28E-04	1.35E-04
Emission Rate (g/s)	2.56E-03	5.06E-03	3.65E-03	1.16E-03	8.62E-04	2.72E-04

Location: I-110 Southbound Off-Ramp

Emissions	DPM	Benzene	Formaldehyde	1,3-Butadiene	Acetaldehyde	Acrolein
Link Length (mi)	1.75E-01	1.75E-01	1.75E-01	1.75E-01	1.75E-01	1.75E-01
Volume (vehicles per hours)	1.27E+01	3.50E+02	3.50E+02	3.50E+02	3.50E+02	3.50E+02
Emission Factor (g/mi)	2.60E-01	3.47E-02	2.50E-02	7.95E-03	5.91E-03	1.87E-03
Emission Rate (g/s)	1.60E-04	5.90E-04	4.26E-04	1.35E-04	1.01E-04	3.17E-05

Location: I-110 Northbound Off-Ramp

Emissions	DPM	Benzene	Formaldehyde	1,3-Butadiene	Acetaldehyde	Acrolein
Link Length (mi)	1.25E-01	1.25E-01	1.25E-01	1.25E-01	1.25E-01	1.25E-01
Volume (vehicles per hours)	1.27E+01	3.50E+02	3.50E+02	3.50E+02	3.50E+02	3.50E+02
Emission Factor (g/mi)	2.60E-01	3.47E-02	2.50E-02	7.95E-03	5.91E-03	1.87E-03
Emission Rate (g/s)	1.14E-04	4.22E-04	3.04E-04	9.65E-05	7.18E-05	2.27E-05

Based on Excel spreadsheet "Emission Rate" provided by Christopher Joseph & Associates

Toxic Air Contaminant Concentrations

Compound	Annual	Short-term
DPM	4.40E-02	
Benzene	8.92E-02	5.98E-01
Formaldehyde	6.43E-02	6.10E-01
1,3-Butadiene	2.04E-02	
Acetaldehyde	1.52E-02	1.54E-01
Acrolein	4.80E-03	4.87E-02

Based on Excel spreadsheet "TAC Conc" provided by
Christopher Joseph & Associates

Exposure Factors

Variable	Abbrev	Value	Unit
Daily breathing rate- child	DBR_c	452	L/kg-d
Daily breathing rate- adult	DBR_a	271	L/kg-d
Inhalation absorption factor	A	1	unitless
Exposure frequency	EF	350	days/years
Exposure duration_child	ED_c	9	years
Exposure duration_adult	ED_a	70	years
Averaging time period	AT	25,550	days

Exposure factors based on OEHHA's Air Toxics Hot Spots Program
Guidance for Preparation of Health Risk Assessments, August 2003.

Toxicity Values

Compound	Unit Risk Factor (ug/m ³)-1	Cancer Potency Factor (mg/kg-d) ⁻¹	Chronic Reference Exposure Level ug/m ³	Acute Reference Exposure Level ug/m ³
DPM	0.0003	1.10	5	NT
Benzene		0.1	60	1300
Formaldehyde		0.021	9	55
1,3-Butadiene		0.6	NT	NT
Acetaldehyde		0.01	9	470
Acrolein		NT	0.35	2.5

Source:

OEHHA Toxicity Criteria Database;

<http://www.oehha.ca.gov/risk/chemicalDB/index.asp>, accessed January 22, 2010.

Residential Cancer Risks

Source	Compound	Concentration ($\mu\text{g}/\text{m}^3$)	Child Dose ($\text{mg}/\text{kg}\cdot\text{day}$)	Adult Dose ($\text{mg}/\text{kg}\cdot\text{day}$)	CPF ($\text{mg}/\text{kg}\cdot\text{d}$) ⁻¹	Cancer Risk	
						Child	Adult
Interstate I 10 Vehicle Traffic	DPM	4.40E-02	2.45E-06	1.14E-05	1.10E+00	2.70E-06	1.26E-05
	Benzene	8.92E-02	4.97E-06	2.32E-05	1.00E-01	4.97E-07	2.32E-06
	Formaldehyde	6.43E-02	3.59E-06	1.67E-05	2.10E-02	7.53E-08	3.51E-07
	1,3-Butadiene	2.04E-02	1.14E-06	5.31E-06	6.00E-01	6.84E-07	3.19E-06
	Acetaldehyde	1.52E-02	8.47E-07	3.95E-06	1.00E-02	8.47E-09	3.95E-08
	Acrolein	4.80E-03	2.67E-07	1.25E-06	--	--	--
					Total	3.96E-06	1.85E-05

Exhibit 7:

Excerpt from Union of Concerned Scientists, Digging Up Trouble, November 2006

Digging Up Trouble

**The Health Risks of
Construction Pollution in California**

D O N A N A I R

Union of Concerned Scientists
November 2006

SOUTH COAST

Comprising most of Los Angeles, San Bernardino, Riverside, and Orange counties, this air basin experiences the greatest degree of health and economic damage in the state from construction equipment emissions. For 2005, this includes estimates of:

- more than 700 premature deaths
- 650 hospitalizations for respiratory and cardiovascular disease
- more than 1,700 cases of acute bronchitis
- nearly 21,000 incidences of asthma attack and other lower respiratory symptoms
- 300,000 days of lost work and school absences
- close to one million days of restricted activity

This loss of life and productivity cost South Coast residents an estimated \$5.9 billion.

Within the air basin, 127 cities and towns had active construction permits during 2005 accounting for more than 70,000 acres of land under construction. Areas designated as high-risk are spread throughout the region, with cities in all four counties falling in the top 10 percent of Construction Risk Zones. San Bernardino and Riverside counties each have four such cities while Los Angeles has three and Orange two. The presence of less population-dense cities such as Murrieta and Temecula in this group reflects the fact that large developments of 50 acres or more are common in these cities.

TABLE 4 South Coast Construction Pollution Damage

Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	731	5,776,261
Respiratory Hospitalizations	383	13,019
Cardiovascular Hospitalizations	274	11,248
Asthma and Other Lower Respiratory Symptoms	20,941	398
Acute Bronchitis	1,729	730
Lost Work Days	123,439	22,219
Minor Restricted Activity Days	959,839	57,590
School Absences	175,339	15,430
Total Annual Cost		5,896,894

TABLE 5 Top 10 Percent of South Coast Construction Risk Zones

City	County
Long Beach	Los Angeles
Los Angeles	Los Angeles
Santa Clarita	Los Angeles
Irvine	Orange
San Clemente	Orange
Corona	Riverside
Murrieta	Riverside
Riverside	Riverside
Temecula	Riverside
Chino	San Bernardino
Fontana	San Bernardino
Rancho Cucamonga	San Bernardino
San Bernardino	San Bernardino

NOTE: Cities are listed in alphabetical order by county.

FIGURE 2 Construction Pollution Risk in the South Coast Air Basin

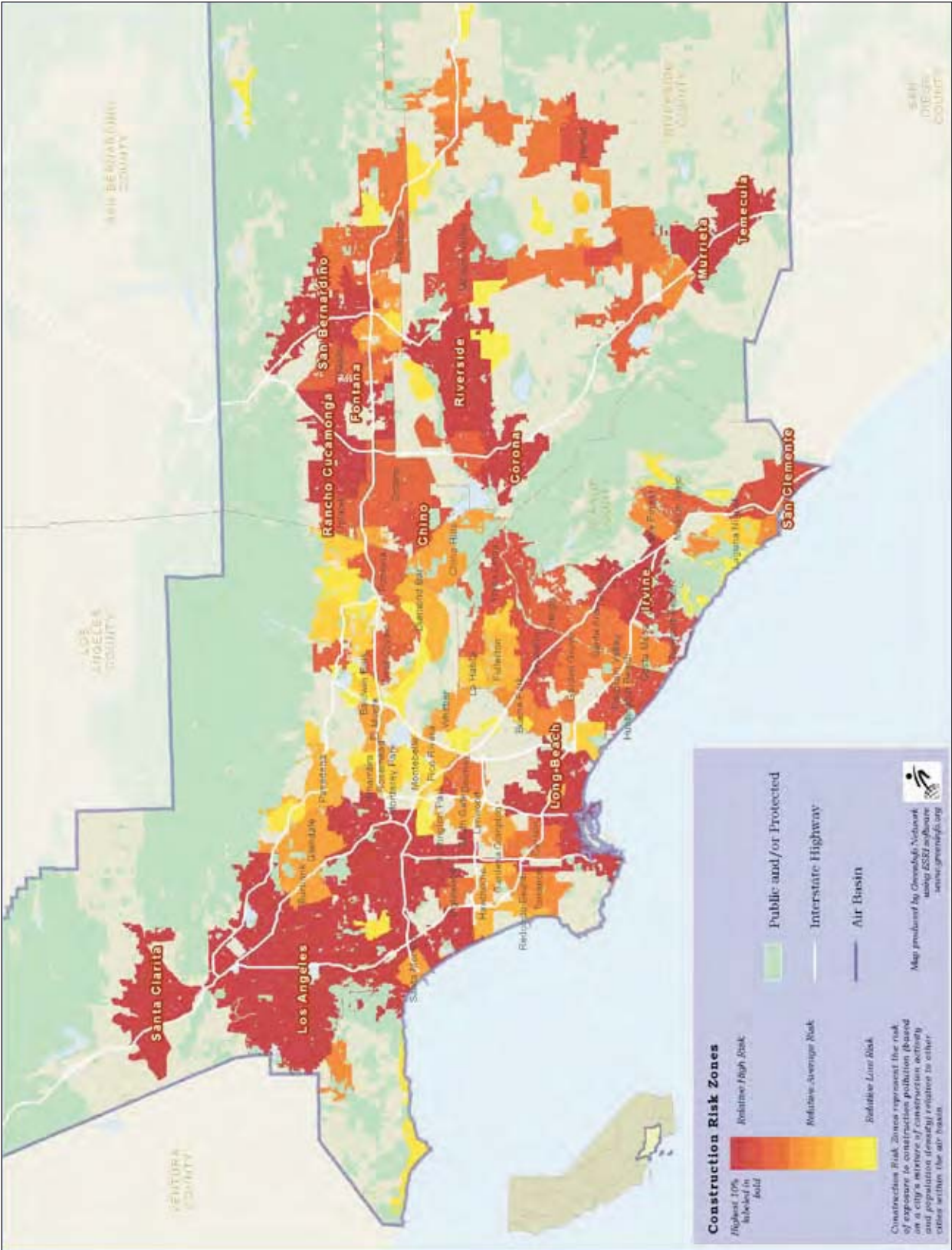


Exhibit 8:
Los Angeles Times, December 6, 2006



search Submit 2:48 PM PST, December 9, 2006

[JOBS](#) [CARS](#) [REAL ESTATE](#) [APARTMENTS](#) [SHOPPING](#) | [WEATHER](#) [TRAFFIC](#)

California | Local News

Print E-mail story Most e-mailed Change text size

advertisement

Dire health effects of pollution reported

Diesel soot from construction equipment is blamed for illnesses and premature deaths.

By Janet Wilson, Times Staff Writer
December 6, 2006

The effects of air pollution from construction equipment in California are "staggering," according to a report by the Union of Concerned Scientists.

The environmental group concluded that at least 1,100 premature deaths and half a million work and school absences in 2005 were caused by people breathing emissions from older tractors, bulldozers and other diesel equipment — at an estimated public health cost of \$9.1 billion.

advertisement

The report was one of two studies

released Tuesday on the severe health hazards of exposure to the soot in diesel emissions.

"This is the first time the health and economic impacts of construction-related air pollution in California have ever been analyzed," said Don Anair, author of the report by the Union of Concerned Scientists. The report urged state regulators to quickly require owners to retrofit or replace older equipment.

"Construction equipment being used to build our hospitals shouldn't fill them up.... This is a bill being footed by everyone in California, and particulate pollution is a silent killer," Anair said, citing asthma attacks, cancer and heart disease.

The Los Angeles air basin fared the worst among 15 statewide, with 731 estimated premature deaths, both in the city and in suburban areas such as Santa Clarita, Temecula and Murietta, where there has been large-scale construction to accommodate fast-growing populations.

Heavily populated and fast-growing parts of the San Francisco Bay Area, San Diego and the San Joaquin and northern Sacramento valleys also experienced high health costs from construction equipment, the union of scientists' report found.

The second study, by Brigham Young University professor Arden Pope and a team of doctors, found a sharply elevated risk of heart attacks for people with clogged arteries after just a day or two of exposure to diesel soot pollution.

The study was published in Cardiology, the nation's leading peer-reviewed journal of heart science. One coauthor said the results should prompt heart doctors to advise those with coronary disease to stay indoors as much as possible on particularly sooty days, or even to change jobs or move.

The fine particulate matter that is spewed from diesel engines and tailpipes lodges "like tiny razor blades" deep in human lungs, said Kevin Hamilton, a Fresno-based respiratory therapist who reviewed the findings.

Clouds of soot emitted by 750-horsepower excavators can travel downwind for miles, then drift into heavily populated areas, Anair said.

An estimated 70% of California's construction equipment is currently not covered by federal and state regulations because it is too old, state officials said.

Although federal rules adopted in 2004 require cleaner-emitting new equipment, the regulations don't cover existing engines. Anair said an average excavator or tractor can last 20 or 30 years, meaning it could be decades before all the dirty equipment is replaced.

Calling the timing coincidental, the California Air Resources Board on Monday released a draft of new regulations for older engines. The proposal would require all construction, mining and other industrial off-road equipment to be replaced or retrofitted between 2009 and 2020 as part of an effort to reduce diesel particulate

More California News

- Drop out? Not an option
- With hope comes worry
- L.A. Councilwoman Perry, husband owe \$270,000 in back taxes

[Most Viewed](#) [Most E-mailed](#) [Related News](#)

- [Ultimate low roller's guide](#)
- [Taco Bell feels fallout from E. coli outbreak](#)
- [Afghanistan war nears 'tipping point'](#)

advertisement

HOME

Site Map

California/Local

- Los Angeles
- Orange County
- S.F. Valley
- Ventura County
- Inland Empire
- Education
 - Los Angeles
 - Orange County
 - S.F. Valley
 - Ventura County
 - Inland Empire
- Blog
- School Me!
- Community Papers
- Burbank Leader
- Crescenta Valley
- Glendale
- Huntington Beach
- La Cañada Valley
- Laguna Beach
- Newport Beach

NEWS

California | Local

National

World

Entertainment News

Business

Sports

Politics

Opinion

Columnists

Print Edition

[RSS](#) What is RSS?

Calendar live

Travel

West Magazine

House & Garden

Health

Food

L.A. Wheels

Obituaries

Crossword, Sudoku

All Sections

Corrections

BUY, SELL & MORE

Jobs

Cars

Real Estate

Apartments

Personals

Deals at Local Stores

Coupons

Newspaper Ads

PLACE AN AD

MEMBER SERVICES

Sign Up

Log In

Help

Contact Us

L.A. Times Archives

HOME DELIVERY

Customer Support

Subscribe to L.A. Times

[LOCAL ADS](#) [Buy a link](#)

emissions by 85% and nitrogen oxide, a key ingredient in smog, by 70%, said Erik White, chief of the board's heavy-duty diesel branch. Public workshops on the plan will be held this month, and the board is expected to vote next spring.

White said estimated compliance costs could top \$3 billion over 11 years but maintained that the \$60 billion-a-year construction industry "is certainly capable of absorbing the impacts."

He added, however, that both cost and a lack of readily available retrofitting devices — combined with the need to include smog-reduction as well as soot-control devices — meant cleanup would occur gradually.

John Hakel, vice president of the Associated General Contractors, which represents construction equipment fleet owners and general contractors, said late Tuesday that he had just received the report and could not comment on specifics. But he said the industry is dedicated to cleaning up equipment. He agreed it would be a costly and lengthy process and said state officials and the Union of Concerned Scientists report appeared to underestimate the sheer volume of construction equipment, which he estimated at 250,000 to 300,000 machines. The second study found that for every additional 10 micrograms of soot in a cubic meter of air, there was a 4.5% increase in heart attacks.

In areas like Salt Lake City or Greater Los Angeles, which can experience wide swings in air quality based on weather patterns, the risk of heart attack can be 10 times higher than normal on a bad air day, said Pope, who has done extensive research on the health effects of fine particles produced by diesel engines. Coauthor Dr. Jeffrey Anderson, a cardiologist whose patients were among more than 12,000 people with heart disease who participated in the short-term exposure study, said he was already changing his advice to patients based on the results, urging them to stay inside on bad air days or, in severe cases, to move to a more favorable climate.

"By a more favorable climate," Anderson said, "I don't mean Southern California. I mean in terms of air pollution, a less-polluted environment."

*

janet.wilson@latimes.com

The construction pollution report can be found online at
http://www.ucsusa.org/clean_vehicles

The draft regulations can be found at
<http://arb.ca.gov/msprog/ordiesel/workshops.htm>*

(INFOBOX BELOW)

Under construction

A report released Tuesday found serious health damage tied to construction related air pollution from diesel powered equipment.

Health damage from construction pollution in the South Coast Air Basin: (estimated number of cases in 2005)

Premature deaths: 731

Respiratory hospitalizations: 383

Cardiovascular hospitalizations: 274

Asthma and other lower respiratory symptoms: 20,941

Acute bronchitis: 1,729

Lost work days: 123,439

Minor restricted activity days: 959,839

School absences: 175,339

Cities* in South Coast counties in the top 10% for risk

of health damage from pollution caused by construction equipment:

Los Angeles

- Long Beach
- Los Angeles
- Santa Clarita

Orange

- Irvine
- San Clemente

Riverside

- Corona
- Murrieta
- Riverside
- Temecula

San Bernardino

- Chino
- Fontana
- Rancho Cucamonga
- San Bernardino

* Listed in alphabetical order by county

Source: Union of Concerned Scientists

MORE NEWS

- [Mystery in spy's death veers to Germany](#)
- [Shuttle readied, may launch tonight](#) | [VIDEO](#)
- [Afghan war nears tipping point](#)



What's the real beauty of "Southern California"? View reader photos at [Your Scene](#).
[Submit your photo now >>](#)

Petra Pless, D.Env.

440 Nova Albion Way, #2
 San Rafael, CA 94903
 (415) 492-2131 phone
 (815) 572-8600 fax
 petra@ppless.com

Dr. Pless is a court-recognized expert with over 10 years of experience in environmental consulting conducting and managing interdisciplinary environmental research projects and preparing and reviewing environmental permits and other documents for U.S. and European stakeholder groups. Her broad-based experience includes air quality and air pollution control; water quality, water supply, and water pollution control; biology; public health and safety; and noise studies; California Environmental Quality Act ("CEQA"), Clean Air Act ("CAA"), and National Environmental Policy Act ("NEPA") review; industrial ecology and risk assessment; and use of a wide range of environmental software.

EDUCATION

Doctorate in Environmental Science and Engineering (D.Env.), University of California
 Los Angeles, 2001

Master of Science (equivalent) in Biology, Technical University of Munich, Germany, 1991

PROFESSIONAL HISTORY

Pless Environmental, Inc., Principal, 2008–present

Environmental Consultant, Sole Proprietor, 2006–2008

Leson & Associates (previously Leson Environmental Consulting), Kensington, CA,
 Environmental Scientist/Project Manager, 1997–2005

University of California Los Angeles, Graduate Research Assistant/Teaching Assistant, 1994–1996

ECON Research and Development, Environmental Scientist, Ingelheim, Germany, 1992–1993

Biocontrol, Environmental Projects Manager, Ingelheim, Germany, 1991–1992

REPRESENTATIVE EXPERIENCE**Air Quality and Pollution Control**

Projects include CEQA/NEPA review; attainment and non-attainment new source review ("NSR"), prevention of significant deterioration ("PSD") and Title V permitting; control technology analyses (BACT, LAER, RACT, BARCT, BART, MACT); technology evaluations and cost-effectiveness analyses; criteria and toxic pollutant emission inventories; emission offsets; ambient and source monitoring; analysis of emissions estimates and ambient air pollutant concentration modeling. Some typical projects include:

- Critically reviewed and prepared technical comments on the air quality, biology, noise, water quality, and public health and safety sections of CEQA/NEPA documents for numerous

commercial, residential, and industrial projects (*e.g.*, power plants, airports, residential developments, retail developments, hospitals, refineries, slaughterhouses, asphalt plants, food processing facilities, printing facilities, quarries, and mines) and provided litigation support in a number of cases filed under CEQA.

- Critically reviewed and prepared technical comments on the air quality and public health sections of the Los Angeles Airport Master Plan (Draft, Supplement, and Final Environmental Impact Statement/Environmental Impact Report) for the City of El Segundo. Provided technical comments on the Draft and Final General Conformity Determination for the preferred alternative submitted to the Federal Aviation Administration.
- For several California refineries, evaluated compliance of fired sources with Bay Area Air Quality Management District Rule 9-10. This required evaluation and review of hundreds of source tests to determine if refinery-wide emission caps and compliance monitoring provisions were being met.
- Critically reviewed and prepared technical comments on Draft Title V permits for several refineries and other industrial facilities in California.
- Evaluated the public health impacts of locating big-box retail developments in densely populated areas in California and Hawaii. Monitored and evaluated impacts of diesel exhaust emissions and noise on surrounding residential communities.
- In conjunction with the permitting of several residential and commercial developments, conducted studies to determine baseline concentrations of diesel exhaust particulate matter using an aethalometer.
- For an Indiana steel mill, evaluated technology to control NO_x and CO emissions from fired sources, including electric arc furnaces and reheat furnaces, to establish BACT. This required a comprehensive review of U.S. and European operating experience. The lowest emission levels were being achieved by steel mills using selective catalytic reduction (“SCR”) and selective non-catalytic reduction (“SNCR”) in Sweden and The Netherlands.
- For a California petroleum coke calciner, evaluated technology to control NO_x, CO, VOCs, and PM₁₀ emissions from the kiln and pyroscrubbers to establish BACT and LAER. This required a review of state and federal clearinghouses, working with regulatory agencies and pollution control vendors, and obtaining and reviewing permits and emissions data from other similar facilities. The best-controlled facilities were located in the South Coast Air Quality Management District.
- For a Kentucky coal-fired power plant, identified the lowest NO_x levels that had been permitted and demonstrated in practice to establish BACT. Reviewed operating experience of European, Japanese, and U.S. facilities and evaluated continuous emission monitoring data. The lowest NO_x levels had been permitted and achieved in Denmark and in the U.S. in Texas and New York.
- In support of efforts to lower the CO BACT level for power plant emissions, evaluated the contribution of CO emissions to tropospheric ozone formation and co-authored report on same.
- Critically reviewed and prepared technical comments on applications for certification (“AFCs”) for numerous natural-gas fired, solar, biomass, and geothermal power plants in California permitted by the California Energy Commission. The comments addressed construction and operational emissions inventories and dispersion modeling, BACT

determinations for combustion turbine generators, fluidized bed combustors, diesel emergency generators, etc.

- Critically reviewed and prepared technical comments on draft PSD permits for several natural gas-fired power plants in California, Indiana, and Oregon. The comments addressed emission inventories, greenhouse gas emissions, BACT, case-by-case MACT, compliance monitoring, cost-effectiveness analyses, and enforceability of permit limits.
- For a California refinery, evaluated technology to control NO_x and CO emissions from CO Boilers to establish RACT/BARCT to comply with BAAQMD Rule 9-10. This required a review of BACT/RACT/LAER clearinghouses, working with regulatory agencies across the U.S., and reviewing federal and state regulations and State Implementation Plans (“SIPs”). The lowest levels were required in a South Coast Air Quality Management District rule and in the Texas SIP.
- In support of several federal lawsuits filed under the federal Clean Air Act, prepared cost-effectiveness analyses for SCR and oxidation catalysts for simple cycle gas turbines and evaluated opacity data.
- Provided litigation support for a CEQA lawsuit addressing the pollution control equipment at a proposed biomass cogeneration plant.
- Prepared comments and provided litigation support on several proposed regulations including the Mojave Desert Air Quality Management District Rule 1406 (fugitive dust emission reduction credits for road paving); South Coast Air Quality Management District Rule 1316, San Joaquin Valley Air Pollution Control District Rule 2201, Antelope Valley Air Quality Management District Regulation XIII, and Mojave Desert Air Quality Management District Regulation XIII (implementation of December 2002 amendments to the federal Clean Air Act).
- Critically reviewed draft permits for several ethanol plants in California, Indiana, Ohio, and Illinois and prepared technical comments.
- Reviewed state-wide average emissions, state-of-the-art control devices, and emissions standards for construction equipment and developed recommendations for mitigation measures for numerous large construction projects.
- Researched sustainable building concepts and alternative energy and determined their feasibility for residential and commercial developments, *e.g.*, regional shopping malls and hospitals.
- Provided comprehensive environmental and regulatory services for an industrial laundry chain. Facilitated permit process with the South Coast Air Quality Management District. Developed test protocol for VOC emissions, conducted field tests, and used mass balance methods to estimate emissions. Reduced disposal costs for solvent-containing waste streams by identifying alternative disposal options. Performed health risk screening for air toxics emissions. Provided permitting support. Renegotiated sewer surcharges with wastewater treatment plant. Identified new customers for shop-towel recycling services.
- Designed computer model to predict performance of biological air pollution control (biofilters) as part of a collaborative technology assessment project, co-funded by several major chemical manufacturers. Experience using a wide range of environmental software, including air dispersion models, air emission modeling software, database programs, and geographic information systems (“GIS”).

Water Quality and Pollution Control

Experience in water quality and pollution control, including surface water and ground water quality and supply studies, evaluating water and wastewater treatment technologies, and identifying, evaluating and implementing pollution controls. Some typical projects include:

- Evaluated impacts of on-shore oil drilling activities on large-scale coastal erosion in Nigeria.
- For a 500-MW combined-cycle power plant, prepared a study to evaluate the impact of proposed groundwater pumping on local water quality and supply, including a nearby stream, springs, and a spring-fed waterfall. The study was docketed with the California Energy Commission.
- For a 500-MW combined-cycle power plant, identified and evaluated methods to reduce water use and water quality impacts. These included the use of zero-liquid-discharge systems and alternative cooling technologies, including dry and parallel wet-dry cooling. Prepared cost analyses and evaluated impact of options on water resources. This work led to a settlement in which parallel wet dry cooling and a crystallizer were selected, replacing 100 percent groundwater pumping and wastewater disposal to evaporation ponds.
- For a homeowner's association, reviewed a California Coastal Commission staff report on the replacement of 12,000 linear feet of wooden bulkhead with PVC sheet pile armor. Researched and evaluated impact of proposed project on lagoon water quality, including sediment resuspension, potential leaching of additives and sealants, and long-term stability. Summarized results in technical report.

Applied Ecology, Industrial Ecology and Risk Assessment

Experience in applied ecology, industrial ecology and risk assessment, including human and ecological risk assessments, life cycle assessment, evaluation and licensing of new chemicals, and fate and transport studies of contaminants. Experienced in botanical, phytoplankton, and intertidal species identification and water chemistry analyses. Some typical projects include:

- Conducted technical, ecological, and economic assessments of product lines from agricultural fiber crops for European equipment manufacturer; co-authored proprietary client reports.
- Developed life cycle assessment methodology for industrial products, including agricultural fiber crops and mineral fibers; analyzed technical feasibility and markets for thermal insulation materials from natural plant fibers and conducted comparative life cycle assessments.
- For the California Coastal Conservancy, San Francisco Estuary Institute, Invasive Spartina Project, evaluated the potential use of a new aquatic pesticide for eradication of non-native, invasive cordgrass (*Spartina spp.*) species in the San Francisco Estuary with respect to water quality, biological resources, and human health and safety. Assisted staff in preparing an amendment to the Final EIR.
- Evaluated likelihood that organochlorine pesticide concentrations detected at a U.S. naval air station are residuals from past applications of these pesticides consistent with manufacturers' recommendations. Retained as expert witness in federal court case.
- Prepared human health risk assessments of air pollutant emissions from several industrial and commercial establishments, including power plants, refineries, and commercial laundries.

- Managed and conducted laboratory studies to license pesticides. This work included the evaluation of the adequacy and identification of deficiencies in existing physical/chemical and health effects data sets, initiating and supervising studies to fill data gaps, conducting environmental fate and transport studies, and QA/QC compliance at subcontractor laboratories. Prepared licensing applications and coordinated the registration process with German environmental protection agencies. This work led to regulatory approval of several pesticide applications in less than six months.
- Designed and implemented database on physical/chemical properties, environmental fate, and health impacts of pesticides for a major multi-national pesticide manufacturer.
- Designed and managed experimental toxicological study on potential interference of delta-9-tetrahydrocannabinol in food products with U.S. employee drug testing; co-authored peer-reviewed publication.
- Critically reviewed and prepared technical comments on applications for certification for several natural-gas fired, solar, and geothermal power plants and transmission lines in California permitted by the California Energy Commission. The comments addressed avian collisions and electrocution, construction and operational noise impacts on wildlife, risks from brine ponds, and impacts on endangered species.
- For a 180-MW geothermal power plant, evaluated the impacts of plant construction and operation on the fragile desert ecosystem in the Salton Sea area. This work included baseline noise monitoring and assessing the impact of noise, brine handling and disposal, and air emissions on local biota, public health, and welfare.
- Designed research protocols for a coastal ecological inventory; developed sampling methodologies, coordinated field sampling, determined species abundance and distribution in intertidal zone, and conducted statistical data analyses.
- Designed and conducted limnological study on effects of physical/chemical parameters on phytoplankton succession; performed water chemistry analyses and identified phytoplankton species; co-authored two journal articles on results.
- Organized and conducted surveying and mapping of aquatic plant species in several lakes and rivers in Sweden and Germany as ecological indicators for the health of limnological ecosystems.

PRO BONO ACTIVITIES

Founding member of “SecondAid,” a non-profit organization providing tsunami relief for the recovery of small family businesses in Sri Lanka. (www.secondaaid.org.)

PROFESSIONAL AFFILIATIONS

Association of Environmental Professionals

PUBLICATIONS

Available upon request

Comment Letter Pless*Response to Comment Pless-1*

This comment includes statements about the commenter's credentials, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-2

Regarding the statements about air quality impacts and mitigation measures, the commenter is referred to Responses to Comments Pless-5 through Pless-60.

Response to Comment Pless-3

Regarding the HRA prepared for the Project, the commenter is referred to Responses to Comments Pless-22 through Pless-48.

Response to Comment Pless-4

This comment summarizes the Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-5

Regarding the statements about the air quality impact analysis in the Draft EIR, the commenter is referred to Responses to Comments Pless-6 through Pless-60.

Response to Comment Pless-6

Regarding demolition of prior uses at the Project site and piecemealing, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Pless-7

Regarding demolition of prior uses at the Project site and piecemealing, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Pless-8

Regarding demolition of prior uses at the Project site and piecemealing, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing). Construction-related air quality impacts are determined by estimating the amount of emissions associated with the construction activities, comparing those estimated emissions with significance thresholds established by SCAQMD, and identifying mitigation measure to reduce those emissions. Construction-related air quality impacts are not determined by assessing how sensitive receptors would be affected. Air quality impacts related to sensitive receptors are addressed under Operational Impacts in Section IV.C (Air Quality).

Response to Comment Pless-9

Regarding the ambient air quality data, for information purposes only, Table IV.C-4 from Section IV.C (Air Quality) has been updated to include the most recent air quality data. It should be noted that the national 0.12 ppm 1-hour standard for ozone was revoked as of 2005 and therefore, is not included in the revised table. The information in Table IV.C-4, in the Draft EIR and shown below, is presented to show the pollutants for which the Basin is/is not in attainment for and does not affect the air quality impact conclusions for the Project in the Draft EIR. This revision is included in Section IV [Corrections and Additions] of the Final EIR.

Table IV.C-4
Summary of Ambient Air Quality in the Project Vicinity

Air Pollutants Monitored Within SRA 1 — Central Los Angeles Area ^a	Year		
	~~2005~~ <u>2006</u>	~~2006~~ <u>2007</u>	~~2007~~ <u>2008</u>
Ozone			
Maximum 1-hour concentration measured	0.42 <u>11</u> ppm	0.44 <u>15</u> ppm	0.44 <u>109</u> ppm
Days exceeding State 0.09 ppm 1-hour standard	<u>28</u>	<u>83</u>	3
Maximum 8-hour concentration	0.09 <u>8079</u> ppm	0.07 <u>9102</u> ppm	0.10 <u>2090</u> ppm
Days exceeding national 0.075 ppm 8-hour standard	<u>40</u>	<u>02</u>	<u>23</u>
Days exceeding State 0.07 ppm 8-hour standard	<u>24</u>	<u>46</u>	<u>67</u>
Respirable Particulate Matter (PM₁₀)			
Maximum 24-hour concentration measured	~~70~~ <u>59</u> $\mu\text{g}/\text{m}^3$	~~59~~ <u>78</u> $\mu\text{g}/\text{m}^3$	~~78~~ <u>66</u> $\mu\text{g}/\text{m}^3$ ^{3b}
Days exceeding national 150 $\mu\text{g}/\text{m}^3$ 24-hour standard	0	0	<u>0</u> ^b
Days exceeding State 50 $\mu\text{g}/\text{m}^3$ 24-hour standard	<u>43</u>	<u>35</u>	<u>2</u> ^b
Fine Particulate Matter (PM_{2.5})			
Maximum 24-hour concentration measured	~~73.7~~ <u>56.2</u> $\mu\text{g}/\text{m}^3$	~~56~~ <u>64.2</u> $\mu\text{g}/\text{m}^3$	~~64.2~~ <u>78.3</u> $\mu\text{g}/\text{m}^3$
Days exceeding national 35 $\mu\text{g}/\text{m}^3$ 24-hour standard	<u>211</u>	<u>420</u>	<u>2010</u>
Carbon Monoxide (CO)			
Maximum 1-hour concentration measured	~~4.0~~ <u>3.0</u> ppm	3.0 ppm	3.0 ppm

Days exceeding national 35.0 ppm 1-hour standard	0	0	0
Days exceeding State 20.0 ppm 1-hour standard	0	0	0
Maximum 8-hour concentration measured	~~3.1~~ <u>2.6</u> ppm	~~2.6~~ <u>2.2</u> ppm	~~2.2~~ <u>2.1</u> ppm
Days exceeding national & State 9.0 ppm 8-hour standard	0	0	0
Nitrogen Dioxide (NO₂)			
Maximum 1-hour concentration measured	~~0.43~~ <u>0.11</u> ppm	~~0.44~~ <u>0.10</u> ppm	~~0.40~~ <u>0.12</u> ppm
Days exceeding State 0.18 ppm 1-hour standard	~~0~~ <u>0</u>	~~0~~ <u>0</u>	~~0~~ <u>0</u>
AAM	~~0.0278~~ <u>0.0288</u> ppm	~~0.0288~~ <u>0.0299</u> ppm	~~0.0299~~ <u>0.0275</u> ppm
Does measured AAM exceed national 0.0534 ppm AAM standard or state 0.030 ppm AAM standard?	No	No	No
Sulfur Dioxide (SO₂)			
Maximum 24-hour concentration measured	~~0.04~~ <u>0.006</u> ppm	~~0.006~~ <u>0.003</u> ppm	~~0.003~~ <u>0.002</u> ppm
Number of days exceeding national 0.14 ppm 24-hour standard	0	0	0
Number of days exceeding state 0.04 ppm 24-hour standard	0	0	0
^a Effective December 17, 2006, the national standard for PM _{2.5} was revised from 65 µg/m ³ to 35 µg/m ³ . ^b Less than 12 full months of data; may not be representative.			
Note: ppm = parts per million by volume µg/m ³ = micrograms per cubic meter AAM = annual arithmetic mean			
Source: South Coast Air Quality Management District, ~~September 2008~~ March 2010.			

Response to Comment Pless-10

Regarding the number of days per year the national and 24-hour ambient air quality standards were exceeded in 2008, the commenter is referred to Response to Comment Pless-9.

Response to Comment Pless-11

The commenter states that the Draft EIR incorrectly summarizes the number of days during which national and state 24-hour ambient air quality standards for PM₁₀ and PM_{2.5} were exceeded. The commenter is correct in stating that although the EIR is correct in reporting the number of days during which the standards were exceeded, the exceedance of PM₁₀ instances were based on a reporting schedule of 56 days of monitoring in 2007, and the exceedance of PM_{2.5} instances were based on a reporting schedule of 324 days of monitoring in 2007. This clarification of information does not change the findings of the EIR.

Response to Comment Pless-12

Regarding the statements about the estimation of the Project's operational emissions and mitigation, the commenter is referred to Responses to Comments Pless-13 through Pless-16.

Response to Comment Pless-13

Regarding the Project's trip generation and associated emissions, the commenter is referred to Master Response 1. Because the trip generation for the Project included in the Draft EIR is adequate, the estimated vehicular emissions for the Project presented in the Draft EIR is adequate.

Response to Comment Pless-14

Regarding the Project's trip generation, the commenter is referred to Master Response 1. Regarding trip generation credits due to transit use, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19. Because the trip generation for the Project included in the Draft EIR is adequate, the estimated vehicular emissions for the Project presented in the Draft EIR is adequate.

Response to Comment Pless-15

This comment includes statements of fact about assumptions made in the air quality modeling for the Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-16

Regarding the transit mitigation assumed in the emissions modeling for the Project, the URBEMIS model was re-run without including Transit Service Mitigation, Pedestrian/Bicycle Friendliness Mitigation, and Local Serving Retail Mitigation. The model was also revised to include re-entrained road dust, as discussed below in Response to Comment Pless-18. As shown on the revised Table IV.C-10 from Section IV.C (Air Quality), the significance conclusions are the same as what was identified in the Draft EIR. This revision is included in Section IV [Corrections and Additions] of the Final EIR.

**Table IV.C-10
Estimated Future (2013) Daily Operational Emissions**

Emissions Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summertime (Smog Season) Emissions						
Water and Space Heating, and Cooking Appliances	1.08	14.05	6.12	0.00	0.03	0.03
Landscape Maintenance Equipment	0.25	0.04	3.09	0.00	0.01	0.01
Consumer Products	71.82	--	--	--	--	--
Architectural Coatings	2.59	--	--	--	--	--
Mobile (Vehicle) Sources	~~333~~ 7.05	~~24.0~~ 28.10	~~308.27~~ 361.10	~~0.37~~ 43	~~3.4~~ 366	~~4.9~~ 22.25
Total Future Daily Operational Emissions	~~108~~112.79	~~38.10~~42.19	~~317.48~~370.13	~~0.37~~43	~~3.4~~770	~~4.9~~62.29
SCAQMD Regional Thresholds	55.00	55.00	550.00	150.00	150.00	55.00
Significant Impact?	Yes	No	No	No	No	No

**Table IV.C-10
Estimated Future (2013) Daily Operational Emissions**

Emissions Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Wintertime (Non-Smog Season) Emissions						
Water and Space Heating, and Cooking Appliances	1.08	14.05	6.12	0.00	0.03	0.03
Consumer Products	71.82	--	--	--	--	--
Architectural Coatings	2.59	--	--	--	--	--
Mobile (Vehicle) Sources	~~31.58~~ 36.19	~~29.62~~ 34.67	~~294.66~~ 345.06	~~0.29~~ 34	~~3.43~~ 66	~~1.92~~ 2.25
Total Future Daily Operational Emissions	~~107.07~~111.68	~~43.67~~48.72	~~300.78~~351.18	~~0.29~~34	~~3.46~~69	~~1.95~~2.28
SCAQMD Regional Thresholds	55.00	55.00	550.00	150.00	150.00	55.00
Significant Impact?	Yes	No	No	No	No	No
<i>Source: Christopher A. Joseph & Associates, September 2008. Calculation sheets are provided in Appendix B to the Draft EIR.</i>						

Response to Comment Pless-17

This comment includes information about “re-entrained” road dust, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-18

Regarding the statement about the URBEMIS model and re-entrained dust, the URBEMIS model has been revised to include re-entrained road dust, and the results are presented above on Table IV.C-10 (refer to Response to Comment Pless-16). With the re-entrained dust accounted for, the significance conclusions would not change compared to what was presented in the Draft EIR.

Response to Comment Pless-19

Regarding the statement about the URBEMIS model and re-entrained dust, the commenter is referred to Response to Comment Pless-18.

Response to Comment Pless-20

Regarding the Project’s trip generation and associated emissions, the commenter is referred to Master Response 1 and Response to Comment Pless-134

Response to Comment Pless-21

Regarding the Project's trip generation and associated emissions, the commenter is referred to Master Response 1 and Response to Comment Pless-14. Based on these responses, the estimation of localized operational air pollutants for the Project as presented in the Draft EIR is adequate. Also, in determining air quality impacts of the Project related to localized operation emission, the pollutant emissions of the Project are not compared to annual ambient pollutant concentrations but are compared against SCAQMD's significance thresholds, listed on page IV.C-30 in Section IV.C (Air Quality). Based on these thresholds, the Project would not result in any significant impacts related to localized operational emissions.

Response to Comment Pless-22

Regarding mitigation measures for the Project's operational air quality impacts, as discussed in Section IV.C (Air Quality), the Project would result in a significant impact related to VOC emissions only. As discussed on page IV.C-59 of the section:

The operational emissions associated with the Proposed Project would exceed the established SCAQMD threshold levels for VOCs both the summertime (smog season) and wintertime (non-smog season). The exceedance of the SCAQMD thresholds for VOCs is primarily due to the use of consumer products such as lighter fluid and hairspray within the residential uses. Currently there is no feasible mitigation available to reduce the use of consumer products associated with the Proposed Project. Therefore, this impact would be significant and unavoidable.

The additional measures referenced by the commenter would not reduce the VOC emissions of the Project, because these measures do not affect the use of consumer products, which is the greatest source of the VOC emissions.

Regarding meeting Title 24 standards, through compliance with the requirements of the City of Los Angeles Green Building Ordinance, which includes Leadership in Energy and Environmental Design (LEED) equivalency, the Project would exceed Title 24 2005 energy conservation standards and/or meet Title 24 2008 standards, whichever is greater. Additionally, the Project's high-density mixed-use nature, its location near a high concentration of employment, and its siting adjacent to an important mass-transit rail line act as "mitigation" to help improve local and regional air quality, by accommodating an anticipated population growth that might otherwise live further away from places of employment and rely on individual vehicles to commute.

Response to Comment Pless-23

This comment provides information regarding air pollutants associated with roadways, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However,

the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-24

Most of this comment provides information regarding potential health risks from ultrafine particle pollution, but this portion of the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. The commenter also refers to their comment “IV.C”, which is below under Response to Comments Pless-44 through Pless-49. Also, regarding the effectiveness of the proposed building filtration system, the commenter is referred to Response to Comment Pless-44.

Response to Comment Pless-25

This comment provides information regarding potential health risks associated with air generated by traffic, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-26

This comment provides information regarding CARB’s land use guidelines with respect to siting sensitive land uses near freeways, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-27

Regarding the HRA prepared for the Project, the commenter is referred to Responses to Comments Pless-32 through Pless-49. For the reasons discussed in these responses, the HRA prepared for the Project is not inadequate.

Response to Comment Pless-28

Regarding the HRA methodology, the commenter is referred to Responses to Comments Pless-32 through Pless-49.

Response to Comment Pless-29

This comment correlates pollutant emission rates with vehicle speed, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-30

This comment further discusses pollutant emission rates versus vehicle speed, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-31

Regarding the use of EMFAC emission factors, the modeling of the Project's traffic emissions was conducted in accordance with the SCAQMD Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. The SCAQMD is agency principally responsible for comprehensive air pollution control in the Basin and is directly responsible for reducing emissions from station, mobile, and indirect sources to meet federal and State ambient air quality standards. Therefore, the use of EMFAC emission factors for the HRA is appropriate. Regarding the commenter's presentation of Table 3, which summarizes emission factors for a range of vehicle speeds, the table incorrectly references DPM as an air pollutant estimated by EMFAC. In fact, the pollutant estimated in EMFAC is PM₁₀; DPM emissions represent only a fraction of PM₁₀ emissions. The HRA prepared for the Project assumes that all PM₁₀ emissions would be DPM emission, and therefore, more than conservatively estimates the health risks (as a function of DPM emissions) of the Project.

Response to Comment Pless-32

Regarding the average fleet speed of 50 miles per hour (mph) used in the HRA prepared for the Project, the value was selected as a reasonable average speed over the course of the entire day. A daily timeframe is consistent with the daily traffic volumes obtained by Caltrans that were also used for the HRA. It should be noted that, as shown on Table 3 of the Pless Comments, for speeds between 35 mph and 55 mph, emission rates vary by less than 10 percent. As the emission rate is proportional to the calculated health impacts, the mph rate would not change the significance determination made in the HRA. Additionally, the HRA does not account for the decrease in DPM that are expected over the duration of the exposure due to technology advances and state requirements that would further reduce health impacts from DPM.

Response to Comment Pless-33

Regarding the variable motor vehicle speed, the commenter is referred to Response to Comment Pless-32.

Response to Comment Pless-34

Regarding underestimation of emission rates, the commenter is referred to Response to Comment Pless-32.

Response to Comment Pless-35

Regarding revisions to the air dispersion modeling, based on Response to Comment Pless-32, the current air dispersion modeling is adequate and therefore a revision is not necessary.

Response to Comment Pless-36

Regarding the air concentrations used for the HRA, the air concentration was modeled at the central air intake, which would be located at the building rooftop. It has been estimated that Americans spend approximately 90 percent of their time indoors (Source: EPA). Therefore, exposure to outdoor air from the balcony or operable windows would be minimal while the large majority of exposure to air contaminants by residents would result from inhalation of indoor air via the central air intake located at the top floor of the building. Additionally, as stated in the DEIR, adults spend only 68 to 73 percent of their total daily time at home as opposed to the 24 hours per day used in the HRA. Therefore, the assumption that a resident would be exposed to indoor air for 24 hours per day at the Project is conservative.

Response to Comment Pless-37

Regarding sources of TAC emissions associated with the Project, health risks from the generation of TACs are associated with developments that generate substantial amounts of TACs, such as distribution centers, truck stops, shipyards, etc., developments that include a substantial number of large-truck trips. The number of delivery and garbage trucks that would visit the Project would be very small, especially compared to the number of truck trips associated with the developments listed previously. Also, the back-up generators at the Project would run only when tested for one hour once per month. The amount of TACs generated by the Project would be very small, and the Project would not result in any significant health risks.

Response to Comment Pless-38

Regarding the inhalation cancer potency factor, the inhalation cancer potency factor for DPM that was used in the HRA for the Project was based on ARB's panel unit risk reasonable estimate of $3.0\text{E-}4$ (ug/m^3)⁻¹. A standard toxicological conversion factor of 3,500 ($\text{ug}\cdot\text{kg}/\text{m}^3\cdot\text{mg}$) was used to convert this

value to a cancer potency factor of $1.05 \text{ (mg/kg)}^{-1}$. Therefore, the DPM cancer potency factor of $1.05 \text{ (mg/kg)}^{-1}$ that was used in the HRA for the Project is appropriate.

Response to Comment Pless-39

Regarding the exposure duration used in the HRA, the commenter is referred to Response to Comment Pless-40.

Response to Comment Pless-40

Regarding the exposure duration used in the HRA for the Project, the HRA assumed a 30-year exposure duration, as opposed to a 70-year exposure duration. A 70-year timeframe assumption (an assumption that a person would occupy a residential unit in the same location for their entire lifetime) is often used in preparation of HRAs for permitting purposes, such as for those developments requiring permits using Office of Environmental Health Hazard Assessment (OEHHA) Air Toxics Hot Spots Program. The HRA prepared for the Project was not prepared for permitting purposes, but rather to assess whether the Project would expose people at the Project site to excessive air pollutant levels. As stated in the Draft EIR, only 50 percent of the population lives in the same residence for 9 years and only 10 percent remain in the same house for 30 years. Therefore, the more realistic, yet conservative exposure duration of 30 years is appropriate for this HRA.

Response to Comment Pless-41

Regarding revisions to the HRA, based on Responses to Comments Pless-36, Pless-37, and Pless-40, the HRA prepared for the Project is adequate, and revisions to the HRA are not necessary.

Response to Comment Pless-42

Regarding the context of the Harbor Freeway in the HRA prepared for the Project, the primary component of the ambient air quality near the Project site is emissions from traffic along the Harbor Freeway near the site. The HRA models this primary component of the local air quality, because this is the component that presents the greatest potential health risk. However, CEQA and the SCAQMD requires that change in the ambient environment be evaluated, which is also analyzed in the EIR.

Response to Comment Pless-43

Regarding ambient air quality and the HRA prepared for the Project, the commenter is referred to Response to Comment Pless-42.

Response to Comment Pless-44

Regarding the MERV-13 filter, installation and use of the MERV-13 filter in the Project is listed as a mitigation measure in Section IV.C (Air Quality), because installation and use of the filter is a Standard Condition of Approval required by the City for residential developments near high-volume roadways to

reduce the exposure of residents to pollutant emissions. As discussed in Section IV.C, residents of the Project would not be exposed to excessive levels of particulate matter (refer to the analysis of TACs), nor would the Project generate excessive levels of particulate matter. No significant impacts related to operational-related particulate matter were identified in the Draft EIR. Thus, use of the MERV-13 filter only would act to further reduce a less-than-significant indoor exposure to particulate matter. Therefore, the exact effectiveness of the filter is irrelevant in the context of the Draft EIR and this response, because the significance of the health risk impact associated with the Project does not rely on the effectiveness of the filter.

Response to Comment Pless-45

Regarding the potential of exposure to unfiltered air, the HRA prepared for the Project assumes that none of the indoor air would be filtered (all of the indoor air would be unfiltered).

Response to Comment Pless-46

Regarding the effectiveness of the MERV-13 filter, the commenter is referred to Response to Comment Pless-44.

Response to Comment Pless-47

Regarding the effectiveness of the MERV-13 filter, the commenter is referred to Response to Comment Pless-44.

Response to Comment Pless-48

Regarding the effectiveness of the MERV-13 filter, the commenter is referred to Response to Comment Pless-44.

Response to Comment Pless-49

Regarding the effectiveness of the MERV-13 filter, the commenter is referred to Response to Comment Pless-44.

Response to Comment Pless-50

Regarding the statement about construction-related emissions, the commenter is referred to Responses to Comments Pless-51 through Pless-61.

Response to Comment Pless-51

Regarding the absence of fine grading activity emission estimates, mass-grading activities was selected to represent all grading activities that would occur during construction of the Project. As stated in the URBEMIS user manual, mass site grading typically differs from fine site grading in that it applied to

larger grading acreages.” Based on the size of the project site, mass site grading was selected. Thus, a revision of the URBEMIS modeling based on this comment is not required.

Response to Comment Pless-52

Regarding the estimates of construction equipment, the commenter suggests that construction emissions are based on an underestimate of construction equipment to be used on-site. The construction data, which was provided by the Applicant and includes the maximum number of construction equipment pieces to be operating, is based on a worst-case scenario representing the maximum pieces of equipment that would be used simultaneously. The analysis is not meant to represent emissions from every single piece of equipment to be used throughout the construction period, but rather the maximum emissions that could occur on any given day throughout the construction period.

Response to Comment Pless-53

Regarding the statement about mitigation for fugitive dust, the URBEMIS model was re-done for the Project’s construction-related air quality impacts using “watering only,” which was included in the Draft EIR as a mitigation measure. Based on the revisions to Table IV.C-8 and as shown on Table IV.C-16 from Section IV.C (Air Quality), no additional significant impacts would occur beyond those included in the Draft EIR. These revisions are found in Section IV [Corrections and Additions] of the Final EIR.

Table IV.C-8
Estimated Daily Regional Construction Emissions

Emissions Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Site Grading/Excavation Phase (2010)						
Fugitive Dust	--	--	--	--	~~256.17~~ 256.00	~~53.52~~ 46
Off-Road Diesel Equipment	4.37	37.78	19.44	--	1.82	1.68
On-Road Diesel Equipment	2.68	34.96	13.42	0.04	1.59	1.37
Worker Trips	0.05	0.09	1.57	--	0.01	0.01
Total Emissions	7.10	72.83	34.43	0.04	259.43	56.52
Implementation of Dust Control Measures ^a	0.00	0.00	0.00	0.00	(~~497.96~~ 156.16)	(~~41.34~~ 32.62)
Total Emissions after Mitigation Rule 403	7.10	72.83	34.43	0.04	~~61.47~~103.27	~~15.18~~23.90
Site Grading/Excavation Phase (2011)						
Fugitive Dust	--	--	--	--	256.00	53.46
Off-Road Diesel Equipment	4.14	34.93	18.96	--	1.70	1.57
On-Road Diesel Equipment	2.47	31.46	12.10	0.04	1.42	1.21
Worker Trips	0.05	0.08	1.46	--	0.01	0.01
Total Emissions	6.65	66.47	32.53	0.04	259.14	56.25

Table IV.C-8
Estimated Daily Regional Construction Emissions

Emissions Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Implementation of Dust Control Measures ^a	0.00	0.00	0.00	0.00	(201.09)156.16)	(44.13)32.61)
Total Emissions after Mitigation Rule 403	6.65	66.47	32.53	0.04	58.05102.98	12.1223.64
Building Construction Phase (2011)						
Building Construction Off-Road Diesel Equipment	3.31	22.58	12.85	--	1.72	1.58
Building Construction Vendor Trips	2.87	32.46	25.78	0.06	1.57	1.31
Building Construction Worker Trips	3.10	5.82	100.46	0.13	0.95	0.51
Total Emissions	9.28	60.86	139.10	0.20	4.25	3.40
Building Construction Phase (2012)						
Building Construction Off-Road Diesel Equipment	3.10	21.11	12.63	--	1.58	1.45
Building Construction Vendor Trips	2.63	28.97	23.84	0.06	1.42	1.17
Building Construction Worker Trips	2.82	5.34	93.46	0.13	0.95	0.51
Total Emissions	8.55	55.41	129.92	0.20	3.95	3.13
Building Construction Phase (2013)						
Building Construction Off-Road Diesel Equipment	2.87	19.74	12.42	--	1.43	1.31
Building Construction Vendor Trips	2.40	25.61	21.94	0.06	1.27	1.03
Building Construction Worker Trips	2.57	4.87	86.86	0.13	0.96	0.51
Total Emissions	7.84	50.22	121.22	0.20	3.66	2.86
Site Finishing Phase (2013)						
Architectural Coatings Off-Gas	106.42	--	--	--	--	--
Architectural Coatings Worker Trips	0.11	0.22	3.89	0.01	0.04	0.02
Asphalt Off-Gas	0.19	--	--	--	--	--
Asphalt Off-Road Diesel	1.57	9.60	5.95	--	0.83	0.76
Asphalt On-Road Diesel	0.05	0.56	0.22	--	0.03	0.02
Asphalt Worker Trips	0.02	0.05	0.84	--	0.01	--
Total Emissions	108.36	10.42	10.90	0.01	0.91	0.81
2010 Emissions	7.10	72.83	34.43	0.04	61.47103.27	15.1823.90
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No

Table IV.C-8
Estimated Daily Regional Construction Emissions

Emissions Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2011 Emissions	15.93	127.33	171.62	0.24	~~65.44~~ 104.5	~~18.31~~ 27.04
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	Yes	No	No	No	No
2012 Emissions	8.55	55.41	129.92	0.20	3.95	3.13
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
2013 Emissions	116.19	60.64	132.11	0.21	4.56	3.67
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	Yes	No	No	No	No	No

Note: Numbers may not appear to add up correctly due to rounding in the URBEMIS 2007 program.

^a Dust control measures as required by SCAQMD Rule 403—Fugitive Dust.

Source: Christopher A. Joseph & Associates, ~~September 2008~~ **March 2010**. Calculation sheets are provided in Appendix B of the Final EIR.

Table IV.C-16
Estimated Mass Daily Construction Emissions With Mitigation

Emission Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2010 Total Emissions	7.10	72.83	34.43	0.05	~~61.47~~ 103.27	~~15.18~~ 23.90
2010 Total Emissions With NO _x Mitigation	7.10	65.27	34.43	0.05	~~61.47~~ 103.27	~~15.18~~ 23.90
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
2011 Total Emissions	15.93	127.33	171.62	0.24	~~65.44~~ 107.23	~~18.31~~ 27.04
2011 Total Emissions With NO _x Mitigation	15.93	115.83	171.62	0.24	~~65.44~~ 107.23	~~18.31~~ 27.04
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	YES	No	No	No	No
2012 Total Emissions	8.55	55.41	129.92	0.20	3.95	3.13
2012 Total Emissions With NO _x Mitigation	8.55	51.19	129.92	0.20	3.95	3.13
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
2013 Total Emissions	116.19	60.64	132.11	0.21	4.56	3.67
2013 Total Emissions With VOC and NO _x Mitigation	72.72	56.69	132.11	0.21	4.56	3.67

SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
<i>Source: Christopher A. Joseph & Associates, March 2010. Modeling results are included in Appendix B of the Final EIR.</i>						

Response to Comment Pless-54

This comment includes information about construction equipment and associated emissions, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-55

This comment includes information about construction equipment and associated emissions, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-56

This comment includes information about construction equipment and associated emissions, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pless-57

Regarding the Project's construction-related air quality impacts, the commenter is referred to pages IV.C-34 through IV.C-39 in Section IV.C (Air Quality) of the Draft EIR that include a discussion of Project impacts related to construction-related air quality. Based on the significance thresholds established by the SCAQMD, the Project would result in significant impacts related to regional emissions of VOCs and NO_x and localized PM₁₀ emissions. As disclosed on page IV.C-59, after mitigation, impacts related to regional VOCs and localized PM₁₀ would be less than significant, but impacts related to NO_x would remain significant and unavoidable.

Response to Comment Pless-58

Regarding the Project's construction-related air quality impacts and mitigation measures, the commenter is referred to Response to Comment Pless-57, Pless-59, and Pless-60.

Response to Comment Pless-59

Regarding the mitigation measures identified to reduce construction-related NO_x emissions, at this time, feasible emissions controls are not available for all types of construction equipment. To the extent feasible, the Project Applicant shall be required to use the most efficient construction equipment reasonably available. Because the 20 percent effectiveness of Mitigation Measure C-14 on reducing construction-related NO_x emissions cannot be demonstrated at this time, the Draft EIR conservatively concludes that Project construction-related NO_x emissions impacts would be significant and unavoidable.

Additionally, Mitigation Measure C-14 has been revised to reflect the assumptions made in the URBEMIS air quality modeling for the Project (this revision is included in Section IV [Corrections and Additions] of the Final EIR). As noted below, the listed equipment did not match exactly the equipment listed in the URBEMIS model.

- C-14 The Project Applicant shall require all ~~serapers, excavators, crawlers, forklifts, water trucks, pavers, and tractors~~ bore/drill rigs, excavators, rubber tired dozers, rubber tired loaders, cranes, forklifts, rough terrain forklifts, tractors/loaders/backhoes, trenchers, and cement and mortar mixers used in the construction phases to be equipped with diesel oxidation catalyst systems that would achieve a 20 percent reduction of NO_x emissions from approved systems.

Response to Comment Pless-60

Regarding the suggested mitigation measures outlined in the comment, although these measures include stringent planning and reporting requirements, the commenter does not provide any evidence to feasibility of these measures or the effectiveness of these measures in reducing emissions, especially NO_x emissions, nor does the commenter provide any evidence that the construction-related mitigation measures included in the Draft EIR are not as effective as the suggested measures.

Response to Comment Pless-61

Regarding mitigation monitoring, the commenter is referred to Response to Comment Ross-162.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,



Name

1919 Bonifacio Ave #102

Address

LA, CA 90007

City, State and Zipcode

Comment Letter Perez

Response to Comment Perez-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Perez-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Perez-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro fisico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

Sinceramente

Oscar A Rios

Nombre

674 E 21 St

Dirección

Los Angeles CA 90011

Ciudad, estado y código

Comment Letter Rios

Response to Comment Rios-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Rios-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Rios-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

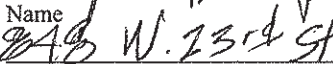
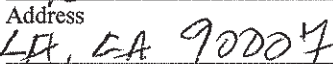
We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,


 Name

 Address

 City, State and Zipcode

Comment Letter Rodriguez

Response to Comment Rodriguez-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Rodriguez-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Rodriguez-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

SHUTE, MIHALY & WEINBERGER LLP

ATTORNEYS AT LAW

E. CLEMENT SHUTE, JR.*
 MARK I. WEINBERGER (1946-2005)
 FRAN M. LAYTON
 RACHEL B. HOOPER
 ELLEN J. GARBER
 TAMARA S. GALANTER
 ANDREW W. SCHWARTZ
 ELLISON FOLK
 RICHARD S. TAYLOR
 WILLIAM J. WHITE
 ROBERT S. PERLMUTTER
 OSA L. WOLFF
 MATTHEW D. ZINN
 CATHERINE C. ENGBERG
 AMY J. BRICKER
 GABRIEL M.B. ROSS
 DEBORAH L. KEETH
 WINTER KING
 AMANDA R. GARCIA
 * SENIOR COUNSEL

396 HAYES STREET
 SAN FRANCISCO, CALIFORNIA 94102
 TELEPHONE: (415) 552-7272
 FACSIMILE: (415) 552-5816
 WWW.SMWLAW.COM

HEATHER M. MINNER
 ERIN B. CHALMERS
 KRISTIN B. BURFORD
 MARY J. REICHERT
 BRIANNA R. FAIRBANKS

LAUREL L. IMPETT, AICP
 CARMEN J. BORG, AICP
 URBAN PLANNERS

KRISTIN B. BURFORD
 burford@smwlaw.com
 (415) 552-7272 Ext. 231

January 26, 2010

Via Email and U.S. Mail

Adam Villani
 Planning Assistant
 Los Angeles Department of City Planning
 200 N. Spring Street, Room 750
 Los Angeles, California 90012
 Adam.Villani@lacity.org

Re: Comments on Draft Environmental Impact Report for The Lorenzo Project (Case No: ENV-2006-9471-EIR)

Dear Mr. Villani:

On behalf of Strategic Actions for a Just Economy ("SAJE") and Esperanza Community Housing Corporation ("Esperanza"), we are writing to express our deep concern regarding the November 2009 Draft Environmental Impact Report ("DEIR") for the proposed Lorenzo Project ("Project") prepared for the City of Los Angeles ("City"). The Project, as proposed by Palmer/Flower Street Properties ("Applicant"), would impose wrenching change on a low income community while exacerbating the neighborhood's ongoing difficulties related to health and health care. The DEIR completely fails to acknowledge these impacts and is, thus, wholly inadequate.

The Project includes the development of two mixed use buildings, a six story building and a 44 story tower. The site of the Project (2300 & 2327 South Flower Street, "Site") was formerly occupied by the Orthopaedic Hospital, clinics which provided essential specialty medical services, and associated medical offices. The Project proposes to alter the zoning restrictions which currently limit the Site's uses to educational, hospital, medical office, parking, and related uses. However, the

1

2

Adam Villani
January 26, 2010
Page 2

neighborhood surrounding the Project Site already faces a serious lack of adequate medical facilities. *See* Section III.A.1 (discussing the DEIR's failure to analyze the impacts of removing the zoning restriction limiting the Site to hospital and medical uses). This luxury development will displace important community services, by further exacerbating the community's limited access to health care facilities. The DEIR fails to analyze the important land use and public service impacts of granting this Project the necessary land use approvals and allowing the development of a huge, primarily market-rate residential project that will bring many new residents and workers to a community which lacks adequate medical facilities and affordable housing. Moreover, the DEIR inappropriately confines its analysis to a narrowly defined study area, ignoring sensitive land uses in the community that are only a few blocks from the Site. This Project will be sited in the middle of cohesive and vibrant community that stretches beyond the boundaries of the DEIR's study area. The DEIR fails to properly describe the surrounding community and, as a result, fails to disclose all of the Project's significant impacts on the community and its residents.

2 cont.

Based on our legal review of the DEIR for the Project, we conclude that the DEIR does not comply with the requirements of California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.* and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 *et seq.* ("CEQA Guidelines"). The DEIR violates CEQA by, among other deficiencies, (1) failing to adequately describe the Project, (2) failing to properly describe and use a consistent environmental baseline for the impacts analysis, (3) failing to adequately analyze the significant environmental impacts of the Project, and (4) failing to propose and analyze feasible mitigation measures and alternatives to reduce the Project's significant environmental impacts.

3

The environmental impact report ("EIR") is "the heart of CEQA." *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.*, 47 Cal. 3d 376, 392 (1988) (citations omitted) ("*Laurel I*"). Where, as here, the environmental document fails to fully inform decisionmakers, and the public, of the environmental consequences of the proposed actions, it does not satisfy the basic goals of CEQA. *See* Pub. Res. Code § 21061. "The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project." *Id.* The DEIR here fails to fulfill this purpose.

4

As a result of the document's inadequacies, the City must revise and recirculate the DEIR to provide the public a complete, comprehensible description of the Project and its alternatives, an accurate assessment of the environmental issues at stake, and a mitigation strategy that fully addresses the Project's significant impacts. SAJE and

5

Adam Villani
January 26, 2010
Page 3

Esperanza welcome the opportunity to work with the City and the Applicant during that process to address the issues discussed in this letter and ensure the City's decision on the Project complies with CEQA.

5 cont.

Furthermore, the Applicant has already launched this Project by demolishing the Orthopaedic Hospital buildings without environmental review. We are concerned that the Applicant's actions, seeking to obtain project approvals without acknowledging that these were part of a larger project, demonstrate an intention to shield the Project from proper oversight and environmental review. Thus, we request that the City require, as a condition of any Project approvals, the Applicant's compliance with detailed monitoring and reporting protocols to ensure that the Project complies with all relevant environmental regulations and restrictions and fulfills the conditions and mitigation measures required by the City.

6

I. THE DEIR'S CURTAILED PROJECT DESCRIPTION OMITTS ESSENTIAL COMPONENTS OF THE PROJECT AND PROVIDES INSUFFICIENT INFORMATION ABOUT THE PLANNED USES OF THE PROJECT PROPERTY AND FACILITIES.

7

The DEIR excludes the demolition of the existing buildings from its project description and fails to fully disclose the planned future uses of the Site. For an environmental document to adequately evaluate the environmental ramifications of a project, it must first provide an accurate description of the project itself. "[A]n accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *San Joaquin Raptor Rescue Center v. County of Merced*, 149 Cal. App. 4th 645, 655 (2007) ("*San Joaquin Raptor II*") (quoting *County of Inyo v. City of Los Angeles*, 71 Cal. App. 3d 185, 193 (1977)). Furthermore, "[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." *Silveira v. Las Gallinas Valley Sanitary District*, 54 Cal. App. 4th 980, 990 (1997) (citation omitted).

8

Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable. While extensive detail is not necessary, CEQA mandates that an EIR describe a proposed project with sufficient detail and accuracy to permit informed decision making. See CEQA Guidelines § 15124 (describing the requirements for an EIR). As explained below, the DEIR fails to meet this basic standard.

Adam Villani
January 26, 2010
Page 4

The project description characterizes the Site as vacant. DEIR at II-1. Although the Site is currently vacant, the Applicant previously sought demolition permits and proceeded with demolition without environmental analysis of the Project. The DEIR provides no information about the Applicant's previous demolition activities on the Site. The DEIR's failure to analyze the demolition as part of the Project runs afoul of CEQA by effectively piecemealing the Project and insulating the demolition from environmental review.

9

By completing the demolition prior to the preparation of the DEIR, the Applicant apparently sought to complete the Project in small steps, thereby evading environmental review. In addition to the demolition, the Applicant sought other land use approvals, without disclosing the full scope of the planned development. Specifically, documents in the Planning Department's own files demonstrate that long before this DEIR was initiated, the Applicant filed a tentative tract map and applied for a zone change to remove the [Q] zoning condition, restricting the property to "educational, hospital, medical office, parking, and related uses," all without acknowledging that these approvals were part of a much larger development project. January 30, 2007 Subdivision Statement for Tentative Tract Map No. 68397; December 11, 2006 Application for zone change; *see also* Letter from E. Cohen to Los Angeles Planning Department (Jan. 16, 2007) (all attached hereto as Attachment I). The Applicant's tentative tract map application states that the tract is proposed for merger and subsurface street vacation with "no new construction." January 30, 2007 Subdivider's Statement. The zone change application states that "[n]o Project [is] being proposed with this application." December 11, 2006 Application for zone change. The Applicant's failure to disclose the full scope of the development project when seeking these approvals evinces an intent to piecemeal the Project and avoid full environmental review.

10

As the California Supreme Court has recognized, an accurate EIR must ensure that "environmental considerations do not become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences." *Bozung v. Local Agency Formation Comm'n of Ventura County*, 13 Cal. 3d 263, 283-284 (1975). The City should not allow the Applicant to avoid full environmental review based on its actions, which were apparently attempts to disguise the Project's scope. Although the demolition is now complete, the City should require that the DEIR analyze the whole of the Project, including the demolition. *See Arviv Enterprises, Inc. v. South Valley Area Planning Comm'n*, 101 Cal. App. 4th 1333, 1345-50 (2002) (although developer had completed five homes that were part of larger 21-home development, completed homes were not immune from environmental scrutiny). Thus, the DEIR's project description and analyses should be amended to include the demolition as part of the Project, to ensure that the DEIR fully discloses the Project's impacts.

11

Adam Villani
January 26, 2010
Page 5

Moreover, the project description provides no information about the essential medical facilities that were previously housed at this Site. The demolished building provided clinical space for essential orthodontic specialty care and dental services that were provided to low income families. Orthopaedic Hospital Foundation, in collaboration with Esperanza and St. John's Well Child and Family Center, built a orthodontic and dental practice, which served over 10,000 children per year, in this building. The loss of these essential medical services from a medically underserved community causes severe impacts that are ignored in DEIR. *See* Section III.A.1.

12

In addition, the DEIR's project description only provides the most basic information about the Project – it will contain 1,400 multi-family residential units, 65,480 square feet of common area and recreational amenities, and 34,000 square feet of retail, including 6,000 square feet for restaurant use. DEIR at II-5. However, reading further into the DEIR, the public discovers that the DEIR identifies more detailed plans for the Project and credits the Project with attributes that are not included in the project description, leaving the public to wonder whether these later-identified components are actually part of the Project or not.

13

The project description fails to provide information about the actual uses planned for the Site. For instance, the project description only provides the total square footage of the Project that will be devoted to commercial retail uses (34,000 sq. ft.), without identifying the planned uses. However, the DEIR's list of permits and its analysis of land use impacts also indicate that the Applicant has specific plans for commercial retail onsite, noting that the Project "will seek a conditional use permit for the sale of alcoholic beverages for off-site consumption in conjunction with a drugstore use." DEIR at II-25; IV.H-11. To the extent that the Applicant has specific plans for the Site, the DEIR's project description must describe those plans and discussed the specialized uses that might occur on site. *See Bakersfield Citizens for Local Control v. City of Bakersfield*, 124 Cal. App. 4th 1184, 1213 (2004) ("[T]o simply state as did the [project's] EIR that 'no stores have been identified' without disclosing the type of retailers envisioned for the proposed project is not only misleading and inaccurate, but it hints at mendacity.") The actual uses of the Site could alter the impacts analysis. In particular, the characteristics of different retail uses could affect the environmental analysis, by resulting in higher trip generation rates (affecting the traffic and air quality analyses) or increased air emissions based on the operation of the facility.

14

Similarly, the Project's residential component is simply described as multi-family housing. However, based on the Site's proximity to the University of Southern California, the Project is likely to house many college students. Student housing typically houses more people per unit than other types of housing. Based on the increased per-unit tenancy of student housing and resultant impacts of the additional

15

Adam Villani
January 26, 2010
Page 6

people, the Project description should disclose the Project's likely use as student housing and the DEIR should analyze the increased impacts associated with this type of housing.

15 cont.

This letter includes many other examples of Project features that conveniently appear in impact analyses, but not in the project description. For instance, the DEIR's land use section repeatedly indicates that the Project will include affordable housing and credits the Project with being consistent with policies promoting affordable housing, but fails to provide any information about the quantity of affordable units provided by the Project. *See* Section III.A.3. Without this information, the public is left to wonder if the Project really will include affordable housing, or whether the Project is claiming benefits for affordable housing that it will not provide. In addition, one of the stated Project objectives in the DEIR is to "provide a variety of affordable and market-rate housing opportunities, including housing available to the area work force, consistent with the housing policies of the Framework element." DEIR at II-24. The DEIR's failure to provide information on the Project's affordable housing not only raises questions about the accuracy of the land use consistency analysis, but also prevents the public from determining whether the proposed Project meets its own stated objectives.

16

The project description is meant to provide the level of detail needed for evaluation and review of a project's environmental impacts. CEQA Guidelines § 15124. By omitting discussion of both the Project's past demolition and future uses (retail and affordable housing) from the DEIR's description, the DEIR excludes important aspects of the Project from the environmental analyses. Thus, the DEIR lacks the information necessary for reasoned and informed consideration of the Project's environmental impacts. *See* CEQA Guidelines § 15121(a); *Santiago County Water Dist. v. County of Orange*, 118 Cal. App. 3d 818, 829 (1981); *Whitman v. Bd. of Supervisors*, 88 Cal. App. 3d 397, 414-15 (1979); *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus*, 27 Cal. App. 4th 713, 721-22 (1994) ("*San Joaquin Raptor I*"); *Stanislaus Natural Heritage Project v. County of Stanislaus*, 48 Cal. App. 4th 182, 194-95 (1996).

17

II. THE DEIR FAILS TO ACCURATELY DESCRIBE THE PROJECT BASELINE AND ENVIRONMENTAL SETTING.

18

The DEIR's failure to include the demolition in the project description, described above, permeates the DEIR's environmental analyses. These analyses assume that the demolition was not part of the Project and impacts should be analyzed as if they will occupy a vacant site. An EIR's description of a project's environmental setting plays a crucial part in all of the subsequent parts of the EIR because it provides "the baseline physical conditions by which a lead agency determines whether an impact is significant." CEQA Guidelines § 15125(a). "Without a determination and description of the existing physical conditions on the property at the start of the environmental review process, the

19

Adam Villani
January 26, 2010
Page 7

EIR cannot provide a meaningful assessment of the environmental impacts of the proposed project.” *Save Our Peninsula Committee v. Monterey County Board of Supervisors*, 87 Cal. App. 4th 99, 119 (2001). The failure of the DEIR to accurately portray the existing environmental conditions at the Site and in the surrounding areas contravenes CEQA and undercuts the legitimacy of the environmental impact analysis. As a result of this failure, the DEIR’s baseline for environmental analysis lacks evidentiary support, and the analysis of the Project’s direct, indirect, and cumulative impacts is fatally flawed.

19 cont.

As discussed above, the DEIR initially describes the Site as vacant and conducts its analyses based on a vacant site. *See* Section I. Thus, the environmental analyses fail to include the demolition of the buildings that existed on the Site. This demolition could, and likely did, result in myriad significant impacts, including air quality, noise, and public service impacts. The DEIR must include the demolition in its analyses to fully disclose the Project impacts.

20

Moreover, although the DEIR generally characterizes the Site as vacant, sections of the DEIR’s analysis discuss prior uses on the Site and claim reduced impacts based on the removal of those prior uses. DEIR at IV.B-1, IV.H-1, and IV.J-4. For instance, the DEIR’s traffic analysis treats the demolished uses as existing and allows the Project to take credit for the trips generated by these now demolished uses. DEIR at IV.L-23. By contrast, in sections of the DEIR where analyzing the Project’s previous uses could downplay the claimed benefits of the Project, the Site is simply characterized as vacant and the environmental analysis is based on a vacant site. The Population and Housing analysis is one such analysis. In this section, the DEIR claims that “[a]s there are currently no uses on-site that provide employment,” the commercial development at the Site “represents a net increase in the number of jobs on the project site.” DEIR at IV.J-7. This analysis, however, provides no information about the jobs provided by the clinical and hospital uses on the Site prior to demolition. The disingenuous attempt to create multiple baselines and select the baseline for each analysis based on minimizing the Project’s impacts is contrary to CEQA. *See County of Amador v. El Dorado County Water Agency*, 76 Cal. App. 4th 931, 955 (1999) (“An EIR must focus on impacts to the existing environment, not hypothetical situations.”).

21

The DEIR’s approach of accounting for previous uses only when they reduce the Project’s impacts is both misleading and contrary to CEQA. The DEIR must be revised to include an analysis of the impacts of demolishing the buildings which existed on the Site and to properly describe the environmental baseline as the actual environmental conditions when the Project was initiated. Without describing the correct baseline, the DEIR’s significance conclusions are unsupported and cannot serve as the basis for Project approval.

22

In addition, the DEIR's description of the environmental setting ignores numerous nearby sensitive land uses that will be affected by the Project. The DEIR's environmental setting looks only very narrowly at the uses within a circumscribed study area. The DEIR's failure to describe and analyze the impacts on the community surrounding the Site undermines the document's analysis and significance conclusions, as the community includes many sensitive uses on both sides of the I-110 freeway surrounding the Project. Although Page III-5 of the DEIR describes the surrounding educational land uses as including only the Los Angeles Trade Technical College and the Orthopaedic Hospital Medical Magnet High School, there are five other schools located within just a few blocks of the Project. These schools include John Adams Middle School, St. Vincent School, the New Design Charter School, Norwood Street School, and Lanterman High School. The DEIR must disclose the sensitive land uses around the Site, located on both sides of the freeway in its description of the environmental setting and analyze whether these sensitive land uses will suffer environmental impacts due to the Project.

23

III. THE DEIR'S IDENTIFICATION, ANALYSIS, AND MITIGATION OF ENVIRONMENTAL IMPACTS VIOLATES CEQA.

24

"The purpose of an environmental impact report is . . . to list ways in which the significant effects of such a project might be minimized" Pub. Res. Code § 21061. The discussion of a proposed project's environmental impacts and mitigation is at the core of an EIR. *See* CEQA Guidelines § 15126.2(a) ("An EIR shall identify and focus on the significant environmental effects of the proposed project."); *Citizens of Goleta Valley v. Bd. of Supervisors*, 52 Cal. 3d 553, 564 (1990). As explained below, the DEIR fails to analyze and mitigate the Project's numerous environmental impacts, most saliently in the areas of air quality, land use, noise, population and traffic. These inadequacies require revision of the DEIR to provide a complete and accurate analysis of the proposed Project's significant environmental impacts and feasible mitigation for those impacts, as required by law. *See* CEQA Guidelines § 15002(a).

25

An EIR must provide a degree of analysis and detail about environmental impacts that will enable decisionmakers to make intelligent judgments in light of the environmental consequences of their decisions. CEQA Guidelines § 15151; *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 712 (1990). To this end, the lead agency must make a good faith effort at full disclosure of environmental impacts. Both the public and decisionmakers need to fully understand the implications of the choices that are presented related to the project, mitigation measures and alternatives. *Laurel Heights Improvement Ass'n v. Regents of University of California*, 6 Cal. 4th 1112, 1123 (1993) ("*Laurel II*"). In this case, the DEIR's analysis of environmental

Adam Villani
January 26, 2010
Page 9

impacts fails to provide sufficient information to enable informed decision making by the City and the public.

25 cont.

A. The DEIR Fails to Discuss the Project's Potential Conflicts with Land Use Plans and Policies.

26

This Project will locate a 44 story luxury, market-rate residential development in a neighborhood which is home to many low-income people of color. In this neighborhood, the buildings are typically six stories or less. The DEIR ignores the Project's obvious incompatibilities with the neighborhood and the inconsistencies with applicable land use plans and simply assumes that these incompatibilities or inconsistencies can be resolved by amending land use laws and plans. The DEIR presumes that the proposed Project can dictate the necessary revisions to the land use laws and plans. In fact, existing plans should guide the Project's design.

27

The DEIR's land use analysis unjustifiably proceeds from the assumption that this Project will go forward, regardless of its conflicts with current land use plans and policies. By assuming that the Project will proceed and that all applicable regional and local land use plans must simply be amended as necessary, the DEIR fails to analyze the impacts of these amendments on the actual uses of the Site and how these land use changes will affect the surrounding community. By assuming that the grant of the Project's needed approvals is a foregone conclusion, the DEIR fails to comply with CEQA requirement that the EIR identify the significant environmental effects of the project based on "the existing physical conditions in the affected area." CEQA Guidelines § 15126.2.

28

1. The DEIR Ignores the Impacts Of Removing Zoning Restrictions Limiting Uses on the Project Site.

29

Until recently, the buildings on the Site housed the Orthopaedic Hospital, specialty medical clinics, and associated medical offices. Under current zoning, the Project Site is subject to the [Q] condition, which limits the uses at the Site to "educational, hospital, medical office, parking and related uses." DEIR at IV.H-28. This restriction thereby protects the community's limited health care access, by ensuring that any future development on the Site provides health care services. The Project proposes to change the zoning to eliminate the [Q] condition on the Site. Rather than analyze the impact of removing this restriction, the DEIR simply concludes that, once the condition is removed, the Project will be consistent with the zoning code. *Id.* The DEIR's approach simply removes the Project's land use changes from scrutiny, by assuming that the land use laws are somehow inappropriate and, once these laws are amended to allow the Project to proceed as proposed, all of the Project's land use impacts are cured. Instead,

30

Adam Villani
January 26, 2010
Page 10

the DEIR should view conflicts with land use laws as a sign that the Project should be altered to comport with the City's vision for this neighborhood. However, the DEIR proceeds from the flawed assumption that the proposed Project should dictate the land use laws.

30 cont.

The DEIR neglects to discuss why these land use restrictions exist, instead it characterizes each law with which the Project is inconsistent as a law that should only apply to the previous property owner or as a mistake. For instance, the DEIR implies that the [Q] condition only applied to the former owner, stating that the limited uses "were consistent with the former owner's intended use of the property at the time" and that the owner "end[ed] their intended use of the property for medical related uses." DEIR at IV.H-8.

31

While the former owner of the property may no longer have a stake in the current permitted uses of the Site, the surrounding neighborhood does. Land use restrictions are not adopted simply to codify a private owner's uses of the site, but to ensure that the land use in a community achieves a balance of uses that meet community members needs. And, in fact, the [Q] condition serves a very important purpose on this Site, by ensuring that the community is adequately served by medical facilities.

32

The DEIR's assumption that this proposed change in zoning will not impact the surrounding community demonstrates that the analysis has not accounted for important characteristics of this community. Indeed, the DEIR's blasé treatment of the Project's land use approvals characterizes these changes as nothing more than changing the classification on paper. The DEIR ignores the on-the-ground effects that these land use approvals will have on the community. Moreover, the DEIR provides no context about the scarcity of health care services in the community, which would explain why the [Q] zoning condition is particularly significant. Numerous reports and studies document the scarcity of health care and health indicators in the community. *See, e.g.,* Kurt Salmon Associates, *Critical Condition: Examining the Scope of Medical Services in South Los Angeles* (October 2007), attached hereto as Attachment A; A. Park et al., Community Health Councils, Inc., *South Los Angeles Health Equity Scorecard* (December 2008), attached hereto as Attachment B; Los Angeles Healthcare Options Taskforce, *Achieving the Vision: Healthcare Options for Los Angeles County* (April 2009), attached hereto as Attachment C. These attached reports clearly show that changing this land use restriction has serious implications for the community's already tenuous access to health care facilities.

33

Adam Villani
January 26, 2010
Page 11

South Los Angeles (Service Planning Area or “SPA” 6) has long been classified as a medically underserved area. *See* Attachment A at 3. The McCone Commission, formed in the wake of the 1965 Los Angeles riots, stated as part of its findings:

“Statistics indicate that health conditions of the residents of south central Los Angeles are relatively poor and facilities to provide medical care are insufficient...Life expectancies are considerably shorter... the number of doctors in the southeastern part of Los Angeles is grossly inadequate as compared to other parts of the city... The hospitals readily accessible to the citizens in southeastern Los Angeles are also grossly inadequate in quality and in numbers of beds”

Attachment A at 3. Unfortunately, the community still suffers from a serious lack of health care facilities. Attachment A at 3-4; Attachment B at 3-5. In particular, a 2007 study concluded that this area is “one of the most underserved communities in the entire nation, with desperate health care challenges. Attachment A at 4. The troubling statistics include:

- SPA 6 had the lowest number of emergency department treatment centers per capita compared to other areas of Los Angeles County, while also facing some of the highest levels of violence (which requires access to trauma units) (Attachment A at 11.)
- The estimated bed need in SPA 6 to address the need for inpatient acute care services was more than double the existing number of beds in 2007 (*Id.*)
- SPA 6 residents had a higher need for specialty services than the rest of Los Angeles County (*Id.* at 12.)
- SPA 6 population is worse off than national and state averages for several public health access indicators (*Id.* at 13.)
- South Los Angeles has 28% fewer healthcare facilities than Los Angeles County and 34% less access to primary and preventative care (Attachment B at 4.)
- South Los Angeles has only 11 pediatricians for every 100,000 children, compared to a countywide average of 57 pediatricians for every 100,000 children (*Id.*)
- SPA 6 residents suffer from higher rates of diabetes, hypertension, and HIV/AIDS and higher mortality from preventable or treatable conditions, such as heart disease, stroke, and lung cancer (Attachment C at 63.)

Adam Villani
January 26, 2010
Page 12

These statistics clearly demonstrate that the removal of the [Q] condition, which the DEIR presents as a simple zoning change with no impacts, could have actual impacts on health care access for a community which already lacks adequate health care.

35

By failing to consider the actual on-the-ground effects of the Project's sought land use approvals, the DEIR fails to identify the Project's significant environmental impacts as required by CEQA. CEQA Guidelines § 15126.2(a). The City must revise the DEIR to fully analyze and disclose the environmental impacts that will result from granting the land use approvals associated with the Project. In performing this analysis, the EIR must "compare what will happen if the project is built with what will happen if the site is left alone." *Woodward Park Homeowners Ass'n v. City of Fresno*, 150 Cal. App. 4th 683, 707 (2007). Here, if the Site had been left alone, the Orthopaedic Hospital buildings would still stand and the [Q] condition would remain in place. The DEIR must consider the loss of both of these.

36

2. The DEIR Fails to Evaluate Whether the Individual Buildings Which Comprise the Project Meet Current Planning and Zoning Code Limits.

37

The Project includes a 44 story tower which is completely out of scale with the surrounding uses. This Project would not only be the tallest structure in the entire state community, but would be the tallest structure south of downtown Los Angeles. The DEIR fails to disclose the full extent of this building's exceedence of the limitations and restrictions in current land use laws. Although the Project consists of two separate buildings, which are connected only by a second story pedestrian bridge, the DEIR's Land Use analysis repeatedly treats the Project as a single unit when evaluating compliance with planning and zoning code requirements and limitations. DEIR at II-7. By doing so, the DEIR underestimates the Project's impacts and concludes that the combination of the two buildings has no impact, although the 44 story tower, considered independently, is likely to violate a number of land use requirements and policies and, therefore, result in a significant impact to the environment.

38

The Site is currently located in Southeast Community Plan Height District No. 1, which limits the "total floor area contained in all the main buildings on a lot ...[to]one-and-one-half times the buildable area of the lot." DEIR at IV.H-5; Los Angeles Municipal Code § 12.21.1(A)(1). The Project would include both a general plan amendment to exempt the project from the Southeast Community Plan Height District No. 1 floor area restriction (1.5:1) and allow the project to be developed under Height District No. 2 floor area ratios (6:1) and a conditional use permit "to allow averaging of floor area ratios for a mixed use development in a commercial zone." DEIR at IV.H-38.

39

Adam Villani
January 26, 2010
Page 13

The DEIR fails to provide separate floor area ratios for the two buildings which comprise the Project. Instead, the DEIR computes a single floor area ratio value for the entire Project, 4.3:1, presuming that all its requested approvals will be granted. DEIR at IV.H-28. This averaged floor area ratio for the Project exceeds the maximum floor area ratio currently permitted for the Project Site (1.5:1). DEIR at IV.H-8 to -9. Without this averaging, the tower building would likely exceed even the increased floor area ratio (6:1) sought by the Applicant. The DEIR, by failing to present the two proposed buildings' separate floor area ratios, provides insufficient information regarding the Project's significant impacts. *See* CEQA Guidelines § 15121(a). Where an EIR fails to include relevant information and thereby precludes informed public participation, it fails as an informational document. *See San Joaquin RaptorII*, 149 Cal. App. 4th at 653.

40

This failing pervades the land use analysis, as the different components of the project are simply treated as an unit, regardless of whether the current land use laws, regulations, or plans permit such an approach. *See* Section III.A.3.

41

3. The DEIR Fails to Support its Conclusion that the Project is Compatible with the Community.

42

The DEIR provides only a cursory assessment of the Project's compatibility with the surrounding community, ignoring important features of the surrounding community suggesting that the Project is incompatible with this neighborhood. The Project's residential density, elimination of sites for essential health care facilities, and character as a primarily market-rate residential development are all factors that indicate the Project, as proposed, is not compatible with the community.

43

The DEIR's cursory description of the community in this section states that the surrounding uses are mainly educational, commercial, and institutional. DEIR at IV.H-15. This description takes only the most narrow view of the Project's surroundings, failing to even identify all of the uses that are directly adjacent to the Project Site. The DEIR does, however, state correctly that the Project Site "is located in a dense urban area," but goes no further in describing the surrounding uses that may be impacted by the location of a 44 story residential tower in the community. This Project will cause a considerable influx of new residents into a developed area. These new residents will require products and services that may exceed the community's current capacity to provide such products and services. Both in this analysis and throughout the DEIR the Project's massive residential influx is downplayed, while the Project's more meager jobs and retail benefits are touted. DEIR at IV.H-14; *see also* Section F.2 (discussing DEIR Section IV.J). Since the Project is primarily residential, this approach both overstates the Project's benefits and ignores the impacts of this considerable residential influx resulting from the Project.

44

Adam Villani
January 26, 2010
Page 14

The DEIR also claims that it will increase housing opportunities for employees working in the area without considering whether this Project's market-rate housing meets the needs of employees in this neighborhood. As discussed in Esperanza's Comment Letter on the DEIR, this neighborhood is a low income community suffering from a loss of affordable housing. The DEIR provides no evidence to support its claim that the employees in the Project area are in need of market-rate housing. The DEIR simply assumes that the Project will satisfy certain needs without actually evaluating whether these needs actually exist in the community.

45

The DEIR's conclusion that the Project is compatible with surrounding uses results from a list of unsubstantiated assumptions about the community's needs. Moreover, the DEIR ignores significant community needs (i.e., health care facilities) that are made worse by the Project. Therefore, the compatibility conclusion in the DEIR rests on a one-sided analysis that only discloses potential benefits of the Project without discussing its definite detriments. The DEIR's analysis must be impartial, otherwise the analysis does not represent the "good faith effort at full disclosure" required by CEQA. CEQA Guidelines § 15151.

46

4. The DEIR Fails to Identify and Mitigate Inconsistencies with Applicable Land Use Plans.

47

Many pages of the DEIR's land use analysis are dedicated to tables summarizing the Project's consistency or lack thereof with policies in applicable land use plans. DEIR at IV.H-15 to -27; IV.H-31 to -37. Although the charts identify a handful of inconsistencies, the DEIR, without any explanation or analysis, concludes that these inconsistencies are not a significant impact. *See, e.g.*, DEIR at IV.H-23 (Table IV.H-5, Item 1-6.4), IV.H-25 (Table IV.H-5, Item 11-1.2), IV.H-33 (Table IV.H-7), IV.H-34 (Table IV.H-7). The DEIR must be revised to properly identify inconsistencies and mitigate for the associated significant impacts. In addition, the City cannot approve the Project unless any inconsistencies with the general plan and specific plan are resolved. Gov't Code § 65860(d).

48

The DEIR inappropriately classifies certain policies as consistent with the Project when those items are either clearly inconsistent or not applicable. An example of the DEIR's incorrect consistency findings is its conclusion that the Project is "generally consistent" with Policy 2-1.5 of the Southeast Los Angeles Community Plan, while also acknowledging that the proposed 44 story tower is "out of scale with surrounding uses." DEIR at IV.H-24. Policy 2-1.5 states:

49

Adam Villani
January 26, 2010
Page 15

Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

49 cont.

DEIR at IV.H-24; *see also* DEIR at IV.H-25 (Table IV.H-5, Policy 2-5.2). The Project's tower building is more than 30 stories taller than nearly all of the nearby buildings. *See* DEIR at III-1 to -7, IV.H-23. Given this considerable difference in the size of the buildings, the tower will dwarf the surrounding buildings. This tower simply is not compatible with the community.

In other cases, the DEIR bases its compatibility determinations on the Project's inclusion of features that may or may not actually be a part of the Project. The DEIR's land use consistency analysis makes repeated reference to the affordable housing provided by the Project, but identifies no commitment on the part of the Project Application to provide such housing. The DEIR claims consistency with certain policies and objectives that require a mix of housing choices or the inclusion of low income housing (DEIR at IV.H-17, Table IV.H-1; IV.H-20, Table IV.H-3, Objective 4.2; IV.H-22, Table IV.H-4, Policy 3.1.4; IV.H-25, Table IV.H-5, Policy 11-2.3), however the DEIR includes no description of the Project's plan to include any affordable housing. The Project must include affordable housing¹ in order to meet these consistency determinations, therefore the affordable housing requirements must be required conditions of the Project approval. The DEIR must include the percentage or number of the affordable housing units to allow for informed public participation and agency decisionmaking on this issue. CEQA Guidelines § 15121(a). Without a specific, binding commitment to affordable housing, the DEIR's conclusions lack the required substantial evidence.

50

Similarly, the DEIR claims that the Project is consistent with a community plan policy to "[e]ncourage the provision of safe, attractive and clearly identifiable transit stops with user friendly design amenities." DEIR at IV.H-25. In support of this claim, the DEIR notes that the Project will provide architectural features at a Metro transit stop. *Id.* Nowhere else in the DEIR are public transit improvements identified as part of the Project. The DEIR provides no assurance that this feature will actually be built.

51

¹ For low income households (i.e., households that do not exceed 70 percent of the area median income adjusted for family size), California law defines the affordable housing cost as "the product of 30 percent times 70 percent of the area median income adjusted for family size appropriate for the unit." Health & Safety Code § 50052.5(b)(3); *see also id.* § 50053(b)(3) (defining affordable rent for low income households).

Adam Villani
January 26, 2010
Page 16

In addition, the DEIR fails to mitigate for even the identified inconsistencies. For instance, a Southeast Los Angeles Community Plan policy “[r]equire[s] development in major opportunity sites to provide public open space.” DEIR at IV.H-25. The DEIR concludes that the Project is inconsistent with this command, as the Project “would provide open space for project residents, but would not provide public open space.” DEIR at IV.H-25. However, the DEIR provides no attempt to mitigate for this inconsistency.

52

To cure these deficiencies, the DEIR’s consistency analysis must properly identify inconsistencies, classify these inconsistencies as significant impacts, and mitigate for the significant impacts identified. Moreover, the Project cannot be approved unless it is consistent with both the general plan and relevant community plan. Gov’t Code § 65860(d). After identifying and mitigating any inconsistencies, the City must recirculate the DEIR to provide full disclosure of the Project’s significant land use impacts and proposed mitigation and allow the public to comment on these impacts and associated mitigation measures. CEQA Guidelines § 15088.5. The opportunity for meaningful public review of significant new information is essential “to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom.” *Sutter Sensible Planning, Inc. v. Bd. of Supervisors*, 122 Cal. App. 3d 813, 822 (1981).

53

5. The DEIR Fails to Analyze the Irreversible Changes to the Environment Resulting from the Amendment of Applicable Zoning Ordinances.

54

The Project seeks to amend the zoning ordinance to remove the [Q] classification, amend the general plan to exempt the Site from Height District No. 1, and amend the general plan to change the zone designation of one of the Project lots. The DEIR ignores the irreversible changes to the environment that would occur due to the amendment of the zoning ordinance applicable to the Site. *See* Section III.A.1 (discussing the [Q] condition). Where an EIR is prepared in connection with the adoption, amendment, or enactment of an ordinance by a public agency, the EIR must identify irreversible environmental changes, as required by CEQA Guidelines section 15126.2(c). CEQA Guidelines § 15127.

55

As described in the DEIR, the Project will require a laundry list of land use approvals. DEIR at IV.H-37 to -38. The required approvals will require amendment of ordinances and adopted land use plans. Such approvals will have considerable impacts to the development of the Project Site and its impacts on the surrounding community. These impacts are effectively irreversible – once the restrictions are removed, the Project will be developed in a manner that is not permitted under the current laws. These

56

Adam Villani
January 26, 2010
Page 17

changes will result in a permanent change to the character of the community. CEQA requires that the DEIR describe and analyze the impacts such irreversible changes. CEQA Guidelines § 15127.

56 cont.

B. The DEIR's Traffic, Transportation, and Parking Analysis is Inadequate.

57

The DEIR provides neither a description of current traffic in the Project area, nor a description of future traffic when the Project will be complete. These two pieces of information are essential to the preparation of an adequate traffic analysis. Without this information, the DEIR's traffic analysis does not disclose to the public or decisionmakers the Project's traffic impacts, as CEQA requires. CEQA Guidelines § 15121(a).

58

Generally, an EIR's traffic analysis is intended to model the future traffic conditions in the area and determine how much of that future traffic results from the project. To perform this analysis, the EIR must first describe the existing traffic in the area. Here, the DEIR fails to accurately describe the current traffic conditions at the Site. Without this description of existing traffic, the DEIR provides no baseline condition against which it may evaluate the Project's traffic impacts. After describing the baseline, the EIR must describe what traffic will be like when the Project will be completed. The DEIR also fails to include a description of future traffic at the time of Project completion. Without this information, the DEIR cannot determine the Project's contribution to overall traffic problems.

59

Overall, the DEIR's analysis of traffic, transportation and parking impacts uses an incorrect baseline, relies on unsupported assumptions and data, fails to require feasible mitigation for significant impacts, and fails to calculate traffic volumes at the time of Project completion. The DEIR's analysis of traffic, transportation, and parking impacts also suffers from numerous other deficiencies, summarized below. Tom Brohard, a traffic expert with over 40 years of professional engineering experience, reviewed the DEIR's analysis of the Project's traffic, transportation, and parking impacts and provided his technical assessment of the DEIR's analysis. *See* Attachment D ("Brohard Report"). The discussion below summarizes the deficiencies in traffic analysis identified in his letter. Due to these deficiencies, the DEIR underestimates the Project's daily trip generation by a factor of five, AM peak trip generation by a factor of 3.5, and PM trip generation by almost a factor of five. Brohard Report at 7. Therefore, the DEIR fails to properly disclose all of the Project's significant traffic impacts. Brohard Report at 9. The DEIR must be corrected to accurately describe the Project's trip generation potential and future impacts on traffic.

60

1. The DEIR Uses the Incorrect Baseline for Traffic Impacts.

61

The DEIR's traffic analysis uses an inconsistent jumble of assumptions, based on different years, to cobble together a trip generation projection that predicts far fewer trips than would otherwise be generated by the Project. CEQA requires that the baseline by which environmental impacts are measured be dictated by the physical conditions as they exist at the time the notice of preparation is published. CEQA Guidelines § 15125(a). The notice of preparation for this Project was published on June 11, 2008. Rather than using conditions in June 2008 as the baseline existing conditions, the DEIR presents traffic conditions from 2006 as the existing conditions upon which the traffic analysis is based. DEIR at IV.L-11. In fact, the entire traffic analysis appears to be based on the obviously faulty assumptions that 2006 represents existing conditions and that 2009 is the future. *See* Brohard Report at 8-9. In the presentation of existing conditions, the DEIR provides no explanation as to why using a different baseline year, other than 2008, is an acceptable approach under CEQA. Instead, the DEIR simply assumes that this outdated information is sufficient.

62

The DEIR's original traffic report and the traffic counts upon which the entire analysis is based were performed in 2006. The traffic analysis includes a series of supplemental memoranda, making minor revisions to the traffic data. However, the DEIR still relies on the original traffic counts made in 2006. Thus, the DEIR's traffic analysis relies on traffic counts from nearly four years ago and an outdated list of projects from over two years ago. Brohard Report at 8. These failings indicate that the traffic analysis does not sufficiently describe current traffic, much less provide a reasonable projection of future traffic upon Project completion. Thus, the traffic analysis must properly describe the current traffic conditions. To do so, the traffic analysis must be based on a new, up-to-date set of traffic counts and a current listing of the area's proposed projects. Brohard Report at 9.

63

2. The DEIR Uses Incorrect Trip Generation Factors to Calculate the Project's Vehicle Trip Generation.

64

The DEIR's traffic analysis underestimates the Project's trip generation by using incorrect trip generation factors. The analysis of the Project's traffic impacts centers on the calculation of the Project's trip generation, using different trip generation factors based on the type of uses proposed by the Project. Here, the traffic analysis selects incorrect trip generation factors which are not based on the Project's proposed uses.

65

First, the traffic analysis applies the trip generation factor for high rise apartment buildings to the six-story, mid-rise apartment building proposed for Site A. Brohard Report at 6. According to the Institute of Transportation Engineers, the PM peak hour trip

66

rate for mid-rise apartments is 0.39 trips per dwelling unit. *Id.* Instead, the traffic analysis uses 0.35 trips per dwelling unit for this building. *Id.*

66 cont.

Second, the traffic analysis applies the incorrect trip generation factor to the shopping center uses. Based on the size of the Project's proposed shopping center, the Institute of Transportation Engineers recommends use of the regression equation to compute the trip generation for these commercial uses. Brohard Report at 6. Although the traffic analysis uses an average trip rate of 3.75 trips per thousand square feet, the correct value is 9.65 trips per thousand square feet for the shopping center as currently proposed. This represents a substantial difference.

67

Third, the traffic analysis incorrectly applies the shopping center trip generation rates to the restaurant space. According to Institute of Transportation Engineers' trip generation rates, restaurants generate considerably more daily, AM peak hour, and PM peak trips than shopping center uses.² Brohard Report at 7. In fact, the trip generation rates for restaurants are approximately three times larger than the rates for shopping centers.

68

The use of these incorrect trip generation factors underestimates Project daily trips by 430, AM peak hour trips by 40, and PM peak hour trips by 240. Brohard Report at 6-7. These incorrect trip generation factors are clearly erroneous and cannot support the DEIR's significance conclusions. *See* CEQA Guidelines § 15064(f)(5). The DEIR's analysis underestimates the Project's trip generation and therefore fails to support its conclusions with substantial evidence. The DEIR must be revised and recirculated to properly disclose the Project's trip generation potential and the significant traffic impacts resulting from those new trips.

69

3. The DEIR Erroneously Allows the Project to Take Credit for Trip Reductions Based on Prior Uses on Site.

70

Although the DEIR repeatedly states that the Project Site is vacant and conducts most of its analyses assuming a vacant site (*see, e.g.,* II-1, IV.C-14, and IV.J-4), the traffic analysis takes the opposite approach. The DEIR explains:

² Restaurants generate 127.15 daily trips, 11.52 AM peak hour trips, and 10.92 PM peak hour trips per thousand square feet, as opposed to 42.94 daily trips with 3.75 AM peak hour trips and 3.72 PM peak hour trips per thousand square feet for shopping centers. Brohard Report at 7.

71

Adam Villani
January 26, 2010
Page 20

Trip Generation credits were taken for the hospital, general office, and medical office uses formerly operating on the project site. These uses were not included in other sections of the EIR, as they have since been demolished. However, the traffic report was prepared and reviewed by LADOT before the uses were demolished, and therefore includes such uses as existing.

71 cont.

DEIR at IV-L-23. The use of the trip generation credits reduces the Project's trip generation by the number of trips generated by previous uses on the Site. This approach is inappropriate here as the Site is currently vacant and was apparently vacant at the time the 2006 traffic counts were taken. Brohard Report at 2-3. In fact, the buildings previously on the Site have since been demolished. *Id.* at 4.

72

The DEIR's use of an out-of-date traffic report, which happens to exclude prior uses, and further reduction of these out-of-date traffic counts seriously underestimates the traffic volumes in the area, by double-counting the existing uses. Brohard Report at 2-3. Since these uses were not included in the original traffic counts, the crediting of these uses reduces traffic volumes below the level that they would be for a vacant site. *Id.* at 2-3. The DEIR fails to provide the documentation necessary to support its trip credits; this documentation is required by Los Angeles Department of Transportation to ensure that trip credits are not taken for inactive uses. *Id.* at 3-4.

73

Moreover, the DEIR presents two tables purporting to demonstrate that the 2006 assumptions are more conservative than using 2008 information. DEIR at IV.L-24 to -25. Comparing these tables, however, shows that inconsistent assumptions have a much more significant effect on the traffic generation numbers than the changes in the Project since 2006.³ Even though the existing uses were vacant prior to 2008 and demolished in either late 2007 or early 2008, the 2008 Project Trip Generation table somehow calculates nearly 400 additional trips associated with the existing uses. *Compare* DEIR at IV.L-24 with *id.* at IV.L-25; *see also* Brohard Report at 4. The DEIR provides no evidence explaining why it is appropriate for the 2008 analysis to account for these demolished uses at all; nor does the DEIR explain how these non-existent uses generate more trips in 2008 than in 2006 or why the square footage for these existing uses

74

³ The 2006 traffic analysis presented in the DEIR was for a slightly larger project than the one discussed in the DEIR. The 2006 traffic analysis was based on a project with 1,500 residential uses and 40,000 square feet of commercial space. DEIR at IV.L-24.

changed. Far from being conservative projections, the DEIR's traffic projections are calculated using assumptions that maximize trip reductions and credits.⁴

74 cont.

The approach of adopting only those assumptions that serve to reduce the traffic generation numbers grossly underestimates the Project's trip generation potential. Moreover, substantial evidence in the record must support any foundational assumptions used for the impacts analyses in the EIR. *See Citizens of Goleta Valley*, 52 Cal. 3d at 568 (EIR must contain facts and analysis, not just bare conclusions); *Laurel I*, 47 Cal. 3d at 392-93 (agency's conclusions must be supported with substantial evidence). Here, the DEIR's approach of using inconsistent assumptions about the prior uses on the Site prevents the public from discerning the analytic route that the agency traveled. *See Citizens of Goleta Valley*, 52 Cal. 3d at 568. To comply with CEQA, the City must resolve these inconsistencies, and the DEIR must base its analyses of impacts on a consistent set of assumptions throughout the document. Until it does so, the DEIR cannot support Project approval. Thus, the DEIR must be revised to cure these deficiencies and recirculated to allow the public to comment on the traffic impacts.

75

4. The DEIR Makes Additional Unsupported Reductions to Traffic Generation Numbers.

76

The Traffic Analysis includes two adjustments to traffic generation numbers, reducing the Project's shopping center's trip generation by 50% and reducing the commuting trip generation by 10-25% due to proximity to transit. Neither of these adjustments is supported by substantial evidence in the record.

77

The Institute of Transportation Engineers' Trip Generation Handbook, 2nd edition, recommends a 15% vehicle trip reduction for all trips for residential-oriented mixed use development located within 0.25 miles of a light rail station. Brohard Report at 6. The DEIR provides no supporting evidence for the higher reductions it claims. *Id.* at 5-6. Moreover, even the 15% trip reduction is likely to overestimate the trip reduction at a luxury residential development, like the Project, as residents of such a development are unlikely to abandon their cars for transit. By using these excessive, unsupported trip reductions, the DEIR underestimates the number of new vehicle trips generated by the Project.

78

⁴ In addition, the transit commuter credit percentage used to calculate 2008 trip generation is more than double the credit taken in 2006.

An EIR must base its significance conclusions on substantial evidence in the record; clearly inaccurate or erroneous information is not substantial evidence on which a finding of insignificance can be based. *See* CEQA Guidelines § 15064(f)(5). Therefore, the DEIR's Traffic Analysis must be revised to use accurate assumptions to calculate Project trip generation.

79

5. The DEIR Fails to Provide an Analysis of Traffic Generated Upon Project Completion.

80

The DEIR bases its traffic analysis on projected traffic generation for 2009. 2009 is presented as the "future" condition, although the DEIR states that Project construction will not begin until 2010 and will not be completed until 2013. *See* DEIR at II-24, IV.L-26. This approach fails to analyze the Project's actual contribution to future traffic impacts. The DEIR's traffic report and makes no attempt to analyze traffic beyond 2009. The 2009 traffic projections are already irrelevant and Project construction has not yet begun. The DEIR must be revised to include an analysis of the future traffic at the time of Project completion.

81

Moreover, the 2009 "future" traffic analysis is incorrect and relies on outdated information. The updated traffic counts, described in Section III.B.1, can be adjusted to future conditions, accounting for annual growth and other proposed projects. Brohard Report at 9. Using these future numbers as a baseline, the DEIR, by analyzing and comparing these future numbers with the Project's trip generation, can then identify and disclose the Project's significant traffic impacts. *Id.* at 9.

82

Thus, the DEIR must be revised to include a complete analysis of future traffic volumes upon Project completion in the area surrounding the Site. The DEIR must then be recirculated to allow the public to comment on the Project's significant traffic impacts and any proposed mitigation.

83

6. The DEIR's Traffic Analysis Fails to Consider the Project's Site Access Points.

84

The Project proposes only a single vehicular access point for the 44 story tower. DEIR at IV.L-36. The DEIR fails to analyze the level of traffic control that will be required at this vehicular access point. Brohard Report at 10. Based on the size of this Project, the driveway access to this building will likely require some form of traffic control on South Flower Street. Brohard Report at 10. Without such traffic control, this access point could result in significant traffic impacts. The DEIR must analyze this access point and disclose and mitigate any significant impacts that would occur at this location. Brohard Report at 10.

85

7. The DEIR's Traffic Analysis Ignores Certain Thresholds of Significance.

86

In addition to the DEIR's failings regarding its trip generation projections, it also neglects to analyze whether the Project will "[s]ubstantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)." DEIR at IV.L-21. Although the DEIR lists this standard as a threshold of significance, the DEIR provides no analysis of whether the Project will result in or contribute to traffic or transportation hazards.

87

Specifically, the DEIR fails to discuss the significant pedestrian traffic that travels through intersections at 23rd Street and Flower, 23rd Street and Figueroa, Adams and Flower, and Adams and Figueroa and how the Project's increased traffic could disrupt this pedestrian traffic and cause safety hazards at these intersections. The intersections at Adams and Figueroa and Adams and Flower are already two of the most congested intersections in this area. Moreover, many schoolchildren cross these intersections everyday to get between their homes and schools. The DEIR must analyze the impact of the Project-related traffic increases at these intersections and determine whether these increases pose a safety hazard to pedestrians.

88

8. The DEIR's Proposed Mitigation for Traffic Impacts Does Not Fully Mitigate for the Project's Traffic Impacts.

89

The traffic mitigation measures proposed in the DEIR only require the Applicant to contribute funding to installing an Adaptive Traffic Control System at the intersections where the analysis found significant impacts. This mitigation is based on a 2006 memorandum prepared by the Los Angeles Department of Transportation. DEIR at IV.L-36 to -37. However, the DEIR does not incorporate all of the mitigation required by this out-of-date traffic memorandum. Brohard Report at 10. The Los Angeles Department of Transportation also required that the Project pay a proportionate share of the South Park, Coliseum, and Light Rail ATCS implementation as mitigation. *See id.*

90

Moreover, since the original traffic analysis for this Project was prepared in 2006, the Los Angeles Department of Transportation has decided to no longer accept this form of mitigation for traffic impacts. DEIR at IV.L-37. The financial contributions, therefore, are no longer feasible mitigation and will not reduce impacts. Rather than propose mitigation that complies with current guidelines, the DEIR clings to the original, out-of-date traffic analysis and accompanying mitigation proposal. DEIR at IV.L-37 to -38. These mitigation measures are no longer sufficient to mitigate for the Project's traffic impacts. The DEIR must be revised to include traffic mitigation that complies with the current practices and guidelines of the Los Angeles Department of Transportation.

91

C. The Project's Air Quality Impacts Are Not Fully Analyzed and Mitigated by Measures in the DEIR.

92

The DEIR's air quality analysis is deeply flawed. One of the major impacts of this Project will result from siting the Project's proposed concentrated residential uses directly adjacent to a major freeway. The future residents of this Project will be exposed to numerous air pollutants from the cars and diesel trucks that travel on I-110 and will be subject to the concomitant health risks from this pollution exposure. In addition, the air quality analysis fails to properly quantify air emissions from the construction and operational phases of the project, uses improper assumptions, and fails to adequately mitigate the Project's significant air quality impacts. Attached hereto are the technical comments of air quality expert, Petra Pless. *See* Attachment E ("Pless Report"). The following discussion summarizes the technical deficiencies identified by Mrs. Pless in addition to the legal inadequacies of the air quality analysis.

93

1. The DEIR Fails to Properly Describe Existing Air Quality and Related Health Problems in the Project Area.

94

The DEIR's summary of ambient air quality in the area surrounding the Project is out-of-date and mischaracterizes the modeling data. Pless Report at 3-4. A proper description of the existing environmental conditions is essential to ensuring that the EIR provides a meaningful assessment of the Project's environmental impacts. *Save Our Peninsula Committee*, 87 Cal. App. 4th at 119.

95

First, the DEIR fails to provide the air quality monitoring data for 2008, which were available when the DEIR was published. Pless Report at 3. Thus, the DEIR fails to include the most recent monitoring data available for ambient air quality in the Project area.

96

In addition, the DEIR omits monitoring data that indicate the area's air quality attainment problems are more severe than the table indicates. *Compare* DEIR at IC.C-12 *with* Pless Report at 4. DEIR Table IV.C-4 fails to include the number of days that the monitoring station was collecting data. The number of days that the monitors were active was only a fraction of the number of days in the year. Pless Report at 3-4. Thus, the number of days per year that the ambient air quality exceeded the relevant standards is very likely much higher than the number of exceedence days reported in the DEIR. *Id.*

97

The DEIR also neglects to describe the severe outdoor and indoor air quality problems plaguing the areas surrounding the Site. In the American Lung Association's annual air-quality report, the South Coast Air Basin routinely ranks as

98

Adam Villani
January 26, 2010
Page 25

having some of the nation's dirtiest air.⁵ After just 12 days, a child breathing the air in South Coast Air Basin has accumulated a lifetime's acceptable cancer risk. Pless Report at 20. The severe indoor air quality problems are described in *Shame of the City: Slum Housing and the Critical Threat to the Health of L.A. Children and Families*, attached hereto as Attachment F. Poor housing conditions in the community surrounding the Site expose residents and children to unhealthy indoor air pollution, further increasing the health risks above and beyond those resulting from exposure to the unhealthy outdoor air. Attachment F at 14-15. The severe air quality problems in the community contribute to high asthma rates in children living in the community surrounding the Site. *Id.* at 14 (28% of young patients at St. John's Downtown Los Angeles Clinic, near Adams and Figueroa, have asthma, compared to 14% of students at all Los Angeles urban schools). In this community, any increase in air pollution will likely aggravate the existing severe health problems associated with poor air quality. The DEIR should have disclosed the air quality issues within the community and discussed the Project's potential to exacerbate the serious air quality related health risks existing in the community.

98 cont.

The data presented in the DEIR does not properly describe the condition of the air and magnitude of air quality-related health problems in the Project area. The DEIR must be revised to accurately disclose the current air quality problems in the Project area and the associated health risks that residents of this area suffer. The DEIR must discuss the Project's potential contributions to the cumulative impacts related to unhealthy air quality and increased respiratory problems in the community.

99

2. The DEIR Fails to Properly Analyze the Residential Exposure to Vehicle Air Pollution, Although the Project will House over 4,000 Residents Directly Adjacent to a Major Freeway.

100

The Project's siting of residential uses directly adjacent to the I-110 results one of the Project's most serious air quality impacts, but the DEIR fails to fully analyze the health impacts that could result from the exposure of residents to vehicle air emissions from the freeway. Numerous scientific papers have concluded that residents within 1,000 feet of a freeway are at risk for health effects due to their exposure to higher concentrations of air pollutants including particulate matter (including ultrafine

101

⁵ See, e.g., American Lung Association website, 2009 Most Polluted U.S. Cities by Ozone, <http://www.stateoftheair.org/2009/city-rankings/polluted-cities-ozone.html> (last visited January 13, 2010); State of the Air 2009: California, <http://www.stateoftheair.org/2009/states/california/> (Los Angeles County received failing grades for both ozone and particle pollution).

Adam Villani
January 26, 2010
Page 26

particulate matter⁶ and diesel particulate matter⁷) and nitrogen oxides. Pless Report at 11; California Air Resources Board, Air Quality and Land Use Handbook: A Community Health Perspective 8-11 (April 2005). Based on the potential for serious health impacts, the California Air Resources Board (“ARB”) recommends that residential uses not be sited within a 500 foot radius of a freeway. Pless Report at 13 (*citing* CARB’s Air Quality and Land Use Handbook).

101 cont.

The DEIR’s Air Quality Analysis does not mention this ARB policy, nor does the analysis appears to account for the increased health risk that Project residents will face based on their proximity to the freeway. In particular, the DEIR’s Health Risk Assessment does not properly account for residential exposures to air pollutants from the adjacent freeway use. Siting residential uses so close to the freeway results in serious health risks for future residents of the Project, including cancer, asthma, acute and chronic respiratory illness, increased heart attack and stroke risk, and increased risk of low birth rate and premature birth. Pless Report at 12. Moreover, the Project will also remove crucial health care services from the community, further exacerbating these air quality health impacts. *See* Section III.A.1.

102

The DEIR’s health risk assessment (“HRA”) analyzes the potential exposure to toxic air contaminant emissions, but makes a number of erroneous assumptions. Pless Report at 14-19. First, the HRA relies on an incorrect average vehicle fleet speed. *Id.* at 14-17. The DEIR assumes that the vehicle fleet on I-110 will be traveling at 50 mph. *Id.* at 16. This particular stretch of freeway ranks on the Federal Highway Administration’s list of the worst bottlenecks in the United States and has

103

⁶ *See* Pless Report at 11 (describing the dangers of ultrafine particulate pollution).

⁷ Diesel particulate matter is a likely human carcinogen that “can penetrate deep into the lungs and pose serious health risks including aggravated asthma, lung damage, and other serious health problems.” Office of Transportation and Air Quality, US EPA, *Questions and Answers on Using a Diesel Particulate Matter Filter in Heavy-Duty Trucks and Buses*, EPA 420-F-03-017 1 (2003), available at <http://www.epa.gov/otaq/retrofit/documents/f03017.pdf>. On August 27, 1998, after extensive scientific review and public hearing, CARB identified particulate emissions from diesel-fueled engines as a toxic air contaminant based on its potential to cause cancer and other health problems. *See* CARB, *Health Effects of Diesel Exhaust* (updated 2006), available at <http://www.arb.ca.gov/research/diesel/diesel-health.htm>; *see also* CARB, *Fact Sheet, The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines* (1998), available at <http://www.arb.ca.gov/toxics/dieseltac/factsht1.pdf>.

Adam Villani
January 26, 2010
Page 27

severe congestion problems, resulting in travel speeds much lower than 50 mph. *Id.* at 16-17. Vehicle pollutant emissions per mile are significantly higher for lower rates of speed, thus the HRA's fleet speed assumption underestimates the pollutant emissions from vehicles on this stretch of freeway. *Id.* at 15-16. Second, the HRA improperly assumes that all outdoor air will enter the Project buildings through air intakes at the top floor. *Id.* at 17. Since the residences in the Project will have balconies (and possibly functional windows), this assumption is incorrect and must be adjusted to account for the pollutants entering the building from the windows and balcony doors in individual residential units. *Id.* at 17. Third, the HRA fails to account for the potential emissions from commercial uses on the Site and vehicle emissions from delivery and waste removal trucks serving the Site. *Id.* at 17. The exhaust and idling emissions from these vehicles, since they will be emitted directly on-site for a substantial period of time, must not be ignored in this health risk modeling. Fourth, the HRA relies on non-conservative exposure duration. *Id.* at 18-19. The HRA assumes a 30-year exposure duration. *Id.* at 18. However, current guidance recognizes that a 70-year timeframe is the appropriate basis for a health risk assessment. *Id.* at 18-19. Thus, the shorter 30-year timeframe is neither appropriate, nor, as the DEIR claims, conservative. *Id.* at 18. Finally, the HRA assumes an incorrect cancer potency factor for diesel particulate matter. *Id.* at 18.

103 cont.

The DEIR's HRA modeling must be revised to correct these deficiencies. The revised modeling will result in health risks above the significance threshold. *Id.* at 19 (the Project will have a significant health risk after correcting only two of the HRA deficiencies identified above). The Project's significant health impacts must be fully disclosed and mitigated in a revised and recirculated DEIR.

104

3. The DEIR Omits Results of the Health Risk Assessment Modeling.

105

CEQA requires that the DEIR include "summar[ies of] technical data . . . sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public." CEQA Guidelines § 15147. The DEIR fails to meet this basic standard.

Here, the public cannot determine the Project's impacts by reading the DEIR, but instead must look to the appendices of the DEIR to find information on the Project's toxic air contaminant emissions. *See* DEIR at IV.C-42 to -44. The DEIR provides only the final computed cancer risk resulting from the health risk assessment, but provides no summary of the pollutant levels computed by the modeling.

106

The DEIR's summary of the health risk assessment data does not comply with CEQA. The EIR itself, as opposed to the appendices, must contain the agency's analysis. *See Santa Clarita Organization for Planning the Environment v. County of Los Angeles*, 106 Cal. App. 4th 715, 722 (2003). CEQA requires that the DEIR's level of technical detail permit both the public and reviewing agencies to fully assess the Project's significant environmental impacts. CEQA Guidelines § 15147. Therefore, the City must revise the DEIR to fully disclose the Project's toxic air contaminant impacts in the DEIR itself.

107

4. The DEIR's Proposed Mitigation is Insufficient to Reduce the Adverse Health Effects on Project Residents.

108

The DEIR only identifies a single mitigation measure to address the significant residential exposure to pollutants. DEIR at IV.C-58. This mitigation measure, however, is inadequate to protect Project residents, as it focuses only on particle pollution, providing no protection against exposure to other air pollutants, and does not even fully protect residents from exposure to particle pollution. Pless Report at 20-22.

109

As discussed above, the Project's proximity to the freeway will result in significant exposure to a variety of vehicular air pollutants which cause significant health effects. The DEIR completely fails to consider alternative locations for the Project, which would relocate the Project to an area further from the freeway and thereby reduce residents' exposure to vehicular air emissions. Section IV. As proposed, the Project is directly adjacent to a major freeway. Thus, nearly any location that relocated the Project some distance away from the freeway would reduce potential health risks due to vehicle pollutant exposure.

110

The mitigation measure proposed to address these health impacts will filter out particle pollution, allowing other air pollutants to pass through the filtration system and into residents' homes. DEIR at IV.C-58. The DEIR must include mitigation to reduce exposure to other toxic air contaminants, to which the HRA attributes 30% of the Project's identified health risks. Pless Report at 21.

111

In addition, mitigation measure C-17 is insufficient to ensure that Project residents will not be exposed to unhealthy levels of particulate matter in their homes. *Id.* at 20-22. Residential units have windows and balconies, which will allow unfiltered air to flow directly into residential units when open. *Id.* at 21. Therefore, residents will be exposed to unfiltered air that contains unhealthy levels of particulate matter by simply opening their windows and balconies. However, even the air that passes through the filtration system will still contain unhealthy levels of particulate matter pollution. *Id.* at 21. The required MERV-13 filtration system allows 25% of particles between 0.3 to 1.0

112

Adam Villani
January 26, 2010
Page 29

micrometers in size and 10% of particles between 1.0 and 10 micrometers in size to pass through the filters and enter residential units. *Id.* at 21. Moreover, the mitigation measure does not adequately specify the operating parameters of the air filtration system. *Id.* at 21-22. To ensure that the filtration system will effectively prevent significant air bypass in the filtration system itself, the ventilation rates, infiltration rates, and maintenance of positive pressure must be specified in the mitigation measure. *Id.* at 22. In addition, to ensure that the ventilation system will operate as rated and is not contaminated during construction, the DEIR must require a construction indoor air quality management plan. *Id.* at 22.

112 cont.

Although this mitigation measure may still be insufficient to prevent residential exposure to unhealthy particle pollution, these additional requirements are necessary to ensure that the serious air quality and health impacts of the Project's location are mitigated to the extent feasible. The DEIR must be revised to consider the possibility of reduced air quality impacts associated with an alternative project location. If the Project will proceed as proposed, the DEIR must incorporate these additional requirements into the mitigation measure to ensure that the ventilation system operates at the required filtration efficiency.

113

5. The DEIR Misapplies its Standards of Significance by Failing to Fully Use Relevant South Coast Air Quality Management District's Emission Thresholds.

114

The DEIR fails to consider the Project's potential significant air quality impacts because it omits analysis of ambient levels of most criteria pollutants. The DEIR acknowledges that the Project would have a significant impact if it would "[v]iolate any air quality standard or contribute substantially to an existing or projected air quality violation." DEIR at IV.C-28. Based on these standards of significance, the DEIR should analyze, at least, the criteria pollutants for which the region is in nonattainment, but the DEIR provides no analysis of the Project's impacts on ambient levels of ozone, particulate matter less than 10 microns in diameter ("PM10"), or particulate matter less than 2.5 microns in diameter ("PM2.5") – all pollutants for which the region is in nonattainment.

115

The DEIR notes that South Coast Air Quality Management District ("SCAQMD") regional emission thresholds apply to development projects, such as this one, and reports SCAQMD's Regional Emission Thresholds of Significance in Table IV.C-6. However, this chart is incomplete, listing ambient air quality thresholds for only a single pollutant – carbon monoxide ("CO"). SCAQMD has ambient air quality thresholds for nitrogen oxides ("NOx"), PM10, PM2.5, and Sulfate. Inexplicably, none of these standards were included in the DEIR's summary chart or analysis.

116

Adam Villani
January 26, 2010
Page 30

The DEIR must be revised to include modeling and results to show compliance with the SCAQMD significance thresholds for ambient air quality for criteria pollutants.⁸ The DEIR's failure to analyze the Project's compliance with a relevant significance threshold suggests that the Project could have additional significant impacts, which are not disclosed or mitigated. *See* CEQA Guidelines § 15064.7 (defining a threshold of significance as "an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency...")

117

6. The DEIR Fails to Support Its Operational Emissions Modeling with Substantial Evidence, Using Inappropriate Assumptions and Incorrect Data.

118

The DEIR's bases its analysis of the Project's operational emissions on URBEMIS air quality modeling runs. The accuracy of these modeling runs to describe the Project's air quality emissions relies on the correctness of the inputs and assumptions upon which the model runs are conducted. However, the inputs and assumptions used in the DEIR's modeling runs are inaccurate and underestimate the Project's operational emissions.

119

Vehicle emissions are one of the primary sources of operational emissions from the Project. As discussed in Sections III.B.2, III.B.3, and III.B.4, the trip generation rates calculated in the traffic analysis are incorrect. The DEIR cites these incorrect trip generation rates as the reason for reducing the default trip generation rates in the air quality modeling. Pless Report at 5-6. Therefore, the air quality analysis relies on incorrect trip generation data to predict vehicular emissions resulting from the Project. The trip inputs to the URBEMIS modeling underestimate the residential trips by 13% and underestimate commercial trips by a factor of more than four. *Id.* at 6. As a result, the model underestimates the vehicular emissions resulting from the Project. *Id.* at 6. In addition to using these incorrect trip generation rates, the air quality analysis credits the Project with additional trip reductions that were already accounted for in the traffic analysis trip generation numbers. *Id.* at 6. The URBEMIS model run included the "Transit Service Mitigation" option. *Id.* at 6. However, since the trip generation numbers already include the Project's transit-related trip reductions, selecting this mitigation option results in double-counting the air quality reductions due to transit use. *Id.* at 6.

120

⁸ The SCAQMD Air Quality Significance Thresholds, revised March 2009, are available at: <http://www.aqmd.gov/ceqa/handbook/signthres.pdf>.

Adam Villani
January 26, 2010
Page 31

The modeling runs also failed to include re-entrained road dust in the vehicle emission modeling. *Id.* at 7. Re-entrained road dust contributes significantly to the South Coast Air Basin's PM_{2.5} non-attainment problem. *Id.* at 7. In fact, a recent transportation emissions budget for the region indicates that re-entrained road dust accounts for over 50% of all directly emitted PM_{2.5} in the emissions inventory. *Id.* at 7. For the Project, re-entrained road dust would account for approximately 60 pounds per day of particulate matter and approximately 10 pounds per day of PM_{2.5}. *Id.* at 7.

121

The DEIR's underestimated emissions are not supported by substantial evidence and cannot serve as the basis for a significance finding. The URBEMIS model runs for the Project's operational emissions must be re-run to account for the deficiencies identified here. According to model runs performed by Petra Pless, the Project has additional significant air quality impacts that are not disclosed in the DEIR. *Id.* at 8. These new model runs indicate that the Project has significant NO_x emissions in the summer and winter and significant CO emissions in the summer. *Id.* at 8. These additional significant impacts must be disclosed and mitigated in a revised and recirculated DEIR.

122

7. The DEIR Fails to Fully Disclose the Local Operational Emissions Associated with the Project.

123

The DEIR uses inappropriate assumptions to compute the Project's local operational emissions. The DEIR only calculates the vehicular emissions associated with vehicle travel on the Site itself. DEIR at IV.C-41. Therefore, the DEIR bases the local operational emissions on the assumption that each vehicle would only travel 0.1 miles within the Site. *Id.* The DEIR provides no evidence or data to support this travel distance assumption. Furthermore, this travel distance does not account for vehicle travel around the Site and should be adjusted to account for the vehicle travel adjacent to the Site.

124

The local operational emissions for vehicles were based on the erroneous assumptions described in Section III.C.6. Pless Report at 9. Thus, these emissions similarly must be re-modeled, using the correct assumptions, to ensure that the DEIR discloses the Project significant air quality impacts.

125

In addition, the DEIR's discussion of cumulative local air quality impacts is inadequate, as it only addresses a single pollutant, carbon monoxide. The DEIR must be revised to disclose the cumulative air quality projections for local concentrations of NO_x, PM_{2.5}, and PM₁₀.

126

Adam Villani
January 26, 2010
Page 32

8. The DEIR's Proposed Mitigation for Operational Air Emissions is Inadequate.

127

The DEIR concludes that the Project's operational emissions of volatile organic compounds ("VOCs") are significant and unavoidable. DEIR at IV.C-58 to -59. The measures proposed in the DEIR are insufficient to mitigate for these impacts. CEQA's central mandate is that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs*, 91 Cal. App. 4th 1344, 1354 (2001) (quoting Pub. Res. Code § 21002). CEQA requires lead agencies to identify and analyze all feasible mitigation, even if this mitigation will not reduce the impact to a level of insignificance. CEQA Guidelines § 15126.4(a)(1)(A) (discussion of mitigation measure "shall identify mitigation measures for each significant environmental effect identified in the EIR").

128

In addition to the significant VOC emissions identified in the DEIR, this letter identifies additional significant air quality impacts for NO_x and CO emissions. Section III.C.6. For mitigation, however, the DEIR only requires the Project meet "the intent" of the criteria for Leadership in Energy and Environment certification. Pless Report at 9. This mitigation measure is vague and unenforceable, providing no assurances that the Project's operational air emissions will be significantly reduced. *Id.* at 9. The DEIR simply labels the Project's operational VOC emissions as significant and unavoidable without identifying any other possible mitigation measures. DEIR at IV.C-59. Instead the DEIR claims that there are no feasible mitigation measures to reduce VOC emissions. *Id.*

129

To the contrary, there are a number of mitigation measures that would reduce the Project's significant operational emissions. These potential mitigation measures include, but are not limited to, requiring increased energy efficiency of the residential and commercial buildings beyond Title 24 requirements, requiring the purchase of renewable energy, providing neighborhood shuttles, or providing donations to nonprofits working to improve air quality in the community. Pless Report at 9-10. In addition, there are mitigation measures available that will address multiple Project impacts. For instance, an affordable housing requirement could mitigate a number of the Project's impacts. The City could both reduce the Project's air quality and traffic impacts and provide benefits to the community by requiring that a percentage of housing units that are deed-restricted below market rate housing (which have a 4% lower trip generation rate than unrestricted housing). *Id.* at 9.

130

To address the Project's significant operational air quality impacts, the DEIR must require additional mitigation, like the measures identified above. After fully mitigating for the Project's impacts, the DEIR must be recirculated to allow the public to comment on the adequacy of the proposed mitigation.

131

9. The DEIR Underestimates the Project's Construction Emissions.

132

The DEIR fails to include all aspects of Project construction in the emissions modeling and bases the construction emissions modeling on inappropriate assumptions. Due to the significant health impacts associated with construction emissions in the South Coast, proper calculation and disclosure of these construction emissions is particularly important.

133

Air pollution from construction emissions causes significant health problems in the South Coast Air Basin. Pless Report at 25. In 2005, the South Coast Basin suffered severe health and economic damage due to construction equipment emissions. *Id.* at 25. Based on a conservative estimate, these health effects included more than 700 premature deaths, about 650 hospitalizations for respiratory and cardiovascular disease, almost 27,000 incidences of asthma attacks, acute bronchitis, and other lower respiratory symptoms, about 125,000 days of lost work, about 175,000 school absences, and almost one million restricted activity days. *Id.* at 25.

134

First, the construction emissions modeling fails to account for the earthmoving required to create the subterranean parking structures, level the Site, and perform fine grading on the Site. Pless Report at 23. The excavation and hauling of soil will result in considerable emissions that are not accounted for in the DEIR. *Id.* at 23. Second, the DEIR assumes only seven pieces of construction equipment will be operating onsite in its modeling of the Project's construction emissions. *Id.* at 23. The DEIR provides no evidence or data supporting this assumption. Based on the size of the Project buildings, the assumption appears to considerably underestimated. *Id.* at 23. The DEIR's construction emission modeling must be based on equipment counts that specify the maximum quantity of each type of equipment that would be required during Project construction. *Id.* at 23.

135

In addition, the construction modeling overestimates the effectiveness of fugitive dust controls. Pless Report at 24. The SCAQMD identified an error in the model's fugitive dust emission control calculations. *Id.* at 24. The modeling must be re-run without using the incorrect emission reductions identified by SCAQMD. *Id.* at 24.

136

Finally, the DEIR fails to account for the emissions resulting from the demolition of the existing buildings on the Site. As described previously in Sections I

137

Adam Villani
January 26, 2010
Page 34

and II, the DEIR fails to describe or analyze the demolition throughout the document. In the air quality analysis, this deficiency is particularly egregious, as the demolition includes combustion exhaust emissions from diesel equipment and trucks, substantial fugitive dust, and possible asbestos. Pless Report at 2-3. The DEIR must be revised to properly report all construction and demolition emissions in its air quality analysis and mitigate for any significant impacts identified.

137 cont.

10. The DEIR's Proposed Mitigation for Construction Emission is Ineffective.

138

The DEIR proposes four mitigation measures to reduce emissions from construction equipment. DEIR at IV.C-57. These measures do not adequately ensure that construction emissions will be properly mitigated, as they fail to fully describe the required emission reduction and provide no standards for determining if the Project is complying with all the required measures.

139

For example, Mitigation Measure C-9 requires that a hotline be provided for fugitive dust complaints and requires such complaints to be rectified within 24 hours. DEIR at IV.C-57. However, the mitigation measure provides no standards for determining whether the complaint is adequately addressed and does not identify the agency responsible for investigating complaints and proposing corrective measures.

140

In addition, mitigation measure C-14 requires that certain construction equipment be equipped with diesel oxidation catalyst systems to reduce NOx emissions. DEIR at IV.C-57. However, this measure fails to include all of the diesel-powered construction equipment that will be operating at the Site. Pless Report at 26. More importantly, the measure does not identify the required level of NOx emissions which these control systems must achieve and requires no reduction of particulate matter emissions. *Id.* at 26. All of the DEIR's construction emissions mitigation measures must be revised to include all diesel-powered construction equipment and fully describe the emissions levels that must be achieved. Pless Report at 26-27.

141

Finally, the construction emissions mitigation provide for no monitoring, feedback, or enforcement of the measures. Pless Report at 27. As described above, the Project Applicant's actions have demonstrated an attempt to avoid environmental review. Section I. To ensure that the Project properly complies with all required mitigation, the DEIR should require the development of a construction mitigation plan and the presence of an on-site construction mitigation manager at all times during Project construction. Pless Report at 27.

142

11. The DEIR Uses Improper Assumptions to Calculate Greenhouse Gas Emissions.

143

CEQA requires an EIR to “demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects to be considered in the full environmental context.” CEQA Guidelines § 15125(c). Accordingly, the DEIR should at a minimum include an accurate projection of the Project’s greenhouse gas (“GHG”) emissions and how these increased GHG emissions will affect the impacts of global warming on the environment. Here, the DEIR lacks an accurate quantification of the Project’s GHG emissions, thereby undermining CEQA’s command that the EIR “demonstrate ...that the agency has, in fact, analyzed and considered the ecological implications of its action.” *Laurel I*, 47 Cal. 3d at 392.

144

The DEIR’s calculation of GHG emissions uses the incorrect consumption factors for the planned uses and inaccurate emission factors to convert consumption to GHG emissions. To tell the true story of the Project’s role in climate change, the DEIR must inventory, at a minimum, the GHG emissions generated by the users who will be housed at the Site, the GHG emissions generated through its energy consumption during both construction and operation of Project facilities, and the GHG emissions generated throughout the manufacturing and lifecycle of the building materials used to construct the Project. Without accurate consumption and emission factors, the DEIR’s calculation of GHG emissions resulting from each of these sources is unsupported. In addition, unless the DEIR breaks out its estimates of GHG emissions from different sources, designing appropriate mitigation for significant GHG impacts will be difficult.

145

Electricity use is one of the Project’s primary sources of operational GHG emissions. DEIR at IV.C-27. The DEIR fails to properly account for the Project’s GHG emissions by using statewide emission factors, which it claims are “conservative and representative” without any supporting evidence. DEIR at IV.C-27. To the contrary, Los Angeles Department of Water and Power, the source of the Project’s electricity, has more GHG-intensive electricity production than most of the state. *See* Energy and Environmental Economics, Greenhouse Gas Modeling of California’s Electricity Sector in 2020 – Appendices, p. 61 (October 2009). Therefore, the use of statewide GHG emissions facts understates the Project’s GHG emission potential.

146

In addition, the DEIR does not properly account for the proposed uses of the Site in determining electricity demand. The DEIR bases its calculation of electricity demand on 34,000 square feet of retail uses, while the DEIR describes the proposed Project as including 28,000 square feet of commercial retail and 6,000 square feet of restaurant space. Restaurants have higher demand for electricity and natural gas than

147

Adam Villani
January 26, 2010
Page 36

other commercial uses. California Sustainability Alliance website, Commercial Cooking-Overview, <http://sustainca.org/techshowcase/ecc/overview>, *last visited* January 25, 2010 (“Compared with other commercial buildings, restaurants use an average of 3.5 times more electricity per square foot and roughly 20 times more natural gas per square foot, according to the California Commercial End Use Survey.”).

147 cont.

The DEIR’s GHG emission calculations must be amended to cure these inaccuracies and fully disclose the Project’s GHG impacts. Without an accurate emission calculation, the DEIR fails to support its significance conclusion regarding GHG emissions.

148

12. The DEIR Fails to Analyze the Project’s Impacts on Ozone Levels.

149

The DEIR concludes that the Project will have significant impacts by exceeding the SCAQMD thresholds for VOC emissions. As shown in Petra Pless’s report, the Project will also have significant NOx emissions. *Id.* at 8. The Project’s VOC and NOx emissions could contribute to the region’s ozone problems. U.S. E.P.A. website, Ground-level Ozone: Basic Information, <http://www.epa.gov/air/ozonepollution/basic.html> (*last visited* January 13, 2010). However, the DEIR does not discuss the potential ozone effects of these increased emissions. In addition, the DEIR fails to discuss whether increases in ground level ozone resulting from the Project could contribute to or exacerbate ozone-related health problems.

150

Residents of the South Coast basin suffer from a variety of temporary and long-term health effects due to ozone exposure. *See* SCAQMD, 2007 Air Quality Management Plan, Appendix I: Health Effects, p. I-2 to I-6, *available at* http://www.aqmd.gov/aqmp/07aqmp/aqmp/Appendix_I.pdf. Ground level ozone has numerous significant health effects on sensitive receptors. For instance, ground level ozone is associated with higher medication use among children with asthma and more emergency room and hospital visits. *See* US EPA website, *Health Effects in Patients with Asthma* (updated Oct. 11, 2007), *available at* <http://www.epa.gov/03healthtraining/effects.html>. (attached hereto as Attachment G) Asthma is exacerbated on days with high ozone levels. *See id.* On high ozone days, children “used their asthma inhalers more frequently than on days when ozone levels were low. Presumably this was due to a perception that their asthma was worse on those days. Measures of peak expiratory flow in these children were lower on days when ozone levels were high, supporting this hypothesis.” *Id.* As discussed previously, children in the community surrounding the Project currently suffer from asthma at high rates. Section III.C.1; Attachment F at 14.

151

Adam Villani
January 26, 2010
Page 37

The region is currently in extreme non-attainment under the federal ozone standard and non-attainment under the state ozone standard. DEIR at IV.C-11. The DEIR must, at the very least, disclose the Project's potential to affect ozone levels in the area surrounding the Project Site through increased emissions of ozone precursor pollutants (including its contribution to cumulatively considerable impacts), explain the significance of this change, and discuss the resulting health impacts.

152

"An EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project." *Laurel I*, 47 Cal. 3d at 405. The DEIR does not disclose the ozone impacts that could result from the Project's significant and unavoidable emissions of VOCs. See DEIR at Sect. IV.C. Where, as here, an EIR fails to include relevant information and thereby precludes informed public participation, it fails as an informational document. See *San Joaquin Raptor II*, 149 Cal. App. 4th at 653.

153

D. The DEIR's Analysis of Aesthetics Impacts Excludes an Analysis of Reflectivity and Glare Affecting Nearby Highway Uses.

154

The DEIR's treatment of glare and reflectivity impacts to drivers on the nearby I-110 Freeway is cursory and inadequate. While the DEIR proposes a mitigation measure to reduce glare impacts, this mitigation measure does not ensure that the impacts will be mitigated to a less than significant level.

155

The DEIR acknowledges that the Project, a 44 story tower adjacent to the freeway, "would have the potential to reflect onto vehicles traveling on the surrounding streets and the I-110 Freeway." DEIR at IV.B-13. Without providing any analysis of the Project's potential for glare, the DEIR concludes that cars would only be subject to glare for a brief moment because they are travelling at high rates of speed. *Id.* Rather than indicating that glare is insignificant, the fact that these vehicles are traveling at high rates of speed suggests that glare has the potential to cause serious roadway hazards, by affecting a driver's ability to see and react to roadway conditions.

156

The proposed mitigation for this impact requires all exterior glass on Project buildings to be either low-reflectivity or accompanied by a non-glare coating. DEIR at IV.B-19. The DEIR completely fails to address the potential reflectivity and glare of other materials (metal, surface coatings) used on the exterior of Project buildings. To mitigate for the Project's impacts to glare and reflectivity, the Project mitigation must require all materials used on the exterior of Project buildings to be low-reflectivity.

157

E. The DEIR Fails to Adequately Analyze and Mitigate for the Project's Noise Impacts.

158

The World Health Organization recognizes noise, and in particular traffic noise, as a serious public health problem. *See* L.C. (Eelco) den Boer & A. (Arno) Schrotten, Traffic Noise Reduction in Europe 5 (August 2007), *available at* http://www.ce.nl/art/uploads/file/07_4451_27.pdf (attached hereto as Attachment H). Given the existing noise levels in this area and potential severity of the Project's noise impacts, coupled with the effect that elevated noise levels has on public health, the DEIR should have rigorously examined this issue. Unfortunately, the document's analysis of noise impacts is insufficient and incomplete.

159

1. The DEIR Fails to Mitigate for Construction Noise Impacts at Surrounding Sensitive Uses.

160

The Project is located in the midst of many sensitive uses, all of which are currently subject to high noise levels, but the DEIR's mitigation measures do not sufficiently mitigate for the Project's construction noise impacts. The DEIR presents noise monitoring data at sensitive off-site locations surrounding the Project Site. DEIR at IV.I-10. This noise data indicates that noise from surrounding uses is generally range from "conditionally unacceptable" to "normally unacceptable." *Compare id. with id.* at IV.I-6. The projected noise increases due to Project construction range from 1.1 up to 43.3 dBA. DEIR at IV.I-8. All but one of these sensitive uses will face noise increases greater than 15 dBA on average. *Id.* The City's CEQA thresholds conclude that a Project would have a significant impact on a sensitive use due to construction noise if "[c]onstruction activities lasting more than one day would exceed ambient noise levels by 10 dBA or more." *Id.* at IV.I-15. Based on the considerable noise increases at existing uses that, as opposed to lasting a single day, could last multiple years, the noise impacts of this Project are significant and severe.

161

Therefore, the DEIR's proposed mitigation measures for construction noise, a number of which simply require compliance with local ordinances, should have included noise monitoring at sensitive receptors to allow for compliance monitoring and time of day restrictions to ensure that the noisiest construction activities do not occur in the early morning hours. In addition, the mitigation measures should require that neighboring sensitive uses be provided with City telephone numbers to report noise violations, along with the construction schedule.

162

2. The DEIR Omits an Explanation of the Assumptions Used in the Operational Noise Analysis.

163

The DEIR's analysis of operational noise associated with the Project contains insufficient information for the public to determine whether the analysis makes appropriate assumptions about future noise generation.

164

First, the summary table indicates that the operational noise analysis was conducted for 2010, before the Project will be complete. DEIR at IV.I-23. This timeframe is completely inappropriate given the Project's target completion date of 2013. The 2010 analysis cannot support any conclusions concerning the Project's actual impacts in 2013. The DEIR, moreover, fails to explain the justification for projecting future noise levels without accounting for the Project traffic volumes.

165

In addition, from the information contained in the DEIR, the public cannot determine whether the noise projections were based on the traffic analysis' erroneous 2008 trip generation rates or 2010 trip generation numbers (which are not otherwise presented in the DEIR). As described below, the DEIR inappropriately credits the Project trip generation numbers by reducing those numbers based on the uses previously existing on the Site. *See* Section III.B.1. While the traffic analysis only provides trip generation rates for 2008, the noise analysis purportedly assesses noise generated from Project traffic in 2010 without providing any 2010 traffic numbers.

166

As a result, the DEIR fails to "disclose to the public the 'analytic route the . . . agency traveled from evidence to action'" as required by CEQA. *Citizens of Goleta Valley*, 52 Cal. 3d at 568. The DEIR must contain the facts and analysis that support the agency's decision on the project, not just bare conclusions. *Id.*; *see also Laurel I*, 47 Cal. 3d at 392-93 (agency's conclusions must be supported with substantial evidence). Without such information, the DEIR defies CEQA by precluding informed public participation and agency decisionmaking. CEQA Guidelines § 15121(a).

167

F. The DEIR's Population and Housing Analysis Fails to Properly Characterize the Project's Potential Impacts.

168

1. The Population and Housing Analysis Omits Applicable Thresholds of Significance.

169

The DEIR provides a summary of the factors that the City's *L.A. CEQA Thresholds Guide* requires the EIR to consider including "[t]he current and anticipated housing demand and supply of market-rate and affordable housing units in the project

170

Adam Villani
January 26, 2010
Page 40

area.” DEIR at IV.J-7. Although the DEIR claims in other sections that the Project is consistent with policies promoting affordable housing, the DEIR does not contain an analysis of the affordable housing supply and demand, nor any commitment by the Project to provide any affordable housing. *See* DEIR at IV.J-7 to -14; *see also* Section III.A.3.

170 cont.

The DEIR must be revised to include an analysis of the relevant Population and Housing thresholds included in the *L.A. CEQA Thresholds Guide*. By failing to perform this analysis, the DEIR likely mischaracterizes impacts as insignificant, when the factors identified in the *L.A. CEQA Thresholds Guide* would actually indicate such impacts are indeed significant.

171

2. The DEIR Improperly Labels Significant Impacts as Less than Significant.

172

The DEIR dismisses significant population impacts to the community as less than significant. The Project proposes to add 4,154 new residents to the area. DEIR at IV.J-9. The DEIR compares this proposed addition of 4,154 residents to the overall population growth projections for the City, a one-mile radius around the Project area, and for the Project Site’s census tract, the DEIR simply concludes that the Project’s population impacts are less than significant where the Project is likely or certain to exceed the population projections.

173

For the one-mile radius around the Site, the DEIR notes that this addition represents approximately 34% of the total area growth projected for 2000-2020 by the Southern California Association of Governments, without any discussion of other residential projects in the area that have been or are in the process of being developed. Although this Project will be constructed over half way through the planning timeframe, the DEIR simply accepts that this Project would account for over 1/3 of the area’s total growth for the 20 year period without any analysis of the growth occurring since 2000 or other supporting data demonstrating how actual growth to date compares with the projected growth.

174

Moreover, for the Project Site’s census tract, the DEIR notes that the population in 2000 was 2,438 and is projected to grow to only 2,876 by 2030. DEIR at IV.J-2 to -3. The number of new residents associated with the Project dwarves both the 2000 population and the 2030 projected population. However, the DEIR inexplicably concludes that exceeding population projections for its census tract by 3,841 residents is a less than significant impact. DEIR at IV.J-9 to -10.

175

Adam Villani
January 26, 2010
Page 41

This new concentration of residents is, in fact, a significant impact. The State CEQA Guidelines recognize that a project would have a significant impact if it would “[i]nduce substantial population growth in an area.” DEIR at IV.J-6. Furthermore, this area already suffers from a lack of certain essential services (*See* Section III.A.1), a problem that will only get worse with the addition of new residents to the area. *See also* DEIR Section IV.K (analyzing the Project’s impacts on Public Services).

176

G. The DEIR Fails to Analyze the Project’s Impacts on Access to Medical Care Facilities.

177

The DEIR’s Public Services analysis evaluates the Project’s impacts on fire protection, police protection, schools, parks and recreational facilities, and libraries. DEIR, Sect. IV.K. However, the DEIR does not discuss or analyze the Project’s impacts on medical care facilities in the community.

178

As described above, the Project result in fewer health care facilities in an already underserved community. *See* Section III.A.1. By removing the zoning condition restricting the Project Site to hospital, medical, and related uses, the Project will exacerbate the need for health care facilities in this community. Therefore, the Project is likely to result in the construction of additional health care facilities. The DEIR must analyze the Project’s indirect impacts resulting from the construction of additional health care facilities to meet the community’s needs for health care services.

179

H. The DEIR’s Conclusions regarding the Project’s Growth Inducing Impacts Are Not Supported by Substantial Evidence.

180

The DEIR simply assumes, without providing any evidence, that the Project is consistent with relevant growth projections in the area and the region. DEIR at V-3 to -4; *see also* Section III.F.

181

In the analysis of growth inducing impacts, the DEIR states that the Project will house over 4,000 new residents and acknowledges that this Project alone accounts for over one-third of the anticipated population growth in the Southeast Los Angeles Community Plan area for 2000-2020. DEIR at V-4. Although the growth timeframe covered by the community plan is nearly half over, the DEIR does not include any discussion of the population growth in the area to date. Without some assessment of other projects and growth in the area within the 2000-2020 timeframe, the DEIR’s statements that the Project’s induced growth is within projections are nothing more than speculation.

182

Adam Villani
January 26, 2010
Page 42

Furthermore, the DEIR recognizes that the Project will induce population growth, but provides no quantification of the Project's indirect growth-inducing potential. DEIR at V-4. Thus, the DEIR's conclusion that the Project will not result in significant growth-inducing impacts is not supported by substantial evidence. Under CEQA, substantial evidence must support the DEIR's conclusions. *Laurel I*, 47 Cal. 3d at 392-93. Substantial evidence includes "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." CEQA Guidelines § 15384(b). The DEIR must be revised to provide evidence supporting its conclusions on the Project's growth-inducing potential.

183

I. The DEIR's Analysis of Cumulative Impacts Is Legally Inadequate.

184

The DEIR fails to discuss the Project's contribution to significant cumulative impacts, as required by CEQA. CEQA Guidelines § 15130(a). "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines § 15355. "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." *Id.* § 15355(a). "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." *Id.* § 15355(b). The cumulative impacts concept recognizes that "[t]he full environmental impact of a proposed . . . action cannot be gauged in a vacuum." *Whitman*, 88 Cal. App. 3d at 408. Here, the DEIR provides a list of related projects that are purportedly evaluated in the cumulative impacts analysis. *See* DEIR at III-9 to -10.

185

Throughout the DEIR, the cumulative impacts analyses provides little information about the potential impacts of the identified related projects. Instead, the DEIR simply relies on the significance conclusions for the Project's own impacts in determining whether the Project's impacts would be cumulatively considerable. *See, e.g.*, DEIR at IV.C-35 (finding a significant cumulative impact for VOC emissions where the Project was deemed to have a significant and unavoidable VOC emission impact); IV.K-34 (finding no significant cumulative impact where the Project's individual impact on park and recreational facilities was deemed less than significant). This approach ignores CEQA's command to consider the cumulative effects resulting from "individually minor but collectively significant projects." CEQA Guidelines § 15355(b). Thus, the DEIR's cumulative impacts analysis is legally inadequate. Particular failings of cumulative analysis are referenced throughout this letter.

186

The DEIR's approach to considering cumulative impacts is haphazard and does not meet the mandates of CEQA. The DEIR must be revised to provide all of the required elements for "an adequate discussion of significant cumulative impacts" listed in CEQA Guideline 15130(b).

187

IV. THE ALTERNATIVES ANALYSIS IN THE DEIR IS INSUFFICIENT.

188

The DEIR's perfunctory alternatives analysis only considers a single reduced height/density alternative, an all commercial alternative, and the no project alternative. DEIR at VI-3. Such a cursory treatment of alternatives is contrary to CEQA's central mandate that public agencies not approve projects if there are feasible alternatives that would substantially lessen the project's environmental impacts. *Berkeley Keep Jets*, 91 Cal. App. 4th at 1354; Pub. Res. Code § 21002. The principal function of alternatives analysis under CEQA is to evaluate alternatives that would avoid some or all of the environmental impacts associated with the proposed project. Pub. Res. Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(a); *Citizens for Quality Growth v. City of Mt. Shasta*, 198 Cal. App. 3d 433, 443-45 (1988). As stated by the CEQA Guidelines,

Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the discussion of *alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project*, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

189

CEQA Guidelines § 15126.6(b) (emphasis added; citation omitted); *id.* § 15126.6(f) ("The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project."). "Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process . . . [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully informed as to the consequences of action by their public officials." *Laurel I*, 47 Cal. 3d at 404.

The primary flaw in the DEIR's alternatives analysis is its failure to identify and consider a reasonable range of alternatives that reduce project impacts, as CEQA requires. *See* CEQA Guidelines § 15126.6(c); *Citizens of Goleta Valley*, 52 Cal. 3d at 566. Here, the DEIR must identify alternatives that avoid or substantially lessen the aesthetic, air quality, and public service impacts classified as significant and unavoidable and those significant air quality and land use impacts identified in this letter.

190

Thus, the alternatives analysis should, at least, include an alternative location for the Project (to reduce or avoid for the aesthetic, air quality, and public service impacts), an alternative that would include medical uses as required by the current zoning (to reduce or avoid for land use impacts and impacts related to access to health care), and an alternative development that would include affordable housing (to

191

Adam Villani
January 26, 2010
Page 44

mitigate for air quality and land use impacts). Our July 11, 2008 comments on the Notice of Preparation proposed a “Health and Housing Alternative” which would include both a health-services facility and substantial amounts of affordable housing. However, the DEIR failed to consider this alternative. The Health and Housing Alternative is clearly part of a reasonable range of alternatives. Without considering this proposal, the DEIR will remain inadequate. The DEIR, moreover, improperly rejects two of the alternatives listed above. First, the DEIR rejects a number of alternative locations noting that the alternative sites “would either fail to meet one or more of the Proposed Project’s objectives; they would displace existing housing or otherwise impact single-family neighborhoods; and/or the Applicant does not own or control property in the areas listed.” DEIR at VI-5. As stated above, CEQA requires that the discussion of alternatives include those that would lessen the environmental impacts of a project, “even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” CEQA Guidelines § 15126.6(b).

191 cont.

Second, the DEIR claims it is infeasible to develop uses allowed by the existing zoning, limiting the site to educational, hospital, medical office, parking and related uses because this alternative purportedly would “not meet the objectives of the Proposed Project” which require residential and retail development on the Site. Initially, a failure to meet Project objectives does not establish infeasibility. Moreover, there is nothing about this alternative that demands that the Site contain only medical uses. Rather, the development could still include residential uses and potentially some retail development. This alternative seeks to preserve some medical uses on a site that is currently restricted to such uses. As described above (*see* Section III.A.1), removing this zoning restriction will have serious impacts on the community’s access to health care services. Incorporating medical uses into the Project would help alleviate one of the Project’s most significant impacts on the community.

192

Furthermore, recirculation of the DEIR is required when “[a] feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.” CEQA Guidelines §15088.5(a)(3). The alternatives identified above are feasible and would clearly lessen the environmental impacts. Since the DEIR did not previously analyze these alternatives, it must be recirculated to include a full discussion of the potential impacts of these alternatives if the Applicant declines to adopt them.

193

CEQA requires that the project objectives be defined broadly enough to allow a reasonable range of alternatives to be considered. *City of Santee v. County of San Diego*, 214 Cal. App. 3d 1430, 1455 (1989) (defining the project objectives too narrowly resulted in an inadequate alternatives analysis). However, the majority of the DEIR’s

194

Adam Villani
January 26, 2010
Page 45

project objectives focus on developing a mixed residential/retail project. By crafting the Project objectives so narrowly, the DEIR rules out feasible alternatives, such as the Health and Housing Alternative, that would meet many of the Project objectives while reducing or avoiding significant impacts.

194 cont.

Under CEQA, a proper analysis of alternatives is essential to comply with CEQA's mandate that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d); *Citizens for Quality Growth*, 198 Cal. App. 3d at 443-45. Therefore, the EIR's failure to consider feasible alternatives that sufficiently reduce the Project's environmental impacts and achieve the basic project objectives renders the document inadequate under CEQA. *See, e.g., San Joaquin Raptor I*, 27 Cal. App. 4th at 735-38.

195

V. THE DEIR MUST BE RECIRCULATED TO CURE THE DEFECTS IDENTIFIED IN THIS LETTER.

196

In order to cure the numerous defects identified in this letter, the DEIR must be revised to fully and accurately describe all components of the proposed Project. CEQA requires recirculation of a revised draft EIR "[w]hen significant new information is added to an [EIR]" after public review and comment on the earlier draft EIR. Pub. Res. Code § 21092.1. The opportunity for meaningful public review of significant new information is essential "to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom." *Sutter Sensible Planning, Inc.*, 122 Cal. App. 3d at 822; *see City of San Jose v. Great Oaks Water Co.*, 192 Cal. App. 3d 1005, 1017 (1987).

197

The DEIR must include substantial new information in order to adequately assess the environmental impacts of the whole of the Project, and to identify effective mitigation measures and alternatives capable of alleviating these impacts. CEQA requires that the public have a meaningful opportunity to review and comment upon this significant new information in the form of a recirculated draft EIR. *Laurel II*, 6 Cal. 4th at 1130.

198

Adam Villani
January 26, 2010
Page 46

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Gabriel M.B. Ross

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Kristin B. Burford

Attachments

- Attachment A: Kurt Salmon Associates, *Critical Condition: Examining the Scope of Medical Services in South Los Angeles* (October 2007)
- Attachment B: A. Park et al., Community Health Councils, Inc., *South Los Angeles Health Equity Scorecard* (December 2008)
- Attachment C: Los Angeles Healthcare Options Taskforce, *Achieving the Vision: Healthcare Options for Los Angeles County* (April 2009)
- Attachment D: Tom Brohard and Associates, *Review of the Draft Environmental Impact Report for the Lorenzo Project in the City of Los Angeles – Traffic Issues* (January 25, 2010).
- Attachment E: Pless Environmental, Inc., *Review of the Draft Environmental Impact Report for “The Lorenzo”* (January 25, 2010).
- Attachment F: St. John’s Well Child and Family Center, Esperanza Community Housing Corporation, Los Angeles Community Action Network & Strategic Actions for a Just Economy, *Shame of the City: Slum Housing and the Critical Threat to the Health of L.A. Children and Families* (April 2007)

Adam Villani
January 26, 2010
Page 47

Attachment G: US EPA website, *Health Effects in Patients with Asthma* (updated Oct. 11, 2007)
Attachment H: L.C. (Eelco) den Boer & A. (Arno) Schroten, Traffic Noise Reduction in Europe (August 2007).
Attachment I: Planning and Land Use Documents from City of Los Angeles: January 30, 2007 Subdivider's Statement for Tentative Tract Map No. 68397; December 11, 2006 Application for zone change; Letter from E. Cohen to Los Angeles Planning Department (Jan. 16, 2007)

cc: (via email)
Paulina Gonzalez, Executive Director, Strategic Actions for a Just Economy
Nancy Halpern Ibrahim, Executive Director, Esperanza Community Housing Corporation
Benjamin S. Beach, Staff Attorney, Community Benefits Law Center
Los Angeles City Attorney's Office, Land Use Division (hard copy only)
Benjamin M. Reznik, Jeffer, Mangels, Butler & Marmaro LP (hard copy only)

P:\SAJE\PALMER\Comment Letter-FINAL (1 26 10).doc

Comment Letter Ross***(attachments available as Appendix A to this Final EIR, on CD)****Response to Comment Ross-1*

Regarding failure of the Draft EIR to address change on a low-income community and health/health care, the commenter is referred to Responses to Comments Ross-2 through Ross-195.

Response to Comment Ross-2

Regarding the “zoning restrictions” (i.e., the [Q] condition) for the Project site and medical facilities for the community, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Regarding the study area and sensitive uses, the commenter is referred to Response to Comment Ross-43.

Regarding impacts related to land use and public services (as medical facilities), the commenter is referred to Responses to Comments Ross-29 through Ross-53 and Ross-178.

Response to Comment Ross-3

Regarding the project description, the commenter is referred to Responses to Comments Ross-7 through Ross-17. Regarding the baseline and environmental setting, the commenter is referred to Responses to Comments Ross-18 through Ross-23. Regarding the environmental impacts of the Project and mitigation, the commenter is referred to Responses to Comments Ross-24 through Ross-187. Regarding Project alternatives, the commenter is referred to Responses to Comments Ross-188 through Ross-195.

Response to Comment Ross-4

The comment states that the EIR fails to fulfill CEQA requirements and to provide decision makers with sufficient information about the effect of the Propose Project. This comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. Specific issues are stated in comments Ross-5 through Ross-198. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ross-5

Regarding revision and recirculation of the Draft EIR, the commenter is referred to Master Response 5 (Recirculation of the Draft EIR)..

Response to Comment Ross-6

Regarding demolition of previous land uses at the Project site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing). Regarding mitigation monitoring, the commenter is referred to Response to Comment Ross-162.

Response to Comment Ross-7

Regarding the Project description, the commenter is referred to Responses to Comments Ross-8 through Ross-17.

Response to Comment Ross-8

Regarding demolition of previous land uses at the Project site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).. The commenter is also referred to Responses to Comments Ross-9 through Ross-17.

Response to Comment Ross-9

Regarding demolition of past uses of the Project site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Ross-10

Regarding demolition of past uses of the Project site and piecemealing, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).Response to Comment Ross-11

Regarding demolition of past uses of the Project site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Ross-12

Regarding loss of medical uses at the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

For these reasons, the previous medical uses at the Project site are not relevant to the Project and are not relevant in assessing the environmental impacts of the Project under CEQA. Because removal of the previous uses is in no way related to the Project, and because the discontinuation of these uses is not a CEQA issue, addressing this issue in an EIR is illogical for the reasons stated by the commenter.

Response to Comment Ross-13

Regarding the specific land uses that could occupy the commercial square footage, the specific type of users of the commercial square footage is not known at this time and would be limited to those allowed under the C2 zoning. The commenter is referred to Response to Comment Ross-14.

Response to Comment Ross-14

As is common for many projects in the City that include development of commercial land uses, especially for those projects that include a relatively small amount of commercial square footage, the specific types of future retailers is unknown at the onset of the entitlements process, and is the case with the Project. The types of retail occupants of the Project would be limited to those allowed under the underlying C2 zoning (including, but not limited to retail, employment agency, rubber or metal stamp store, locksmith, frozen food store, restaurant, newsstand, etc.) and Community Commercial land use designation for the site. The Project Applicant is seeking approval of a conditional use permit to allow the sale of off-site alcoholic beverages in conjunction with a market or drugstore use and sale of on-site alcoholic beverages in conjunction with a restaurant use; all these uses are allowed under the underlying C2 zoning and Community Commercial land use designation for the site, and in the event that such retailers would have interest in occupying the site, the appropriate permits would be in place to allow for the operation of such uses.

In the case of *Bakersfield Citizens for Local Control v. City of Bakersfield*, the Gosford project included a zone change and a general plan amendment (and various other approvals) to allow for development of a 700,000-square-foot supercenter with “big-box” retailers (within proximity of another proposed 370,000-square-foot supercenter) in a relatively undeveloped portion of the city. For the Gosford project, the types of retailers were important, because supercenter uses and big-box retailers can result in environmental impacts related to urban decay and deterioration. The Proposed Project includes only 34,000 square feet of commercial land uses, which would be limited to those allowed under the underlying C2 zoning and Community Commercial land use designation for the site. The Project does not include development of supercenter uses or big-box retail nor any other land uses that are not allowed under the C2 zoning. The analysis in the Draft EIR assumes the development of uses allowed under the C2 zoning.

Regarding trip generation rates, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-15

Although it is true that college students could become residents of the Project, the degree to which students would live at the Project is speculative. The Project’s estimated residential population generation is based on the State of California Department of Finance’s average rate of 2.967 persons per household (refer to Section IV.J [Population and Housing] of the Draft EIR). This average rate is appropriate for the Project, because the Project includes various sizes of residential units and would house

one or more persons per unit. Use of such a rate is allowed under Section 15187(4) of the *CEQA Guidelines*, which states, “The [lead] agency may utilize numerical ranges and averages where specific data is not available, but is not required to, nor should it, engage in speculation or conjecture.”

Response to Comment Ross-16

Regarding affordable housing, the commenter is referred to Master Response 3 (Affordable Housing).

Response to Comment Ross-17

The Project description in the Draft EIR meets the requirements of Section 15124 of the *CEQA Guidelines*, including the reasons provided in Responses to Comments Ross-8 through Ross-16, and includes sufficient detail “for evaluation and review of the environmental impact[s]” of the Project. Also refer to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Ross-18

Regarding the commenter’s statement about the baseline/existing condition, the commenter is referred to Responses to Comments Ross-19 through Ross-23.

Response to Comment Ross-19

Regarding demolition of previous land uses at the Project site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Ross-20

Regarding demolition of previous land uses at the Project site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Ross-21

Regarding demolition of previous land uses at the Project site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing). Regarding the existing conditions of the Project site and traffic trip credits assumed in the traffic analysis for the Project, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-22

Regarding demolition of previous land uses at the Project site, the commenter is referred to Master Response 4 (Demolition of Previous Uses at the Project Site and Piecemealing).

Response to Comment Ross-23

Regarding the additional land uses noted by the commenter, this document acknowledges that the following land uses are in proximity to the Project site:

Orthopaedic Hospital Medical Magnet High School located adjacent to Site A, on the western side of Grand Avenue;

St. Vincent School – 0.1 mile west of the Project site, located on the west side of the Harbor Freeway;

New Design Charter School – 0.2 mile northwest of the Project site, located on the west side of the Harbor Freeway;

Lanterman High School – 0.4 mile west of the Project site, located on the west side of the Harbor Freeway;

John Adams Middle School – 0.4 mile southeast of the Project site; and

Norwood Street School – 0.6 mile northwest of the Project site, located on the west side of the Harbor Freeway.

These land uses fall under the City's definition of "sensitive land uses." Sections within the Draft EIR that address impacts to sensitive land uses include IV.B (Aesthetics: Shade/Shadow), IV.C (Air Quality), and IV.I (Noise), and include any or all of the above listed schools as required by CEQA.

Shade/Shadow Impacts

St. Vincent School and New Design Charter School – Shadow cast by the Project during the winter and summer solstices would cast on portions of the schools. However, the amount of time that portions of the schools would experience such shadow would not exceed the City's threshold, and no shadow impacts would occur.

Lanterman High School, John Adams Middle School, and Norwood Street School – Project shadows would not extend to these land uses, and no shadow impacts would occur.

Air Quality

As discussed on pages IV.C-41 and IV.C-42 in Section IV.C (Air Quality) of the Draft EIR, the Project would not generate localized operational emissions in excess of the significance thresholds. Thus, no sensitive receptors would be exposed to excessive pollutant emissions generated by the Project, including those noted by the commenter. Therefore, no significant air quality impacts related to sensitive receptors would occur.

Noise

As shown on Figure IV.I-1 on page IV.I-10 in Section IV.I (Noise) of the Draft EIR, a noise-monitoring location (sensitive use) included LA Trade Technical College, the Texere mixed-use structure, and Magnet High School. As shown on Table IV.I-8 on page IV.I-18 and on Table IV.I-10 on page IV.I-21, construction-related noise and vibration associated with the Project would not result in a significant increase in noise or vibration at this location. Because all of the other sensitive uses noted by the commenter are further away from the Project site than 250 feet and are separated from the site by intervening buildings, and for those to the west of the Project site, the Harbor Freeway, these land uses would not experience excessive noise levels or vibration due to Project construction. No construction-related noise and vibration impacts would occur.

Also, as discussed on pages IV.I-22 through IV.I-25, the Project would not result in a substantial increase noise levels associated with operation activities, and no significant impacts would occur. Because no significant impacts would occur, operation of the Project would not expose the sensitive uses noted by the commenter to excessive noise levels. No operational-related noise impacts would occur.

Response to Comment Ross-24

Regarding the commenter's statement about violation of CEQA, the commenter is referred to Response to Comment Ross-25.

Response to Comment Ross-25

This comment is an introductory statement that summarizes the assertions made by the commenter throughout the comment letter. Thus, the commenter is referred to the other responses to Commenter Letter Ross.

Response to Comment Ross-26

Regarding the commenter's statement about the Project's consistency with land use plans and policies, the commenter is referred to Responses to Comments Ross-27 and Ross-28.

Response to Comment Ross-27

The commenter is incorrect in stating that the Draft EIR ignores the Project's incompatibilities with the surrounding neighborhood and applicable land use plans and policies. The commenter is referred to Section IV.B (Aesthetics) that includes an analysis of how the height and massing of the Project would result in visual character impacts. The analysis concludes that due to the height and massing of the Project, the Project would not be consistent with the height and massing of other structures in the Project area, and impacts related to this issue would be significant and unavoidable.

Also, the commenter is referred to Section IV.H 9 (Land Use Planning) in the Draft EIR, specifically the discussion of the Project's consistency with the following:

- Policy 1-3.1 of the Southeast Los Angeles Community Plan on Table IV.H-5 on Page IV.H-23 that discloses, "While the Proposed Project would be consistent with this adjacent use, the 44-story tower proposed would be of a much different scale than the existing four-story residential building to the north."
- Policy 1-6.4 of the Southeast Los Angeles Community Plan on Table IV.H-5 on Page IV.H-23 that discloses, "While the Proposed Project would be generally consistent with the architectural style of the surrounding area, the proposed 44-story tower on Site B would be largely out of scale with the surrounding uses. As discussed in Section IV.B, Aesthetics, the Proposed Project would result in a significant aesthetic impact related to massing."
- Policy 2-5.2 of the Southeast Los Angeles Community Plan on Table IV.H-5 on Page IV.H-24 that discloses, "The Proposed Project would offer greater architectural detail than existing surrounding uses, but would be generally compatible with the architectural style of the surrounding area. However, as mentioned above, the massing of the proposed tower on Site B would be out of scale with surrounding uses."
- Policy 2-1.5 of the Southeast Los Angeles Community Plan on Table IV.H-5 on Page IV.H-25 that discloses, "The Proposed Project would be developed directly south of an existing four-story residential building. While the Proposed Project would be consistent in land use type with this adjacent use, the 44-story tower proposed would be of a much different scale than the existing four-story residential building to the north. The Proposed Project would offer greater architectural detail than the existing uses, but would be generally compatible with the architectural style of the surrounding area."

Thus the Draft EIR does not ignore the Proposed Project's incompatibilities with the neighborhood and inconsistencies with applicable land use plans. The Draft EIR discloses related impacts that would be significant and unavoidable if the Proposed Project were to be approved as proposed.

The commenter is also incorrect in stating that the "Project can dictate the necessary revisions to the land use laws and plans." In fact, the City and City laws and regulations determine the discretionary approvals (i.e., "the necessary revisions to the land use laws and plans") that are required to allow for implementation of the Project.

Response to Comment Ross-28

The purpose of the Draft EIR is to disclose the potential environmental impacts that would occur if the Project were to "go forward," and be approved as proposed. The commenter is incorrect in stating that the Draft EIR fails to address the Project's impacts (if the requested "amendments" are approved) on the surrounding community. The "amendments," as well as all of the discretionary actions, are part of the

Project, and the Project is the subject of the Draft EIR. Thus, the analysis in the Draft EIR is inclusive of the analysis of impacts related to the “amendments” and all requested discretionary actions. Therefore, the Draft EIR does not fail to comply with CEQA for the reasons stated by the commenter.

Response to Comment Ross-29

Regarding the commenter’s statement about removal of zoning restrictions, the commenter is referred to Responses to Comments Ross-30 through Ross-36.

Response to Comment Ross-30

Regarding removal of the [Q] condition from the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition). Also, the commenter is referred to Response to Comment Ross-27.

Response to Comment Ross-31

Regarding the [Q] condition for the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Ross-32

Regarding the [Q] condition for the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Ross-33

Regarding Project impacts associated with the requested zoning change, the commenter is referred to Response to Comment Ross-28. Regarding health care services in the Project area, the commenter is referred to Response to Comment Ross-12. Also, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Ross-34

The commenter is referred to Response to Comment Ross-33.

Response to Comment Ross-35

The commenter is referred to Master Response 2 (Removal of the [Q] Condition) and Response to Comment Ross-28.

Response to Comment Ross-36

Regarding Project impacts, the commenter is referred to Response to Comment Ross-28. Based on Response to Comment Ross-28, the Draft EIR does not fail to identify the environmental impacts of the Project as the commenter asserts in this comment.

Regarding an analysis of ‘what will happen if the site is left alone,’ the commenter is referred to Section VI (Alternatives) of the Draft EIR that includes a discussion of the No Project Alternative, starting on page VI-5. As required under *CEQA Guidelines* Section 15126.6(e)(2):

The ‘no project’ analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the Project were not approved, based on current plans, and consistent with available infrastructure and community services.

At the time the NOP was circulated for the Project, the Project site was developed with surface parking lots and no structures. Thus, the No Project Alternative assumes continuation of use of the site as parking, not with the former uses that were demolished.

Response to Comment Ross-37

Regarding the commenter’s statement about evaluation of planning/zoning compliance, the commenter is referred to Responses to Comments Ross-38 through Ross-41.

Response to Comment Ross-38

Regarding the scale of the Project in relation to the surrounding uses, the commenter is referred to Response to Comment Ross-27. The Draft EIR does conclude that the scale of the 44-story structure would result in a significant and unavoidable impact related to visual resources.

Regarding the Project’s relation to the existing land use designation and zoning for the Project site, the commenter is referred to pages II-25 and II-26 in Section II (Project Description) that include a list of the discretionary actions requested by the Project Applicant to allow for implementation of the Project. As shown, one of the discretionary actions requested by the Applicant is a General Plan Amendment, pursuant to LAMC Section 11.5.6.A, to exempt the Project site from Southeast Community Plan Footnote 1 / Height District No. 1, removing the conflicting 1.5:1 FAR limitation so as to allow the Project site to be developed consistent with the 6:1 FAR allowed by the current Height District 2 zoning designation. Additionally, the commenter is referred to pages IV.H-28 and IV.H-29 in Section IV.H (Land Use Planning) that includes a discussion of this requested General Plan Amendment.

The commenter also asserts that the analysis in Section IV.H (Land Use Planning) “treats the Project as a single unit...[and] underestimates the Project’s impacts.” Throughout the Draft EIR, including

throughout Section IV.H, it is disclosed that the Project includes development of two buildings. Also, all discretionary actions that are required to allow development of the two proposed buildings are listed in the Draft EIR. Further, the commenter does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the assertion made in this comment. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to this comment is required.

Response to Comment Ross-39

This comment includes statements of fact about the Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ross-40

Regarding the FAR for the Project, the Draft EIR discusses this in detail in Section IV.H, Land Use Planning. As stated in the Draft EIR, the Proposed Project would result in an FAR of 4.31:1 across the entire site. Also explained in the Draft EIR is that “the Community Plan designates the eastern portion of the site for Community Commercial uses with a footnote that specifies Height District 1. However, the project is requesting a General Plan Amendment to remove the Community Plan Height District 1 designation, which would create consistency, as discussed above, with the site’s [Q]C2-2-O zone. The [Q]C2-2-O zone corresponds with Height District 2. Pursuant to LAMC Section 12.21.1(A)(2), Height District No. 2 allows a maximum FAR of 6:1” (Draft EIR page IV.H-8 through IV.H-9). Additionally, under LAMC Section 12.24 W.19, the Project Applicant is requesting a Conditional Use Permit to allow averaging of floor area ratios for a mixed-use development in a Commercial zone. The LAMC allows for floor area ratio averaging for unified developments under a Conditional Use Permit “even if buildings on each individual parcel or lot would exceed the permitted floor area ratio.” The concept of floor area ratio averaging is essentially the same as the concept of FAR, dividing the total amount of building floor area by the buildable area of the lot, extended to multiple parcels. As demonstrated, the Draft EIR fully analyzes FAR and does not fail to provide relevant information.

Response to Comment Ross-41

Regarding the commenter’s statement about land use, the commenter is referred to Response to Comment Ross-28. Regarding Section III.A.3 of the commenter’s letter, the commenter is referred to Responses to Comment Ross-42 through Ross-46.

Response to Comment Ross-42

Regarding the commenter’s statement about the conclusions in the Draft EIR related to community compatibility, the commenter is referred to Responses to Comments Ross-43 through Ross-46.

Response to Comment Ross-43

Regarding the residential density of the Project as it relates to compatibility with the surrounding community, all aspects related to the density of the Project (i.e., number and types of units; height/massing of the structures; architecture and character; pollutant emissions, noise, and traffic generation; etc.) and how these aspects would impact the environmental setting in which the Project site is located are considered throughout the Draft EIR, and the environmental impacts associated with these aspects are disclosed in the subsections of Section IV (Environmental Impact Analysis).

Regarding the statement about “elimination of sites for essential health care facilities,” the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Regarding the statement about “character as a primarily market-rate residential development,” types of residential development and the affordability of housing in the Project area varies. The multi-family type of residential development included as part of the Project is similar to other types of residential development found in the area, which varies greatly but is generally designated as low- to high-residential.

Regarding Project compatibility with the surrounding area, the Draft EIR addresses functional land use compatibility and physical compatibility of the Project (refer to pages IV.H-14 and IV.H-15 in Section IV.H [Land Use Planning] of the Draft EIR). The text on page IV.H-14 states the following:

Functional compatibility is defined as the capacity for adjacent, yet dissimilar land uses to maintain and provide services, amenities, and/or environmental quality associated with such uses. Potentially significant functional land use compatibility impacts may be generated when a project hinders the functional patterns of use and relationships associated with existing land uses; patterns of use relate to the interaction and movement of people, goods, and/or information.

As discussed in Section IV.H (Land Use Planning), the project site is located in a dense urban area. The surrounding uses mainly consist of educational, commercial, and institutional uses. The Proposed Project would develop the vacant project site with residential and retail uses. While the Proposed Project would introduce residential uses to an area where few currently exist, the Proposed Project would increase housing opportunities for employees working in the area as well as place housing in an area served by existing educational and commercial uses. The Proposed Project would also add retail uses that could be frequented by employees/patrons of the existing educational, commercial, and institutional uses surrounding the project site. Thus, the Proposed Project’s uses would be compatible with the surrounding uses in the area.

Additionally, as discussed in Section IV.H (Land Use Planning), the physical compatibility of the Proposed Project with its surrounding environs is based on the analysis of proposed uses and improvements and their potential on-site and off-site impacts on traffic, noise, air quality, and aesthetics.

These impacts, together with proposed mitigation measures, where applicable, are discussed in their respective sections of the Draft EIR.

Also, the commenter is referred to Response to Comment Ross-23.

Response to Comment Ross-44

Regarding the description of the community in Section IV.H (Land Use Planning) in the Draft EIR, although text on page IV.H-15 describes the community as “mainly education, commercial, and institutional,” text in the several other areas of the section and in other parts of the Draft EIR expand on land uses in the community. A few examples include the following:

- On page IV.H-1:

The project site is surrounded by a diverse mix of urban land uses. Site B is bounded by a four-story multi-family residence to the north, South Flower Street on the east, an abandoned Harbor Freeway (I-110 Freeway) on-ramp to the south, and the I-110 Freeway to the west. Site A is bounded by West 23rd Street and the Los Angeles Trade Technical College (LATTC) to the north. The two-story Orthopaedic Hospital Magnet High School (Magnet School) and a surface parking lot are adjacent to the project site to the east. The southernmost boundary of the project site extends to West Adams Boulevard. A six-story commercial building and a multi-level parking structure with above- and below-ground levels front West Adams Boulevard across from the project site. The newly constructed Los Angeles Orthopaedic Medical Center and the five-story Orthopaedic Medical Center (Lowman Outpatient Center) occupy the southwest portion of the block between the project site and the I-110 Freeway.

- On page IV.H-18:

The Proposed Project site is located at the future Metro Exposition Line 23rd and Flower Street light rail station currently under construction.

- On page IV.H-19:

The Proposed Project would be located approximately four blocks west of an existing single-family residential neighborhood, and would be located along the forthcoming Metro Exposition Line alignment and adjacent to a future station.

- On page III-5 in Section III (Environmental Setting):

The area surrounding the project site is a developed urban area with a mix of residential uses, commercial uses, industrial uses, educational uses, and medical uses. Photographs of the land uses surrounding the project site are provided in Figures III-3 through III-4, Views of Surrounding Uses.

Commercial uses are concentrated to the south and east of the project site. A six-story office building (see Figure III-5, View 12) and a parking structure with above- and below-ground levels front West Adams Boulevard across from the project site to the south. The one-to-two-story buildings fronting the eastern side of Grand Avenue to the east of the project are all currently being used for commercial and light industrial purposes as well (see Figure III-5, View 11).

The surrounding educational land uses include the Los Angeles Trade Technical College (see Figure III-4, View 8) which is located along West 23rd street, directly north of the project site and the Orthopaedic Hospital Medical Magnet High School (see Figure III-4, View 9) which is located on the western side of Grand Avenue, directly east of the project site. The adjacent medical-related land uses include the newly constructed two-story Los Angeles Orthopaedic Medical Center and the remaining five-story Orthopaedic Medical Center/Lowman Outpatient Center (see Figure III-5, View 10) which occupy the southwest portion of the block between the project site and South Flower Street at the I-110 Freeway.

Other land uses include a four-story residential building which is located on the western side of South Flower Street, directly north of the project site, and a 4-story adult day health care center located just north of the residential building at the southwest corner of South Flower Street and West 23rd Street.

Regarding the statement that the Draft EIR does not describe how the location of the “44 story residential tower” may impact the surrounding community, the “44 story residential tower” is part of the Project, and the basis of the Draft EIR is to assess and identify environmental impacts associated with the Project. Such assessment and identification of impacts is included throughout the document (and is not limited to Section IV.H). The commenter is referred to Sections IV.A through V of the Draft EIR for a complete assessment and identification of Project impacts on the environment, which includes the surrounding community.

Regarding the Project’s “influx of new residents,” as disclosed on page IV.J-8 in Section IV.J (Population and Housing) of the Draft EIR, the Project is estimated to generate approximately 4,154 residents. This impact would be less than significant and consistent with SCAG’s growth projections for the region.

Regarding the Project’s need for “products,” the commenter provides no definition for “products,” no explanation of what the Project’s demand for “products” would be, and no discussion of any potential environmental impacts could result from the Project’s demand for “products.” Because the commenter does not provide enough detail, no further response can be provided.

Regarding the Project’s need for “services,” again, the commenter provides no definition for “services,” no explanation of what the Project’s demand for “services” would be, and no discussion of any potential environmental impacts could result from the Project’s demand for “services.” However, if the commenter means public and utility “services,” the commenter is referred to Sections IV.K and IV.M in the Draft EIR that disclose Project impacts related to fire protection, schools, parks and recreation, solid waste,

electricity, and natural gas services would be less than significant; Project impacts related to library, wastewater, and water services would be less than significant with mitigation; and Project impacts related to police services would be significant and unavoidable. Any further need for “products and services” such as retail goods and services are a function of a supply and demand market and not a consideration of CEQA. By basic economics, where demand for such things is created, supply would be expected to follow.

This comment also asserts that the Draft EIR “ignores the impacts of this considerable residential influx resulting from the Project,” but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to this portion of the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ross-45

Regarding the statement about housing opportunities, downtown Los Angeles (i.e., the location of the Project site) provides employment for many people, some of which live in the area and some of which commute to downtown from other communities. The Project would provide housing opportunities not only to those living/working in the immediately surrounding community, but also for those people who work downtown and would like to live there, if they choose to do so.

Regarding justification for the Project, CEQA does not require that an EIR address justification of projects. The purpose of the EIR is to assess, identify, and disclose the potential environmental impacts of a project and ways to avoid or reduce those impacts.

Response to Comment Ross-46

Regarding the statement that the conclusion in the Draft EIR “that the Project is compatible with surrounding uses” is unsubstantiated and one-sided, this statement does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this statement. Regarding project compatibility, the commenter is referred to Response to Comment Ross-44. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to this portion of the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding the community’s need for health care facilities, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

For the reasons discussed in the responses to the commenter’s letter, the Draft EIR meets the requirements of *CEQA Guidelines* Section 15151.

Response to Comment Ross-47

Regarding the statement about identifying and mitigating plan inconsistencies, the commenter is referred to Responses to Comments Ross-48 through Ross-53.

Response to Comment Ross-48

The following is a discussion of the Project inconsistencies (and general consistencies) identified on the tables in Section IV.H (Land Use Planning):

From Table IV.H-2 on page IV.H-18:

Principle of the Growth Vision Report	Consistency Discussion
4: Promote <i>sustainability</i> for future generations. • Preserve rural, agricultural, recreational and environmentally sensitive areas. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that use resources efficiently, eliminate pollution, and significantly reduce waste. • Utilize “green” development techniques.	Generally Consistent. The Proposed Project is located in an urbanized area. The project site is not located in a rural, agricultural, recreational, or environmentally sensitive area. The Proposed Project is a mixed-use development on a site designated as Community Commercial and Limited Manufacturing. As discussed in Section IV.M, Utilities, the Proposed Project would comply with the waste-reducing requirements set forth in AB 939. The Proposed Project would be required to comply with the City Green Building Program Ordinance 179820.

The Draft EIR incorrectly states that the Project is Generally Consistent with Principle 4 of the Growth Vision Report; the Project is consistent with this principle. Thus, Table IV.H-2 on page IV.H-18 has been revised as shown above (refer to Section IV, [Corrections and Additions] of the Final EIR).

From Table IV.H-4 on page IV.H-22:

General Plan Housing Element Policy	Consistency Discussion
Policy 2.3.1: Encourage and plan for high intensity residential and commercial development in centers, districts and along transit Corridors, as designated in the Community Plans and the Transportation Element of the General Plan, and provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled in order to mitigate traffic congestion, air pollution, and urban sprawl.	Generally Consistent: The Proposed Project would provide a higher density mixed-use development on an existing vacant property, adjacent to major thoroughfares such as Flower Street, Figueroa Street, and Grand Avenue. The Proposed Project would provide neighborhood-serving retail for the existing single family residences approximately four blocks east, as well as the future tenants of the Proposed Project’s residential units. As the project site is in the vicinity of transit and several bus lines and within walking distance of commercial opportunities, the Proposed Project would reduce the overall need for automobile transport to and from the project site.

The Draft EIR incorrectly states that the Project is Generally Consistent with Policy 2.3.1 of the General Plan Housing Element; the Project is consistent with this policy. Thus, Table IV.H-4 on page IV.H-22 has been revised as shown above (refer to Section IV, [Corrections and Additions] of the Final EIR).

From Table IV.H-5 on page IV.H-23:

Southeast Los Angeles Community Plan Policy	Consistency Discussion
1-3.1: Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.	Generally Consistent. The Proposed Project would provide urban infill development on a currently vacant site. There is an existing four-story residential building located directly north of Site B. While the Proposed Project would be consistent with this adjacent use, the 44-story tower proposed would be of a much different scale than the existing four-story residential building to the north. Architecturally, adjacent land uses are generally box-like and unarticulated. The Proposed Project would offer greater architectural detail than the existing uses, but would be generally compatible with the architectural style of the surrounding area. Perimeter landscaping would also enhance the currently-vacant project site.

As discussed, the Project is generally consistent with this policy because of the Project's architecture, landscaping, and infill development. The Project is not fully consistent with this policy because of the 44-story tower and the scale/character of this tower in relation to the adjacent uses. The environmental impacts associated with scale/character are discussed in Section IV.B (Aesthetics). As disclosed in that section, the Project would result in a significant and unavoidable impact related to visual character.

From Table IV.H-5 on page IV.H-23:

Southeast Los Angeles Community Plan Policy	Consistency Discussion
1-6.4: Require that any proposed development be designed to enhance and be compatible with adjacent development.	Inconsistent. While the Proposed Project would be generally consistent with the architectural style of the surrounding area, the proposed 44-story tower on Site B would be largely out of scale with the surrounding uses. As discussed in Section IV.B, Aesthetics, the Proposed Project would result in a significant aesthetic impact related to massing.

As discussed, the Project is not consistent with this policy because of the 44-story tower and the scale/character of this tower in relation to the adjacent uses. The environmental impacts associated with scale/character are discussed in Section IV.B (Aesthetics). As disclosed in that section, the Project would result in a significant and unavoidable impact related to visual character.

From Table IV.H-5 on page IV.H-24:

Southeast Los Angeles Community Plan Policy	Consistency Discussion
2-1.5: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.	Generally Consistent. The Proposed Project would offer greater architectural detail than existing surrounding uses, but would be generally compatible with the architectural style of the surrounding area. However, as mentioned above, the massing of the proposed tower on Site B would be out of scale with surrounding uses.

As discussed, although the Project would offer greater architectural detail than existing surrounding uses and would be generally compatible with the architectural style of the surrounding area, the massing of the proposed tower on Site B would be out of scale with surrounding uses. Thus, the Project is only partially (or generally) consistent with this policy.

From Table IV.H-5 on page IV.H-25:

Southeast Los Angeles Community Plan Policy	Consistency Discussion
2-5.2: Preserve community character, scale and architectural diversity.	Generally Consistent. The Proposed Project would be developed directly south of an existing four-story residential building. While the Proposed Project would be consistent in land use type with this adjacent use, the 44-story tower proposed would be of a much different scale than the existing four-story residential building to the north. The Proposed Project would offer greater architectural detail than the existing uses, but would be generally compatible with the architectural style of the surrounding area.

As discussed, although the Project would preserve community character and offer greater architectural detail than existing surrounding uses and would be generally compatible with the architectural style of the surrounding area, the massing of the proposed tower on Site B would be out of scale with surrounding uses. Thus, the Project is only partially (or generally) consistent with this policy.

From Table IV.H-5 on page IV.H-25:

Southeast Los Angeles Community Plan Policy	Consistency Discussion
5-1.3: Require development in major opportunity sites to provide public open space.	Inconsistent. The Proposed Project would provide open space for project residents, but would not provide public open space.

As discussed, the Project is not consistent with this policy because the Project does not include public open space. However, as discussed in Section IV.K (Public Services), the Project Applicant would be required to parkland/recreational fees during the permitting process that would be applied toward the acquisition and development of public parks and recreational facilities. Through payment of this fee and compliance with the LAMC open space requirements, Project impacts related to parks and recreation would be less than significant.

From Table IV.H-6 on page IV.H-26:

Southeast Community Plan Design Policy/Guideline	Consistency Discussion
Policy 3: Incorporating varying design to provide definition for each floor.	Generally Consistent: The design of the Proposed Project would be generally consistent throughout the floors of the proposed development, with slight variations to define specific levels as necessary. (Refer also to Figure II-4, North and West Elevations, in Section II, Project Description)

As discussed, the Project is generation consistent with this policy/guideline because although the Project would provide some design variation for each floor, the Project would not provide a high-level of variation. However, this level of variation is not major enough to result in incompatibility with this policy and would not constitute an impact.

From Table IV.H-7 on page IV.H-31:

Walkability Checklist Guideline	Consistency Discussion
The primary entrance for pedestrians should be at grade level from the public way and be easily accessible from transit stops, with as direct a path as possible to the transit stop. Retail establishments should maintain at least one entrance from the public way with doors unlocked during regular business hours.	Generally Consistent. Pedestrian entrances to the retail portion of the project are proposed at ground level along Flower Street. These entrances would remain unlocked during business hours. As discussed further in Section IV.L, Traffic and Transportation, public transit stops are either located or planned within walking distance to the project site.

The Draft EIR incorrectly states that the Project is Generally Consistent with the identified guideline of the Walkability Checklist.; the Proposed Project is consistent with this policy. Thus Table IV.H-7 on page IV.H-31 has been revised as shown above (refer to Section IV, [Corrections and Additions] of the Final EIR).

From Table IV.H-7 on page IV.H-31:

Walkability Checklist Guideline	Consistency Discussion
Especially on long blocks, passageways or paseos should be incorporated into mid-block developments which facilitate pedestrian movement through the depth of the block to the front of the next parallel block, such that pedestrians need not walk the circumference of a block in order to access the middle of the next parallel block or alley or parking behind the block.	Generally Consistent. The Proposed Project would include retail uses on the eastern portion of the project site fronting South Flower Street and the corner of South Flower Street and West 23 rd Street. Pedestrian access to the retail uses would be at ground level and include an arcade characterized by a series of arches supported by columns. The remaining ground floor of the Proposed Project would consist mainly of vehicle parking and, therefore, it would not facilitate pedestrian activity through the depth of the block. However, a north-south running alley would be provided along the project site's eastern boundary allowing access between West 23 rd Street and West Adams Boulevard. The existing Magnet School occupies the eastern portion of the block fronting Grand Avenue, preventing mid-block pedestrian access to the next parallel street, which is South Flower Street.

As discussed, the Project is not fully consistent with this guideline because the Project would not allow pedestrians to avoid walking the circumference of a block to access the middle of the next parallel block or alley or parking behind the block.

From Table IV.H-7 on page IV.H-32:

Walkability Checklist Guideline	Consistency Discussion
Where incorporated, mid-block passageways or paseos should be active, visually interesting spaces, and safe. Activities could include: building entrances; windows; seating; dining; water features; kiosks; vending or displays. Visually interesting features could include: colors; textures; architectural elements; public art; pedestrian-level lighting.	Generally Consistent. The ground floor of the Proposed Project would consist of vehicle parking with the exception of the retail uses proposed on the eastern portion of the project site fronting South Flower Street. Pedestrian access to the retail uses would be at ground level and include an arcade characterized by a series of arches supported by columns. An alley would provide access between West 23 rd Street and West Adams Boulevard along the project site's eastern boundary. At ground level, the building façade along the alley would consist of low-relief fenestration framed with pilasters. Pedestrian accessways would be illuminated with security lighting on the project site. The Magnet School occupies the eastern portion of the block fronting Grand Avenue, preventing mid-block pedestrian access to the next parallel street, which is South Flower Street.

As discussed, the Project is not fully consistent with this guideline because the Project would not include mid-block passageways or paseos.

From Table IV.H-7 on page IV.H-32:

Walkability Checklist Guideline	Consistency Discussion
The façade should include a variety of features such as: a combination of different textures, colors and materials; distinctive architectural features; display windows; signage; setbacks and differentiated massing; rooflines; shade and shadow textures.	Generally Consistent. The Proposed Project avoids a box-like appearance through use of articulation of the horizontal and vertical elements of the building by using varied materials, textures and colors. Greater transparency would occur at the grade-level storefronts to display merchandise and promote sidewalk window shopping.

The Draft EIR incorrectly states that the Project is Generally Consistent with the identified guideline of the Walkability Checklist; the project is consistent with this policy. Thus Table IV.H-7 on page IV.H-32 has been revised as shown above (refer to Section IV, [Corrections and Additions] of the Final EIR).

From Table IV.H-7 on page IV.H-33:

Walkability Checklist Guideline	Consistency Discussion
At corners, the building frontage should consider building cutoffs in response to any need to accommodate pedestrians and to protect pedestrian safety, security, and enjoyment.	Inconsistent. None of the proposed building frontages would include building cutoffs.

This consistency discussion conservatively concludes that the Project is not consistent with the guideline because the Project would not include building cutoffs. However, the policy specifies that building cutoffs should be “considered”; the policy does not say that building cutoffs are required. Additionally, as discussed in Section IV.K (Public Services), the Project would comply with all requirements of the Los Angeles Fire and Police Departments, and would not result in any impacts related to safety and security.

From Table IV.H-7 on page IV.H-33:

Walkability Checklist Guideline	Consistency Discussion
Alleys should be used to access the parking behind the building. If no alley is available, access should be created from a side street.	Generally Consistent. Access to the proposed parking areas would be provided via South Flower Street, West 23 rd Street, and Adams Boulevard.

The Project is not fully consistent with this guideline because the Project would not limit access to alleys only and would not provide parking access from a side street. However, the alley that would be used by the Project is not adequate to support all access requirements, and no side streets are available near the

Project site to provide such access. The Project would comply with all access requirements of the City's Building and Safety Department and the LAFD. No significant access impacts would occur, as discussed in Sections IV.K (Public Services) and Section IV.L (Traffic, Transportation, and Parking).

From Table IV.H-7 on page IV.H-34:

Walkability Checklist Guideline	Consistency Discussion
Vehicle access into and from the site should be accommodated with as few driveways as possible to the street; and, where available, the site plan should encourage and accommodate as much vehicle access as possible from side streets and/or alleys.	Not Consistent. As discussed above, access to the proposed parking areas would be provided via South Flower Street, West 23 rd Street, and Adams Boulevard, which are main streets. Access from the adjacent alley is provided as well, but is not sufficient without additional access.

The Project is not fully consistent with this guideline because the Project would not limit access to alleys only and would not provide parking access from a side street. However, the alley that would be used by the Project is not adequate to support all access requirements, and no side streets are available near the Project site to provide such access. The Project would comply with all access requirements of the City's Building and Safety Department and the LAFD. No significant access impacts would occur, as discussed in Sections IV.K (Public Services) and Section IV.L (Traffic, Transportation, and Parking).

The Project was found to be inconsistent with four policies and generally consistent with nine policies out of 106 policies. Based on this, the Project is substantially consistent with the applicable plans, policies, and regulations, and the inconsistencies do not aggregate to a significant level of impact. Thus, revision of the Draft EIR is not required for the reasons stated in this comment.

Response to Comment Ross-49

Regarding the Project's consistency with policy 2-1.5 of the Southeast Los Angeles Community Plan, the commenter is referred to Responses to Comments Ross-27 and Ross-48.

Response to Comment Ross-50

Regarding affordable housing, the commenter is referred to Master Response 3 (Affordable Housing). Regarding "substantial evidence" and meeting the requirements of Section 15121 of the *CEQA Guidelines*, information in the Draft EIR is only part of what could "constitute substantial evidence in the record" for the Project. As discussed in Master Response 3 (Affordable Housing), the number of affordable units that would be included in the Project will be determined by the decision-makers, in part, during the hearings for the Project. Other Project-related information not related to CEQA process will be considered by the decision makers in approving/denying the Project and conditions for the Project.

Response to Comment Ross-51

Regarding the Metro transit stop, because the Project site is located at the future Metro Exposition Line 23rd and Flower Street light rail station that is currently under construction, the Project Applicant would coordinate with Metro during the final design and construction processes to accommodate Metro's need for a transit stop at the Project.

Response to Comment Ross-52

Regarding the Project's consistency with Policy 5-1.3 of the Southeast Los Angeles Community Plan, the commenter is referred to the discussion of the Project's consistency with this policy in Response to Comment Ross-48. Furthermore, project impacts are to be assessed using the methodology set forth in the City of Los Angeles CEQA Thresholds Guide. Section IV.K, Public Services, of the Draft EIR accurately concluded that the Proposed Project's impacts on recreation and parks would be less than significant without mitigation. This conclusion was based on an assessment of the need for parks in the project area, the project's proposed land uses, and with consideration of the proposed on-site amenities. Based on these factors the lead agency concluded that the Proposed Project's impacts on recreation and park facilities would be less than significant.

Response to Comment Ross-53

Regarding "these deficiencies" and the Project's consistency with applicable plans, policies, and regulations, the commenter is referred to Responses to Comments Ross-48 through Ross-52. Because no additional significant impacts related to land use planning have been identified, and no mitigation measures are required, recirculation of the Draft EIR is not required for the reasons stated by the commenter.

Response to Comment Ross-54

Regarding the commenter's statement about irreversible changes to the environment associated with the requested discretionary actions, the commenter is referred to Responses to Comments Ross-55 and Ross-56. For the reasons discussed in those responses, the Draft EIR is not a failure for the reason stated by the commenter.

Response to Comment Ross-55

Regarding "irreversible environmental changes" associated with the Project and the requirements of Sections 15126.2(c) and 15127 of the *CEQA Guidelines*, the commenter is referred to page V-3 in section V (General Impact Categories) of the Draft EIR that includes a discussion of the irreversible environmental changes associated with the Project, under the subheading "Significant Environmental Change." Requests to remove the [Q] condition from the Project site and to amend the General Plan to exempt the project site from Southeast Community Plan Footnote 1 / Height District No. 1 are inclusive of the Project, and thus, the impact analysis associated with these requests is inclusive of the discussion of

Significant Environmental Change associated with the Project. The commenter is also referred to Response to Comment Ross-56.

Response to Comment Ross-56

Regarding the impacts associated with the requested discretionary actions, all the requested discretionary actions are included as part of the Project. The potential environmental impacts of the Project as a whole are analyzed throughout the Draft EIR, and thus, analysis of impacts associated with discretionary actions is inclusive of the Draft EIR, including the discussion of Significant Environmental Change associated with the Project.

Regarding developing the Project “in a manner not permitted under the current laws,” the “current laws” that apply to the development of the Project site (such as the LAMC and General Plan) allow for a process through which changes/amendments to the LAMC and General Plan can be considered and approved/denied. Thus, although it is true that if the Project were approved, the Project would be developed “in a manner not permitted under the current law,” but would be developed under the standards associated with the changed/amended LAMC/General Plan.

Regarding meeting the requirements of Sections 15126.2(c) and 15127 of the *CEQA Guidelines* and Project impacts related to “character,” Section 15126.2(c) of the *CEQA Guidelines* states that significant irreversible environmental changes associated with a project shall be discussed, including the following:

- Uses of nonrenewable resources during the initial and continued phases of the project that may be irreversible because a large commitment of such resources makes removal or nonuse thereafter unlikely;
- Primary impacts and, particularly, secondary impacts (such as highway improvement that provides access to a previously inaccessible area), which generally commit future generations to similar uses; and
- Irreversible damage that could result from environmental accidents associated with the project.

Changes to “character” are not a consideration under these sections of the *CEQA Guidelines*, and thus, addressing these changes as “irreversible changes” in the Draft EIR is not required under CEQA.

Response to Comment Ross-57

Regarding the commenter’s statement about inadequate traffic/parking analysis, the commenter is referred to Responses to Comments Ross-58 through Ross-91.

Response to Comment Ross-58

The commenter states that existing traffic conditions and future traffic conditions after project implementation were not analyzed in the EIR. Existing traffic conditions are discussed beginning on page IV.L-8 of the Draft EIR under the heading “Analysis of Existing Traffic Conditions”; future traffic

conditions after project implementation are discussed beginning on page IV.L-26 under the heading “Analysis of Future (2009) With Project Traffic Conditions”. Also refer to Master Response 1.

Response to Comment Ross-59

Regarding baseline traffic conditions and future traffic conditions with the Project, the commenter is referred to Response to Comment Ross-58. For the reasons discussed in that response, the Draft EIR is not a failure for the reasons stated by the commenter.

Response to Comment Ross-60

Regarding baseline traffic conditions and future traffic conditions with the Project, the commenter is referred to Response to Comment Ross-58. Because no significant traffic impacts beyond those already identified in the Draft EIR have been identified, no additional mitigation measures are required for traffic impacts. For the reasons discussed in that response, the Draft EIR is not a failure for the reasons stated by the commenter.

Regarding the Project’s parking analysis and impacts, the years for baseline and buildout conditions are not an important variable in assessing Project parking impacts, and whether the years for baseline and buildout conditions are changed to reflect a more current timeline, the analysis and impacts included in the Draft EIR would not change, because the analysis is based on rates established in the LAMC and standards used by LADOT that are not time-specific. Also, all of the parking needs for the Project would be accommodated at the Project site, and thus, the parking conditions in the Project area that could be affected by time are not an issue for the Project. Tom Brohard’s letter is responded to in this Section under Responses to Comments Brohard-1 through Brohard-38.

Regarding traffic generation rates, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-61

Regarding baseline traffic conditions and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-62

Regarding baseline traffic conditions and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Regarding trip generation rates and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Regarding Project buildout year and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-63

Regarding baseline traffic conditions and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis) and Response to Comment Brohard-29.

Response to Comment Ross-64

Regarding trip generation rates and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-65

Regarding trip generation rates and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-66

Regarding trip generation rates and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-67

Regarding trip generation rates and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-68

Regarding trip generation rates and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-69

Regarding trip generation rates and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Regarding recirculation of the Draft EIR, the commenter is referred to Master Response 5 (Recirculation of the Draft EIR).

Response to Comment Ross-70

Regarding trip credits for previous uses on the Project site and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-71

Regarding trip credits for previous uses on the Project site and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-72

Regarding trip credits for previous uses on the Project site and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-73

Regarding trip credits for previous uses on the Project site and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-74

Regarding traffic assumptions and existing uses traffic credits, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-75

Regarding the statements about assumptions made in the traffic analysis for the Project, the commenter is referred to Responses to Comments Ross-61 through Ross-74.

Regarding recirculation of the Draft EIR, the commenter is referred to Master Response 5 (Recirculation of the Draft EIR).

Response to Comment Ross-76

Regarding the statement about reductions in traffic generation numbers, the commenter is referred to Responses to Comments Ross-77 through Ross-79.

Response to Comment Ross-77

Regarding 50 percent trip reduction for the commercial land uses, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19.

Response to Comment Ross-78

Regarding 50 percent trip reduction for the commercial land uses, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19.

Response to Comment Ross-79

Regarding trip generation for the Project, the commenter is referred to Master Response 1 (Traffic Impact Analysis) and Responses to Comments Brohard-17 through Brohard-19.

Response to Comment Ross-80

Regarding the buildout year for the Project and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-81

Regarding the buildout year for the Project and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-82

Regarding the buildout year for the Project and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-83

Regarding the buildout year for the Project and traffic impacts, the commenter is referred to Master Response 1 (Traffic Impact Analysis). Regarding recirculation of the Draft EIR, the commenter is referred to Master Response 5 (Recirculation of the Draft EIR).

Response to Comment Ross-84

Regarding the statement about the Project's access point, the commenter is referred to Response to Comment Ross-85

Response to Comment Ross-85

Individual traffic control at subterranean garage entrances is not permitted because of citywide traffic engineering standards; see LADOT Manual of Policies and Procedures for Driveway Design, dated February 2003. Also refer to Response to Comment Brohard-37.

Response to Comment Ross-86

Regarding the statement about thresholds of significance for the traffic analysis, the commenter is referred to Responses to Comments Ross-87 and Ross-88.

Response to Comment Ross-87

Regarding analyzing the significance threshold related to substantially increasing hazards due to design features or incompatible uses, the commenter is incorrect in stating the this threshold is not addressed in the Draft EIR; see Draft EIR page IV.L-36. Also refer to Response to Comment Brohard-37.

Response to Comment Ross-88

Regarding pedestrian traffic at the intersections of Flower Street and 23rd Street, Figueroa Street and 23rd Street, and Adams Street and Flower Street, these intersections are controlled by traffic signals and include pedestrian crosswalks and signals. Traffic associated with the Project would act just as existing traffic does and would be required to obey the control signals and stop for pedestrians in the crosswalks. Project traffic would not pose a safety hazard to pedestrians.

Response to Comment Ross-89

Regarding the statement about traffic mitigation measures, the commenter is referred to Responses to Comments Ross-90 and Ross-91.

Response to Comment Ross-90

Regarding traffic mitigation measures, the commenter is referred to Responses to Comments Brohard-34 and Brohard-35.

Response to Comment Ross-91

Regarding validity of the EIR's traffic analysis, mitigation measures, and LADOT's guidelines, the commenter is referred to Master Response 1 (Traffic Impact Analysis).

Response to Comment Ross-92

Regarding the statement about air quality impacts and mitigation, the commenter is referred to Response to Comment Ross-93.

Response to Comment Ross-93

Regarding the air quality impacts of the Project and Comment Letter Pless, the commenter is referred to Response to the Comment Letter Pless in its entirety.

Response to Comment Ross-94

Regarding the statements about air quality, the commenter is referred to Responses to Comments Ross-95 through Ross-153.

Response to Comment Ross-95

Regarding the statement about ambient air quality, the commenter is referred to Response to Comment Pless-9.

Response to Comment Ross-96

Regarding the statement about ambient air quality, the commenter is referred to Response to Comment Pless-9.

Response to Comment Ross-97

Regarding the statement about ambient air quality, the commenter is referred to Response to Comment Pless-9.

Response to Comment Ross-98

The commenter asserts that the Draft EIR does not address “outdoor and indoor air quality problems” in the Project area. Regarding outdoor air quality in the Project area, the commenter is incorrect and is referred to pages IV.C-1 through IV.C-15 in Section IV.C (Air Quality) of the Draft EIR that include a discussion of the health effects associated with pollutants and a discussion of the air quality of the Project region, Project area, and Project site, as well as global climate issues.

Regarding indoor air quality, indoor air quality is affected by not only exposure to outdoor air quality, but also numerous other variables, including building location, type of construction, condition of the soil/groundwater below the building, ventilation/filtration, window operation, etc. With the exception of generation of emissions, the Project has no affect on the indoor air quality of the buildings in the area.

Response to Comment Ross-99

Regarding the air quality information presented in the Draft EIR, the air quality information presented in the Draft EIR includes the appropriate description of existing air quality conditions to adequately assess Project-specific and cumulative air quality impacts. The commenter does not provide any information that would change the conclusions regarding air quality impacts in the Draft EIR.

Response to Comment Ross-100

Regarding the statements about exposure of residents to traffic emissions, the commenter is referred to Responses to Comments Ross-101 through Ross-104.

Response to Comment Ross-101

Regarding siting residential land uses near high-volume roadways, the commenter is correct in stating that the ARB recommends not siting residential land uses near high-volume roadways because of the potential

for health risks to occur. Because of the Project site's location adjacent to the Harbor Freeway, a HRA assessment was prepared to determine if the residents of the Project would be exposed to a significant health risk as a result of traffic emissions along the Harbor Freeway. As concluded in Section IV.A (Air Quality), the residents of the Project would not be exposed to a significant health risk, and impacts would be less than significant. The commenter is also referred to the Responses to Comment Letter Pless.

Response to Comment Ross-102

Regarding siting residential land uses near high-volume roadways, the commenter is referred to Response to Comment Ross-101. Regarding the statement about removal of "crucial health care services from the community," the commenter is referred to Master Response 2 (Removal of the [Q] Condition from the Project Site).

Response to Comment Ross-103

Regarding the average vehicle speed assumption in the HRA, the commenter is referred to Response to Comment Pless-29 and Pless-32.

Response to Comment Ross-104

Regarding the statements about the HRA, the commenter is referred to Responses to Comments Ross-100 through Ross-103. Based on these responses, revisions to the HRA and recirculation of the Draft EIR are not required.

Response to Comment Ross-105

Regarding the results of the HRA modeling prepared for the Project, the commenter is incorrect in stating that the results of the HRA modeling prepared for the Project were omitted from the Draft EIR; the commenter is referred to page IV.C-44 in Section IV.C (Air Quality) of the Draft EIR that summarizes the following results of the HRA:

Without mitigation, the maximum cancer risks at the residences at the Project Site from emissions generated by vehicles along the I-110 Freeway is 7.67E-06 or 7.67 in one million, which is below the significance criteria of 10 per one million. Additionally, the maximum chronic HI is 0.033 and the maximum acute HI is 0.031, which are below 1. An HI of less than 1 is considered to be less than significant. With the addition of MERV 11 rated filters for residences, cancer risks at the residences would be further reduced.

Response to Comment Ross-106

Regarding the modeling results of the HRA, the modeling results for the HRA were inadvertently omitted from the appendices of the Draft EIR and are included in Appendix B of the Final EIR. During the public review period for the Draft EIR, one of the commenters on the Draft EIR (Petra Pless, whose comment

letter is referenced throughout the current commenter's letter) requested and was provided the HRA modeling results. As such, commenter Pless had the opportunity to review and assess the specific assumptions and results of the HRA that was prepared for the Project. Additionally, Section 15147 of the *CEQA Guidelines* does not limit inclusion of technical information of the Draft EIR. Such information can also be included in the Final EIR. Because the commenter was given the technical information and because the information is included as an appendix of the Final EIR, no revisions of the Draft EIR are required, as asserted by the commenter.

Response to Comment Ross-107

Regarding summary of the HRA and complying with CEQA, the commenter is referred to Responses to Comments Ross-105 and Ross-106. For the reasons stated in those responses, the Draft EIR complies with CEQA, and recirculation of the Draft EIR is not required, as asserted by the commenter.

Response to Comment Ross-108

Regarding the statement about mitigation to reduce health effects, the commenter is referred to Responses to Comments Ross-109 through Ross-113.

Response to Comment Ross-109

Regarding the "mitigation measure to address the significant residential exposure to pollutants," the commenter is referred to Pless-44.

Response to Comment Ross-110

Regarding the health risks identified for the Project and alternatives to the Project, as discussed in Response to Comment Ross-101, the Project would not result in any significant impacts related to toxic air contaminants (TACs) (i.e., health risks). Consideration of alternatives to address less-than-significant impacts is not necessary. Regarding consideration of developing the Project at an alternate location, the commenter is referred to Response to Comment Ross-191.

Response to Comment Ross-111

Regarding the effectiveness of Mitigation Measure C-17, the commenter is referred to Response to Comment Pless-44.

Response to Comment Ross-112

Regarding the effectiveness of Mitigation Measure C-17, the commenter is referred to Response to Comment Pless-44.

Response to Comment Ross-113

Regarding the effectiveness of Mitigation Measure C-17, the commenter is referred to Response to Comment Pless-44. Regarding consideration of developing the Project at an alternate location, the commenter is referred to Response to Comment Ross-191.

Response to Comment Ross-114

Regarding the statement about standards of significance, the commenter is referred to Responses to Comments Ross-115 through Ross-117.

Response to Comment Ross-115

Regarding impacts related to ozone emissions, the SCAQMD requires that CEQA documents address impacts related to criteria pollutants; ozone is not a criteria pollutant. Also, refer to Response to Comment Pless-9.

The commenter is incorrect in stating that the Draft EIR does not contain an analysis of impacts related to PM₁₀ and PM_{2.5}. The commenter is referred to the discussion of Construction Impacts and Operational Impacts in Section IV.A (Air Quality) that includes an analysis of Project impacts related to PM₁₀ and PM_{2.5}.

Response to Comment Ross-116

Regarding significance thresholds and analysis for criteria pollutants, the commenter is incorrect in stating that Table IV.C-6 in Section IV.C (Air Quality) only includes one criteria pollutant and that the analysis only addresses one criteria pollutant. The table includes thresholds for the seven criteria pollutants. The commenter is referred to the discussion of Construction Impacts and Operational Impacts in Section IV.A (Air Quality) that includes an analysis of Project impacts related to NO_x, VOCs, PM₁₀, PM_{2.5}, SO_x, CO, and Lead.

Response to Comment Ross-117

Regarding compliance with the SCAQMD significance thresholds, the commenter is referred to Responses to Comments Ross-115 and Ross-116.

Response to Comment Ross-118

Regarding the statement about modeling of operational emissions, the commenter is referred to Responses to Comments Ross-119 through Ross-122.

Response to Comment Ross-119

Regarding the statement about the assumptions made in the URBEMIS modeling for the Project, the commenter is referred to Responses to Comments Ross-120 and Ross-121.

Response to Comment Ross-120

Regarding the Project's trip generation, the commenter is referred to Master Response 1. Regarding trip generation credits due to transit use, the commenter is referred to Responses to Comments Brohard-17 through Brohard-19. Because the trip generation for the Project included in the Draft EIR is adequate, the estimated vehicular emissions for the Project presented in the Draft EIR is adequate. Regarding the transit mitigation assumed in the emissions modeling for the Project, the commenter is referred to Response to Comment Pless-16.

Response to Comment Ross-121

Regarding the statement about the URBEMIS model and re-entrained dust, the commenter is referred to Response to Comment Pless-18.

Response to Comment Ross-122

Regarding the Project's trip generation and associated emissions, the commenter is referred to Master Response 1 and Response to Comment Pless-13.

Response to Comment Ross-123

Regarding the statement about local operational emissions, the commenter is referred to Responses to Comments Ross-124 through Ross-126.

Response to Comment Ross-124

Regarding the Project's trip generation and associated emissions, the commenter is referred to Master Response 1 and Response to Comment Pless-13.

Response to Comment Ross-125

Regarding the Project's trip generation and associated emissions, the commenter is referred to Master Response 1 and Response to Comment Pless-13.

Response to Comment Ross-126

Regarding cumulative air quality impacts, the commenter is incorrect in stating that the Draft EIR only addresses the cumulative impacts associated with one criteria pollutant. The commenter is referred to the Cumulative Impacts discussion in Section IV.C (Air Quality) that begins on page IV.C-54.

Response to Comment Ross-127

Regarding the statement about mitigation for operational emissions, the commenter is referred to Responses to Comments Ross-128 through Ross-131.

Response to Comment Ross-128

Regarding the Project's significant and unavoidable VOC impact and mitigation, no other feasible mitigation measures to reduce the VOC impact to less than significant have been identified. If any measures are, these measures will be considered. Also, the commenter is referred to Alternative C (All Commercial Alternative) that would avoid the significant and unavoidable VOC impact.

Response to Comment Ross-129

Regarding mitigation measures for the Project's operational air quality impacts, the commenter is referred to Response to Comment Pless-22.

Response to Comment Ross-130

Regarding mitigation measures for the Project's operational air quality impacts, the commenter is referred to Response to Comment Pless-22.

Response to Comment Ross-131

Regarding the statements air quality impacts and mitigation measures, the commenter is referred to Responses to Comments Ross-128 through Ross-130. Based on these responses, recirculation of the Draft EIR is not required, as asserted by the commenter.

Response to Comment Ross-132

Regarding the statement about construction emissions, the commenter is referred to Responses to Comments Ross-133 through Ross-137.

Response to Comment Ross-133

Regarding the statement about construction emissions, the commenter is referred to Responses to Comments Ross-134 through Ross-137.

Response to Comment Ross-134

This comment includes information about construction equipment and associated emissions, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these

impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Ross-135

Regarding impacts associated with earthmoving, the commenter is referred to Response to Comment Pless-51.

Response to Comment Ross-136

Regarding mitigation for fugitive dust, the commenter is referred to Response to Comment Pless-53.

Response to Comment Ross-137

Regarding demolition of prior uses at the Project site, the commenter is referred to Master Response 4 (Demolition of Previous uses at the Project Site and Piecemealing).

Response to Comment Ross-138

Regarding the statement about mitigation for construction emissions, the commenter is referred to Responses to Comments Ross-139 through Ross-142.

Response to Comment Ross-139

Regarding construction emissions mitigation measures, Mitigation Measures C-11 through C-14 clearly state the standard of compliance including manufacturer's specification (C-11), construction specifications to be reviewed by the City (C-12 and C-13), and specified control devices (C-14). Although Mitigation Measures C-11 through C-13 are anticipated to reduce emissions associated with construction activities, their reductions were not quantified and therefore, not included in the level of significance after mitigation evaluation for construction emissions (Tables IV.C-16 and IV.C-17). Mitigation Measure C-14 specifies the anticipated magnitude of emission reduction associated with the mitigation measure based on URBEMIS estimates. These mitigation measures will be included in the MMP, which includes the responsible agencies for enforcement of the mitigation.

Response to Comment Ross-140

Regarding Mitigation Measure C-9, this measure is part of the code-required measures, specifically SCAQMD Rule 403 and included for informational purposes. The Project Developer would be required to include control measures consistent with Rule 403 at the time of development. For specifics regarding the individual measures, the commenter should contact the SCAQMD.

Response to Comment Ross-141

Regarding the mitigation measures identified to reduce construction-related NO_x emissions, the commenter is referred to Responses to Comments Pless-59 and Pless-60.

Response to Comment Ross-142

Regarding mitigation monitoring, the commenter is referred to Response to Comment Ross-162.

Response to Comment Ross-143

Regarding the statements about GHG emissions, the commenter is referred to Responses to Comments Ross-144 through Ross-148.

Response to Comment Ross-144

Regarding the statements on the accuracy of the Project's GHG emissions, the commenter is referred to Responses to Comments Ross-145 and Ross-146.

Response to Comment Ross-145

Regarding the statement on the accuracy of the GHG Project's GHG emissions, pursuant to CEQA Guidelines Section 15064.4(a), the City has made a good-faith effort, based on the scientific and factual data available, to calculate the amount of GHG emissions that will result from the proposed project. As such, GHG emissions associated with the primary sources of operational GHG (electricity use, natural gas use, water use, and motor vehicle travel) as well as construction GHG emissions were evaluated. Consumption and emission factors were obtained from appropriate sources, such as the California Climate Action Registry General Reporting Protocol, SCAQMD CEQA Air Quality Handbook, and California Energy Commission Water-Energy Relationship document. The GHG emissions generated from these "different sources" are provided on Table IV.C-13 in the Draft EIR. GHG emissions generated throughout the manufacturing and lifecycle of the building materials used to construct the Project are not appropriate as detailed in the California Natural Resources Agency's *Initial Statement of Reasons for the 2010 CEQA Amendments*.

Response to Comment Ross-146

Regarding the Draft EIR's statement that GHG emission factors are considered conservative and representative, the analysis uses historical values to determine GHG emissions and does not account for future reductions in GHG emissions from utilities such as the SB 107, SB 1368 or the L.A. Green Plan. Nevertheless, for comparison purposes, the GHG emissions associated with electricity use based on the 2007 LADWP CO₂ emission factor of 1,228 pounds per megawatt-hour (lbs/Mwh) are presented below, and compared to the emissions generated by the State-wide value of 878.71 lbs/Mwh. In addition, the land use was revised to account for 6,000 square feet of restaurant space.

GHG Emissions Associated with Electricity Use (Metric Tons Carbon Dioxide equivalent per year)	
CCAR value	LADWP value
3,318.99	4,756.54

As shown in the table, using LADWP rates would result in an increase in metric tons of carbon dioxide compared to the State protocol from the California Climate Action Registry (CCAR). Because there is no quantifiable threshold of significance for GHG impacts, this figure would not change the EIR's determination that project impacts would be less than significant because the Proposed Project would be consistent with adopted plans related to GHG emissions. Also refer to Response to Comment Ross-148, below.

Response to Comment Ross-147

Regarding the estimate of electricity demand for the proposed project, the commenter is referred to Response to Comment Ross-146.

Response to Comment Ross-148

Regarding the statements regarding significance determination regarding GHG emissions, as stated in the DEIR, "... in the absence of regulatory guidance, this analysis will also address the potential impacts associated with GHG emissions resulting from implementation of the Proposed Project by evaluating qualitatively whether the Proposed Project would be consistent with the emission reduction strategies identified by the CAT and the recommended measures by ARB's Scoping Plan." Therefore, the quantification of GHGs emissions does not impact the significance determination.

Response to Comment Ross-149

Regarding ozone emissions, the commenter is referred to Response to Comment Pless-9.

Response to Comment Ross-150

Regarding ozone emissions, the commenter is referred to Response to Comment Pless-9.

Response to Comment Ross-151

Regarding ozone emissions, the commenter is referred to Response to Comment Pless-9.

Response to Comment Ross-152

Regarding ozone emissions, the commenter is referred to Response to Comment Pless-9.

Response to Comment Ross-153

Regarding ozone emissions, the commenter is referred to Response to Comment Pless-9.

Response to Comment Ross-154

Regarding the statement about reflectivity and glare affecting nearby highway uses, the commenter is referred to Responses to Comments Ross-155 through Ross-157.

Response to Comment Ross-155

Regarding light and glare impacts of the Project, exterior building surfaces that pose a potential glare issue for travelers along adjacent roadways include mirrored glass, extensive glass surface area, extensive wall surfaces covered with highly-reflective metal, such as stainless steel and aluminum, etc. The Project would not include any of these exterior building surfaces. The exterior building surfaces for the Project would include “dulled” surface that could include masonry, concrete, metal, wood, or manufactured materials, exterior building materials similar to those used in existing buildings in the area, that would not substantially reflect light and cause glare. Additionally, Mitigation Measure B-3 would ensure that the windows that would be visible from drivers along the Harbor Freeway would have low-reflectivity/non-glare coating to reduce potential glare. Based on this, the Project would not result in any significant impacts related to light and glare, as concluded in the Draft EIR. No additional mitigation measures are required.

Response to Comment Ross-156

Regarding light and glare impacts of the Project, the commenter is referred to Response to Comment Ross-155.

Response to Comment Ross-157

Regarding light and glare impacts of the Project, the commenter is referred to Response to Comment Ross-155.

Response to Comment Ross-158

Regarding the statement about noise analysis and mitigation, the commenter is referred to Responses to Comments Ross-159 through Ross-167.

Response to Comment Ross-159

Regarding traffic noise, the commenter is referred to pages IV.L-22 through IV.L-25 in Section IV.L (Noise) that includes an analysis of noise impacts related to traffic.

Response to Comment Ross-160

Regarding construction noise impacts and mitigation, the commenter is referred to Response to Comment Ross-161 and Ross-162.

Response to Comment Ross-161

Regarding construction noise, the commenter is referred to pages IV.L-16 through IV.L-20 in Section IV.L (Noise) in the Draft EIR that includes an analysis of Project impacts related to construction noise. The analysis acknowledges that the noise levels associated with the Project's construction activities would exceed the City's significance threshold. As discussed on pages IV.L-28 and IV.L-29, assuming implementation of mitigation measures outlined in the section, Project impacts related to construction noise would remain significant and unavoidable.

Construction noise associated with the Project would not occur continuously throughout the Project's construction phase, but would occur intermittently and temporarily.

Response to Comment Ross-162

Regarding monitoring of mitigation measures for noise impacts, all of the mitigation measures for noise impacts identified in the Draft EIR (as well as the other mitigation measures identified for other impacts) are included in the Mitigation Monitoring Plan (MMP) (refer to Section V [Mitigation Monitoring Plan] of the Final EIR). As the decision-makers consider the discretionary actions requested by the Project Applicant, other measures/conditions to further reduce the effects of the Project could be added to the list of mitigation measures in the MMP. If the Project is approved, the Project Applicant would be required to retain a Monitor who would make periodic visits to the Project site (with the timing of visits dependent on the timing of mitigation implementation) to document implementation of mitigation and report the findings to the City, noting any issues or correction/follow up (if any) that could be required. Prior to issuance of any permits from the City that are needed to construct the Project, the Project Applicant would be required to show proof that Monitoring services have been retained.

Regarding providing a construction schedule and contact information for use by the public to report noise violations, the commenter is referred to pages IV.I-27 and IV.I-28 in Section IV.I (Noise) in the Draft EIR that include the following mitigation measures:

- I-9. The Proposed Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the

contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction sites prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.

- I-10. Two weeks prior to the commencement of construction at the project site, notification must be provided to the immediate off-site sensitive uses surrounding the project site that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

Response to Comment Ross-163

Regarding the statement about the assumptions used in the noise analysis, the commenter is referred to Response to Comments Ross-164 through Ross-167.

Response to Comment Ross-164

Regarding the statement about the assumptions used in the noise analysis, the commenter is referred to Response to Comments Ross-165 through Ross-167.

Response to Comment Ross-165

Regarding noise impacts of the Project, noise levels in the Project area are dominated by traffic noise on the Harbor Freeway, which operates at capacity during the peak hours. This condition is not going to change substantially by the year 2013, and traffic noise will continue to dominate the noise levels. Thus, the estimated existing noise levels identified in the Draft EIR on Table IV.I-11 likely will be approximately the same in 2013. Additionally, regarding trip generation of the Project, the commenter is referred to Master Response 1. Based on this response, the trip generation identified in the Draft EIR is appropriate for the Project, and thus, the Project-related noise level increases shown on Table IV.I-11 adequately represent the Project's contribution to future (2013) noise levels. As shown, no significant noise impacts during the Project's operation phase would occur.

Response to Comment Ross-166

Regarding the traffic assumptions made in the noise analysis in the Draft EIR, the assumptions made in the noise analysis are from the 2008 Project trip generation, as noted in the Draft EIR section.

Response to Comment Ross-167

Regarding disclosure of noise impact analysis information, the commenter is referred to Responses to Comments Ross-165 and Ross-166.

Response to Comment Ross-168

Regarding the statement about the Project's population and housing impacts, the commenter is referred to Responses to Comments Ross-169 through Ross-176.

Response to Comment Ross-169

Regarding the statement about the significance thresholds for population and housing impacts, the commenter is referred to Responses to Comments Ross-170 and Ross-171.

Response to Comment Ross-170

Regarding the amount of affordable housing included as part of the Project, the commenter is referred to Master Response 3 (Affordable Housing).

Response to Comment Ross-171

Regarding the "Population and Housing thresholds included in the *L.A. CEQA Thresholds Guide*," as discussed on page IV.J-6 in Section IV.J (Population and Housing) of the Draft EIR, as set forth in the *L.A. CEQA Thresholds Guide*, the determination of significance for project impacts related to population and housing is made on a case-by-case basis by considering certain factors that are relevant to the project and/or the context of the project. A project's impacts related to population and housing are not necessarily significant if the project does not meet one or more of the factors. The factors are as follows:

- (a) The degree to which the project would cause growth (i.e., new housing or employment generators) or accelerate development in an undeveloped area that exceeds projected/planned levels for the year of project occupancy/buildout, and that would result in an adverse physical change in the environment;
- (b) Whether the project would introduce unplanned infrastructure that was not previously evaluated in the adopted Community Plan or General Plan;
- (c) The extent to which growth would occur without implementation of the project;
- (d) The total number of residential units to be demolished, converted to market rate, or removed through other means as a result of the Proposed Project, in terms of net loss of market-rate and affordable units;
- (e) The current and anticipated housing demand and supply of market-rate and affordable housing units in the project area;
- (f) The land use and demographic characteristics of the project area and the appropriateness of housing in the area; and

- (g) Whether the project is consistent with adopted City and regional housing policies such as the Framework and Housing Elements, HUD Consolidated Plan and CHAS policies, redevelopment plan, Rent Stabilization Ordinance, and the Regional Comprehensive Plan and Guide (RCPG).

Regarding Factor “a” listed above, this factor is considered along with Factor “a” from the State *CEQA Guidelines* (i.e., Would a project induce substantial population growth in an area, either directly [for example, by proposing new homes and businesses] or indirectly [for example, through extension of roads or other infrastructure?]) in the analysis under the subheading Project Impacts in Section IV.J in determining if the Project would result in any significant impacts related to population growth. As discussed in the section, Project impacts related to population growth would be less than significant.

Regarding Factor “b” listed above, the Project site is located in an area that is already developed and served by existing roadway, utility, and public services infrastructure. The Project does not include the development of any new infrastructure that would allow for other development to occur. Thus, the Project would not result in any impacts related to this factor.

Regarding Factor “c” listed above, the population, housing, and employment growth projections for the City of Los Angeles subregion to the year 2020 are discussed on pages IV.J-1 and IV.J-2.

Regarding Factor “d” listed above, as discussed in Section IV.A (Impacts Found to be Less Than Significant), no housing is located on the Project site, and the Project would not demolish, remove, nor convert any market-rate or affordable housing units.

Regarding Factor “e” listed above, as acknowledged in several locations in the text of Section IV.J, the demand for housing in the City, including within the Project area, is anticipated to increase. It is acknowledged in this document that the existing housing stock in the Project area varies in affordability. Regarding affordable housing associated with the Project, the commenter is referred to Master Response 3 (Affordable Housing).

Regarding Factor “f” listed above, the commenter is referred to Section IV.H (Land Use Planning) of the Draft EIR for a discussion of Project impacts related to land use, including the appropriateness for the Project within the area. As discussed, Project impacts related to land use planning would be less than significant.

Regarding Factor “g” listed above, the commenter is referred to Section IV.H (Land Use Planning) of the Draft EIR for a discussion of the Project’s consistency with applicable plans, policies, and regulations, including those related to housing. As discussed, Project impacts related to consistency with applicable plans, policies, and regulations would be less than significant.

For the reasons discussed in this response, the Draft EIR does not mischaracterize impacts related to population and housing, as asserted by the commenter.

Response to Comment Ross-172

Regarding the statement about labeling significant impacts as less than significant impacts, the commenter is referred to Responses to Comments Ross-173 through Ross-176.

Response to Comment Ross-173

Regarding population impacts, for the reasons discussed in Responses to Comments Ross-174 through 176, the Draft EIR does not dismiss population impacts, as asserted by the commenter.

Response to Comment Ross-174

Regarding the growth associated with the Project in conjunction with other development in the Project area, the commenter is incorrect in stating that the Draft EIR does not consider growth associated with other residential projects in the area; the commenter is referred to pages IV.J-10 through IV.J-14 in Section IV.J (Population and Housing) of the Draft EIR that includes a discussion of cumulative growth impacts. As shown in this discussion, several other developments (residential and commercial included) are considered.

Regarding an analysis of growth since 2000, an analysis of growth since 2000 is not necessary, because the growth since 2000 has no bearing on how the growth associated with the Project relates to the future projected growth forecasted by SCAG.

Response to Comment Ross-175

Regarding population growth for the Project site's Census tract, growth associated with a Census tract is a variable in assessing potential growth within a community, within a city, and within a subregion. However, determining ways to accommodate a housing demand within a larger area (such as at the community and city level) is not best assessed by focusing on the ability to accommodate that demand on individual Census tracts. Developing housing on a Census tract in excess of what has previously been considered for that tract to meet a demand for housing that occurs within an area beyond the boundaries of the Census tract does not necessarily constitute "unplanned growth," as is the case with the proposed Project. Although the amount of housing and related population growth associated with the Project would exceed housing and population projections for the Census tract, the Project's housing and population growth are consistent with projections for the area, as discussed in Section IV.J (Population and Housing), and as concluded in the section, Project impacts related to growth would be less than significant.

Response to Comment Ross-176

Regarding growth associated with the Project, the commenter is referred to Response to Comment Ross-175. Regarding "lack of certain essential services (See Section III.A.1)," the commenter is referred to Responses to Comments Ross-29 through Ross-36.

Response to Comment Ross-177

Regarding the statement about impacts on access to medical care facilities, the commenter is referred to Responses to Comments Ross-178 and Ross-179.

Response to Comment Ross-178

Regarding Project impacts on public services and medical care facilities, medical care facilities in the Project area are not public facilities. Also, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Ross-179

Regarding removal of the [Q] condition from the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

Response to Comment Ross-180

Regarding the statement about growth inducing impacts of the Project, the commenter is referred to Responses to Comments Ross-181 through Ross-183.

Response to Comment Ross-181

Regarding growth associated with the Project, the commenter is referred to Response to Comment Ross-175.

Response to Comment Ross-182

Regarding growth associated with the Project and other development in the area, the commenter is referred to Response to Comment Ross-174.

Response to Comment Ross-183

Regarding quantification of indirect growth associated with the Project, the commenter is incorrect in stating that the Draft EIR does not include a quantification of indirect growth associated with the Project; the commenter is referred to pages IV.J-7 and IV.J-8 in Section IV.J (Population and Housing) that includes a discussion of potential indirect growth associated with employment provided by the Project. Also, the commenter is referred to Response to Comment Ross-171.

Response to Comment Ross-184

Regarding the statement about the legal adequacy of the cumulative impact analysis, the commenter is referred to Responses to Comments Ross-185 through Ross-187.

Response to Comment Ross-185

Regarding the assertion that the Draft EIR “fails to discuss the Project’s contribution to significant cumulative impacts,” the commenter is referred to Responses to Comments Ross-186 through Ross-187.

Response to Comment Ross-186

Regarding the statement that “the cumulative impacts analyses provides little information about the potential impacts of the identified related projects,” the commenter does not provide any further details or explanation pertaining to the specific meaning of this statement or how the alleged lack of information affects the cumulative impacts analysis and conclusions. Without additional details or explanation, no further response to this portion of the comment can be provided.

Regarding the statement that “the DEIR simply relies on the significance conclusions for the Project’s own impacts in determining whether the Project’s impacts would be cumulatively considerable,” this statement is incorrect, and the commenter is referred to the cumulative analysis (or portions of the cumulative analysis) included in Sections IV.B (Aesthetics), IV.C (Air Quality), IV.I (Noise), IV.L (Traffic), and IV.M (Utilities) that include discussions of cumulative impacts associated with the Project in conjunction with other development in the area.

The cumulative analysis (or portions of the cumulative analysis) included in Sections IV.C (Air Quality), IV.D (Cultural Resources), IV.E (Geology and Soils), IV.F (Hazards and Hazardous Materials), IV.G (Hydrology and Water Quality), IV.H (Land Use Planning), IV.I (Noise), IV.J (Population and Housing), IV.K (Public Services), and IV.L (Traffic, Transportation, and Parking) correctly conclude, where appropriate, that the Project’s contribution to any potential cumulative impacts would not be considerable, because either: 1) the impacts of any project are specific to that project only and could not have the potential to cause a cumulative impact (such as with archaeological resources); 2) compliance of any project with existing development standards and/or consistency with plans/policies/regulations would ensure that no impacts would occur (such as with geotechnical issues); and/or 3) a design feature of the Project or mitigation measure identified for the Project would reduce the Project’s contribution to any cumulative impact (such as with intersection LOS).

Based on the response to this comment, the analysis of cumulative impacts in the Draft EIR meets the requirements of CEQA and is not legally inadequate.

Response to Comment Ross-187

Regarding the cumulative impact analysis in the Draft EIR, the commenter is referred to Response to Comment Ross-186.

Response to Comment Ross-188

Regarding the statement about the alternatives analysis in the Draft EIR, the commenter is referred to Responses to Comments Ross-189 through Ross-195.

Response to Comment Ross-189

Regarding the statements about the alternatives analysis in the Draft EIR, the commenter is referred to Responses to Comments Ross-190 through Ross-195.

Response to Comment Ross-190

Regarding the statements about considering a reasonable range of alternatives in the Draft EIR, Section 15126.6(a) of the *CEQA Guidelines* states the following:

An EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any [emphasis added] of the significant effects of the project...An EIR need not consider every conceivable alternative to a Project.

CEQA does not require alternatives to the project to avoid or substantially lessen only the significant and unavoidable impacts of the project, but to “avoid or substantially lessen any of the significant effects of the project.” “Significant effects” include those impacts that are deemed to be significant prior to the implementation of mitigation and those impacts that would be significant and unavoidable regardless of mitigation.

The commenter is referred to Section VI (Alternatives to the Project) for a discussion of the alternatives selected for discussion in the Draft EIR, and to Table VI-1 on pages VI-28 and VI-29 that includes a comparison of the significance of the impacts under each of the alternatives to the significance of the impacts under the Project. As shown, some of the significant impacts of the Project could be reduced or avoided by an alternative, including the significant and unavoidable impacts noted by the commenter.

Response to Comment Ross-191

Regarding an alternative that includes an alternate location, the commenter is referred to pages VI-3 through VI-5 in Section VI (Alternatives to the Project) that include a discussion of seven off-site locations that were considered for alternatives to the Project. This discussion concludes the following:

The sites and areas listed above have been considered and rejected as feasible alternative sites because they would either fail to meet one or more of the Proposed Project’s objectives; they would displace existing housing or otherwise impact single-family neighborhoods; and/or the Project Applicant does not own or control property in the areas listed.

Regarding an alternative that includes development of the Project site with medical uses, the commenter is referred to pages IV-3 and IV-4 that includes the following discussion of developing the Project site with land uses different than those proposed, including medical uses (additionally, the commenter is referred to Master Response 2 [Removal of the [Q] Condition]):

An alternative which would develop uses as allowed by existing [Q]C2-2-O zoning, with the “[Q]” condition limiting the uses on the project site to educational, hospital, medical office, parking and related uses, was rejected. Such a project would not meet the objectives of the Proposed Project, including developing a mixed-use residential and retail project to support the Southeast Los Angeles Community; creating a mixed-use development that promotes integrated urban living by providing on-site residential amenities and retail shopping; providing multi-family housing in the Southeast Los Angeles Community, specifically, and to increase housing opportunities in the City, in general; providing a mixed-use residential and retail development in a community that is well-served by local public transit facilities; and providing a variety of affordable and market-rate housing opportunities, including housing available to the area work force.

Regarding an alternative that includes affordable housing, the affordability of housing has no effect on the assumptions made for pollutant emissions generation and traffic generation. Even if all 1,400 units of the Project were developed as affordable units, the amount of pollutant emissions and the number of traffic trips identified for the residential portion of the Project would be the same as identified in the Draft EIR. Thus, this suggested alternative would not avoid or substantially lessen any of the significant impacts of the Project. As such, this alternative does not meet the requirements of CEQA as an alternative to the Project.

Regarding the commenter’s suggested “Health and Housing Alternative,” neither this comment nor the letter referenced by the commenter includes any details for this alternative beyond that the alternative includes development of medical facilities and substantial amounts of affordable housing. Thus, the commenter does not provide enough detail to make the determination as to whether the suggested Health and Housing Alternative would meet the basic Project objectives and avoid or substantially lessen the significant impacts of the Project. If the square footage for the medical facilities under this alternative were similar to the commercial square footage included under the proposed Project, and if “substantial amounts of affordable housing” under this alternative were roughly equal to 1,400 dwelling units, the suggested Health and Housing Alternative likely would result in impacts similar to those identified in the Draft EIR for the Project, and could result in additional and/or greater significant impacts. As such, this suggested alternative does not meet the requirements of CEQA as an alternative to the Project.

Based on the information included in this response, the Draft EIR is not inadequate for the reasons stated by the commenter.

Response to Comment Ross-192

Regarding a Project alternative that includes a zoning-compliant development and meeting the Project objectives, as stated previously, Section 15126.6(a) of the *CEQA Guidelines* states the following:

An EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project [emphasis added] but would avoid or substantially lessen any of the significant effects of the project...An EIR need not consider every conceivable alternative to a Project.

A zoning-compliant development would not meet most of the objectives of the Project. Also, it is possible that a zoning-compliant development could result in significant environmental impacts similar to those identified for the Project. Thus, this alternative would not meet the requirements of CEQA as an alternative to the Project.

Response to Comment Ross-193

Regarding Project alternatives and recirculation, because the commenter did not identify any additional alternatives to the Project that meet the requirements of CEQA, that is, no feasible alternatives that would reduce any significant environmental effects while attaining most of the basic objectives of the Project, the Draft EIR does not require revision to include these alternatives, and recirculation of the Draft EIR is not required.

Response to Comment Ross-194

Regarding the suggested “Health and Housing Alternative,” the commenter is referred to Response to Comment Ross-191. Regarding other alternatives the commenter defines as “feasible,” the commenter is referred to Response to Comment Ross-192.

Response to Comment Ross-195

Regarding Project alternatives and adequacy of the Draft EIR, for the reasons stated in Responses to Comments Ross-189 through Ross-194, the Draft EIR is not inadequate as asserted by the commenter in this comment.

Response to Comment Ross-196

Regarding recirculation, the commenter is referred Master Response 5 (Recirculation of the Draft EIR).

Response to Comment Ross-197

Regarding recirculation, the commenter is referred to Master Response 5 (Recirculation of the Draft EIR).

Response to Comment Ross-198

Regarding recirculation, the commenter is referred to Master Response 5 (Recirculation of the Draft EIR).

>>> Manpreet Sadhal <msadhal@gmail.com> 1/19/2010 6:56 AM >>>
January 19, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

I am writing to you as a Los Angeles resident and concerned citizen in response to the Lorenzo Project Case No. # ENV-2006-9471-EIR. I am concerned about how the proposed project will affect the community in the neighborhoods surrounding the project area.

1

It is my understanding that the location of the project, the vacant property at 2330 and 2337 South Flower Street, is currently designated to be permanently community serving, but there are now plans to remove that designation and build a luxury housing complex on that site. This area is already losing a great deal of affordable housing and important community spaces (including the hospital that used to stand on the property in question); allowing the proposed development to be executed would contribute to this process, to the detriment of the current residents in the surrounding neighborhoods.

2

This property has been designated as community serving for a reason - perhaps we should at least consider the needs of the community before removing the designation. This would include taking substantial steps to ensure that residents are aware of the proposed project (with information distributed in English, Spanish, and any other necessary languages) and of the means by which they can raise their concerns. Please give these residents a chance to improve their neighborhoods for themselves and their families.

3

Thank you for your time.

Sincerely,

Manpreet Sadhal
BA International Relations, USC 2009
1438 W 28th St
Los Angeles CA 90007

Comment Letter Sadhal*Response to Comment Sadhal-1*

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Sadhal-2

Regarding removal of the [Q] condition from the Project site, the commenter is referred to Master Response 2 (Removal of the [Q] Condition).

The comment also asserts that the Project would cause a loss of affordable housing, but the comment does not provide facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of this assertion. Therefore, pursuant to Section 15204(a) of the *CEQA Guidelines*, no further response to this portion of the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Also, the commenter is referred to Master Response 3 (Affordable Housing).

Response to Comment Sadhal-3

The land use designation for the Project site is not “community serving”; the site is designated as Community Commercial. The proposed land uses are allowed under this designation.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro fisico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

Sinceramente



Nombre

1305-W 57 ST

Dirección

LA CA 90037

Ciudad, estado y código

Comment Letter Serrano

Response to Comment Serrano-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Serrano-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Serrano-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Yolanda Tiscareño
Name
1940 Park Grove Ave.
Address
LA CA 90007
City, State and Zipcode

Comment Letter Tiscareno

Response to Comment Tiscareno-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Tiscareno-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Tiscareno-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Domatilo Torres

Name

1940 Park Grove Ave

Address

LA CA 90007

City, State and Zipcode

Comment Letter Torres

Response to Comment Torres-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Torres-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Torres-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Lorenzo Torres
 Name
1047 W. 73rd St
 Address
LA, CA 90004
 City, State and Zipcode

Comment Letter Torrez

Response to Comment Torrez-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Torrez-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Torrez-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

SOUTHSIDE COALITION

of COMMUNITY HEALTH CENTERS

BOARD OF DIRECTORS

Yasser H. Aman, M.P.H.
Chair
 President and CEO
 UMMA Community Clinic
 (University Muslim Medical Association)

William D. Hobson, M.S.
Vice Chair
 President and CEO
 Watts Healthcare Corporation

Jim Mangia, M.A.
Treasurer
 Chief Executive Officer
 St. John's Well Child & Family Center

Richard A. Veloz, M.P.H., J.D.
Secretary
 Chief Executive Officer
 South Central Family Health Center

Carl Coan, M.S., M.P.H.
 President and CEO
 Eisner Pediatric and Family Medical Center

Jann Hamilton Lee, M.H.A.
 President and CEO
 South Bay Family Health Care

Risë K. Phillips M.P.H., M.B.A.
 Chief Executive Officer
 T.H.E. Clinic, Inc. (To Help Everyone)

Gilbert Varela, M.D., M.B.A.
 Chief Executive Officer
 Central City Community Health Center

EXECUTIVE DIRECTOR

Nina L. Vaccaro, M.P.H.

Mission: The Southside Coalition of Community Health Centers is a non-profit organization established to sustain, coordinate and improve health care access and delivery to the impoverished and vulnerable community members of South Los Angeles.

January 22, 2010

Attn: Mr. Adam Villani
 Planning Assistant
 Los Angeles City Planning Department
 200 N. Spring Street, Room 750
 Los Angeles, CA 90012

RE: Draft EIR No. ENV-2006-9471-EIR

Dr. Mr. Villani,

I am writing on behalf of the Southside Coalition of Community Health Centers in response to the Lorenzo Project Case number ENV-2006-9471-EIR. The Southside Coalition is a network of eight independent federally qualified health centers that serve as safety net-providers to some of the poorest and most marginalized residents of South Los Angeles. We are deeply concerned with how the proposed project will negatively impact community residents in the area, who are predominately low-income people of color.

The proposed project which would redevelop the vacant site located on 2330 and 2337 South Flower Street is located entirely around community residents who are already subjected to the ongoing elimination of affordable housing, environmental injustice on health and well-being, gentrification, forced evictions, rezoning, and eminent domain policies. Construction activity related to the project would exacerbate pollution levels in an already troubled area. Toxic air contaminants would affect our residents and their children who attend the local schools within walking distance of the proposed project. We strongly believe that as a direct result of this project, the children's respiratory health in these schools would be compromised with the Lorenzo project.

Additionally, the project site was formally occupied by Orthopaedic Hospital, which is located at the nexus of the two service planning areas (SPA 4 and 6) in Los Angeles with the highest percentage of people with no regular source of health care. The hospital's demolition in January of 2008 has only exacerbated the lack of hospitals and clinics in an area that has been historically underserved in terms of health related care. Removing the "Q" condition and building market-rate housing would eliminate the possibility of remedying the problem for the thousands of residents living in South Los Angeles.

We are most concerned with the failure of the draft EIR to adequately address the imminent gentrification of the surrounding community; including physical deterioration of buildings due to neglect and the loss of affordable housing in the area; the complete lack of an environmental energy analysis in the draft EIR; the identified negative air and noise quality impacts of the construction and operations; the possible violation of water quality regulations; and the failure to maintain the "Q" condition reserved for the proposed site. The draft EIR also defines the neighborhood too narrowly and the neighborhood itself is truly much larger than the area studied in the EIR.

Specifically, we request the following:

1. The City must properly and thoroughly address the significant environmental impacts identified in the draft EIR through mitigation measures that are community developed and community based;
2. The City must request that a full energy analysis be completed in the final EIR, including appropriate mitigation and conservation measures as required by CEQA;
3. The City must provide all of the final EIR materials translated in Spanish so that community residents can take active part of this important decision-making process. To refuse to translate the materials would be a violation of the civil rights law, and bad public policy;
4. The City must maintain the "Q" condition on the site to address a community underserved by the inequitable distribution and disinvestment of public and private health care resources.

5

We are confident that you understand the severity of the proposed project and its negative impact on our community residents and children.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'N' followed by a horizontal line extending to the right.

Nina L. Vaccaro, MPH
Executive Director

Comment Letter Vaccaro*Response to Comment Vaccaro-1*

This comment expresses general concern about the Project, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Vaccaro-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Vaccaro-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

ASTHMA COALITION OF LOS ANGELES COUNTY
600 S. Commonwealth Avenue, Room 800
Los Angeles, CA 90005
www.asthmacoalitionla.org

Janet Scully, MPH, Coordinator
 (213) 639-6414
jscully@ph.lacounty.gov

January 25, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV -2006-9471-EIR

Dear Mr. Villani,

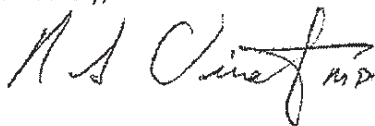
The Asthma Coalition of Los Angeles County (ACLAC) is a collective voice of over eighty organizations which include clinical care professionals, environmental policy advocates, school and childcare experts, and asthma researchers whose mission is to promote policy and systems change to prevent, minimize, and manage the burden of asthma.

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. #ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower Street. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on the surrounding residential community. We are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

We are especially concerned about the failure of the draft EIR to address the impact that such a project would have on the area due to the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. This development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

A report co-authored by Strategic Actions for a Just Economy (SAJE), Los Angeles Community Action Network (LACAN), St. John's Well Child Clinic, and Esperanza Community Housing Corporation, found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in the area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community, and exacerbate an already unhealthy situation for our children.

Sincerely,



Robert Vinetz, MD
 Co-Chair
 Asthma Coalition of Los Angeles County



Nancy Halpern Ibrahim, MPH
 Co-Chair
 Asthma Coalition of Los Angeles County

1

2

3

4

Comment Letter Vinetz*Response to Comment Vinetz-1*

This comment includes statements about the commenter's organization, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Vinetz-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Vinetz-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 17, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012

RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

I am writing in response to the Lorenzo Project Case No. # ENV-2006-9471-EIR. As a resident of Los Angeles, I am most concerned about how the proposed project will negatively affect community residents in the area, who are predominantly low-income people of color.

1

The proposed project which would redevelop the vacant site located on 2330 and 2337 South Flower St. is located entirely around community residents who are already subjected to the ongoing elimination of affordable housing, environmental injustice on health and well-being, gentrification, forced evictions, rezoning, and eminent domain policies.

2

In addition, the project site was formally occupied by Orthopedic Hospital. Orthopedic Hospital, situated at the nexus of the two Service Planning Areas (SPA) in the County of Los Angeles, has the highest percentages of people with no regular source of health care-- 25.9% (SPA 4) and 20.9% (SPA 6) of adults, and 11.2% (SPA 4) and 10.2% (SPA 6) of children. The hospital's demolition in January of 2008 exacerbated the lack of hospitals and clinics in an area that was already underserved in terms of health care. Removing the Q condition and building this luxury housing would eliminate the possibility of remedying that problem for the 93, 937 residents estimated to live in South Los Angeles in 2010 (per SCAG forecast). It is a critical area in dire need of development that addresses the deficit of health services.

3

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) and Esperanza Community Housing Corporation, found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. Thus, children's health would suffer.

4

I am most concerned about the failure of the draft EIR to adequately address the imminent gentrification of the surrounding community; including physical deterioration of buildings due to

5

neglect and the loss of affordable housing in the area; the complete lack of an environmental energy analysis in the draft EIR; the identified negative air and noise quality impacts of the construction and operations; the possible violation of water quality regulations; and the failure to maintain the "Q" condition reserved for the proposed site. The draft EIR also defines the neighborhood too narrowly—the neighborhood is much bigger than the area studied in the EIR.

5

Specifically, I request the following:

1. The City properly and thoroughly address the significant environmental impacts identified in the draft EIR through mitigation measures that are community developed and community based;

6

2. The City request that a full energy analysis be completed in the final EIR, including appropriate mitigation and conservation measures as required by CEQA;

7

3. The City provide all of the final EIR materials translated into Spanish so that community residents can take active part in this important decision-making process. To refuse to translate the materials would be a violation of civil rights law, and bad public policy;

8

4. The City maintain the "Q" condition on the site to address a community underserved by the inequitable distribution and disinvestment of public and private health care resources.

9

I thank you for your time and attention in this matter.

Sincerely,

Jon Zerolnick
3720 Hellman Ave.
Los Angeles, CA 90032

Comment Letter Zerolnick*Response to Comment Zerolnick-1*

This comment expresses general concern about Project impacts, but the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the project and ways to reduce or avoid these impacts. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Zerolnick-2

This comment is the same as Comment Dennison-2. The commenter is referred to Response to Comment Dennison-2.

Response to Comment Zerolnick-3

This comment is the same comment as Comment Ahkiam-4. The commenter is referred to Response to Comment Ahkiam-4.

Response to Comment Zerolnick-5

This comment is the same as Ahkiam-6. The commenter is referred to Response to Comment Ahkiam-6.

Response to Comment Zerolnick-6

This comment is the same as Ahkiam-7. The commenter is referred to Response to Comment Ahkiam-7.

Response to Comment Zerolnick-7

This comment is the same as Ahkiam-8. The commenter is referred to Response to Comment Ahkiam-8.

Response to Comment Zerolnick-8

This comment is the same as Ahkiam-9. The commenter is referred to Response to Comment Ahkiam-9.

Response to Comment Zerolnick-9

This comment is the same as Ahkiam-10. The commenter is referred to Response to Comment Ahkiam-10.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

A report co-authored by Strategic Actions for a Just Economy (SAJE), Los Angeles Community Action Network (LACAN), St. John's Well Child Clinic, and Esperanza Community Housing Corporation, found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

Sincerely,

COLMOR 1-17-10
Signature/Date

Retha A. Cereola 1-18-10
Signature/Date

Jonian M. Asencola 1-18-10
Signature/Date

Jesse B. Asencola 1-18-10
Signature/Date

Fabrizio E. Tovar 1-17-10
Signature/Date

Trang Nguyen 1-17-10
Signature/Date

Martha Diaz 1-18-10
Signature/Date

Monica Diaz 1-18-10
Signature/Date

Jerry Tovar 1-17-10
Signature/Date

Tasmine Mena 1-18-10
Signature/Date

Gaby Solis 1-19-10
Signature/Date

Sophia Jimenez 1-19-10
Signature/Date

Comment Letter Multiple Names 1

Response to Comment Multiple Names 1-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 1-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 1-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

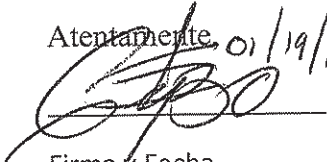
Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

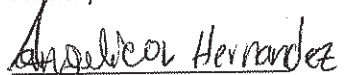
Atentamente,

 01/19/2010

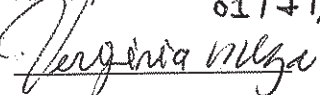
Firma y Fecha

 01/19/2010

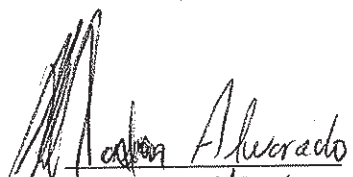
Firma y Fecha



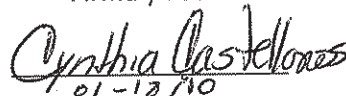
Firma y Fecha

 01/19/2010

Firma y Fecha

 01-18/2010

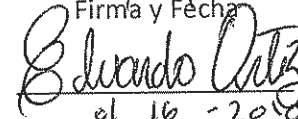
Firma y Fecha

 01-18/10

Firma y Fecha



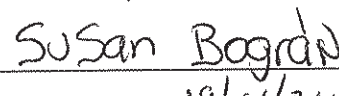
Firma y Fecha

 01-16-2010

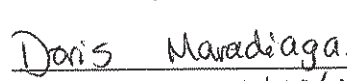
Firma y Fecha

 01/19/2010

Firma y Fecha

 19/01/2010

Firma y Fecha



Firma y Fecha

 01/19/2010

Firma y Fecha

01/14/2010

Comment Letter Multiple Names 2

Response to Comment Multiple Names 2-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 2-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 2-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,

 1-19-10

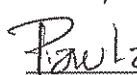
Firma y Fecha

 1-19-10

Firma y Fecha

 1-19-10

Firma y Fecha

 Paula Sanchez

Firma y Fecha

 1-18-10

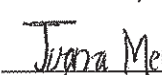
Firma y Fecha

 1-18-10

Firma y Fecha

 Pablo Ortega 1-19-10

Firma y Fecha

 Juana Mendoza C.

Firma y Fecha

 January 19, 2010

Firma y Fecha

 Maria Leonty

Firma y Fecha

 Raúl Lopez

Firma y Fecha

 Carmen Espinoza

Firma y Fecha

 Enero-19-2010

Comment Letter Multiple Names 3

Response to Comment Multiple Names 3-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 3-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 3-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

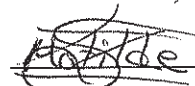
Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

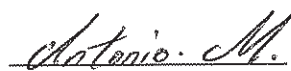
Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,

 01/19/10

Firma y Fecha



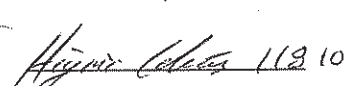
Firma y Fecha



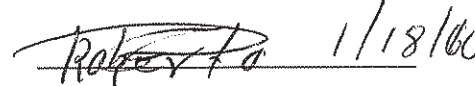
Firma y Fecha



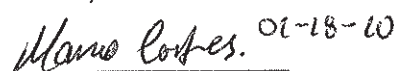
Firma y Fecha

 11/18/10

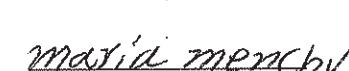
Firma y Fecha

 11/18/10

Firma y Fecha

 01-18-10

Firma y Fecha

 maria menchu

Firma y Fecha

 11/18/10

Firma y Fecha



Firma y Fecha

 ELISEO WITZIL

Firma y Fecha

 11/18/10

Firma y Fecha

Comment Letter Multiple Names 4

Response to Comment Multiple Names 4-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 4-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 4-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,

[Signature] 01-16-10

Firma y Fecha

[Signature] 1-15-10

Firma y Fecha

[Signature] 1-15-10

Firma y Fecha

[Signature] 01-17-10

Firma y Fecha

[Signature] 01-16-10

Firma y Fecha

[Signature] 1-16-10

Firma y Fecha

[Signature] 1-18-10

Firma y Fecha

[Signature] 1-18-10

Firma y Fecha

[Signature] 1-18-10

Firma y Fecha

[Signature] 1-18-10

Firma y Fecha

[Signature] 1-18-10

Firma y Fecha

[Signature] 1-18-10

Firma y Fecha

Comment Letter Multiple Names 5

Response to Comment Multiple Names 5-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 5-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 5-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

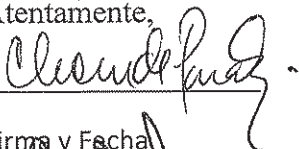
Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

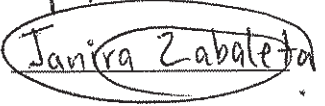
Atentamente,



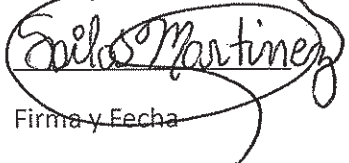
Firma y Fecha



Firma y Fecha



Firma y Fecha



Firma y Fecha



Firma y Fecha



Firma y Fecha



Firma y Fecha



Firma y Fecha



Firma y Fecha

Firma y Fecha

Firma y Fecha

Firma y Fecha

1

2

3

4

Comment Letter Multiple Names 6

Response to Comment Multiple Names 6-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 6-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 6-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,

RKm 1-15-10

Firma y Fecha

1/19/10 Sylvia Salicrú

Firma y Fecha

A 1/19/2010

Firma y Fecha

1/19/10

Firma y Fecha

1/19/10

Firma y Fecha

1/20/10

Firma y Fecha

1/19/10

Firma y Fecha

1/19/10

Firma y Fecha

1-19-2010

Firma y Fecha

1/19/10

Firma y Fecha

01/19/2010

Firma y Fecha

01/19/2010

Firma y Fecha

Comment Letter Multiple Names 7

Response to Comment Multiple Names 7-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 7-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 7-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), Los Angeles Community Action Network (LACAN), St. John's Well Child Clinic, and Esperanza Community Housing Corporation, found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,

Maria L. Pina 1-15-10
Signature/Date
Socorro Montano 1-19-10
Signature/Date
Rolando Mota
Signature/Date
Gustavo Lopez
Signature/Date

Adriana 1-16-10
Signature/Date
Crystal Prieto 1-19-10
Signature/Date
Rolando Mota
Signature/Date
Gustavo Lopez
Signature/Date

Guillermo Dorantes
Signature/Date
Ana Vazquez
Signature/Date
Isabel
Signature/Date
Adriana
Signature/Date

Comment Letter Multiple Names 8

Response to Comment Multiple Names 8-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 8-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 8-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

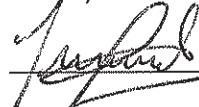
Atentamente,

 1-15-10 Camika Lopez

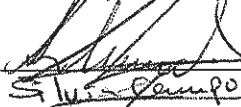
Firma y Fecha

Firma y Fecha

Firma y Fecha

 1-17-10

Firma y Fecha

 1-18-10

Firma y Fecha

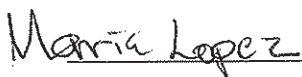
Firma y Fecha

 1-18-10

Firma y Fecha

Firma y Fecha

Firma y Fecha

 1-16-10

Firma y Fecha

Firma y Fecha

Firma y Fecha

Comment Letter Multiple Names 9

Response to Comment Multiple Names 9-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 9-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 9-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

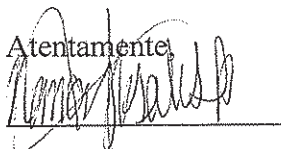
Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

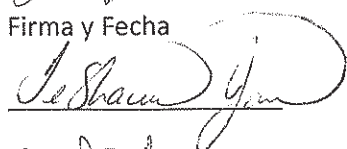
Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,



Firma y Fecha



Firma y Fecha



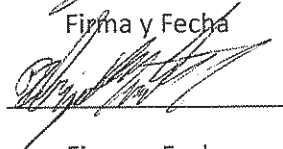
Firma y Fecha



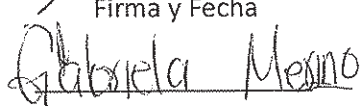
Firma y Fecha



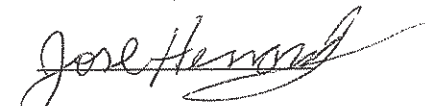
Firma y Fecha



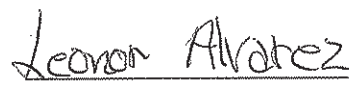
Firma y Fecha



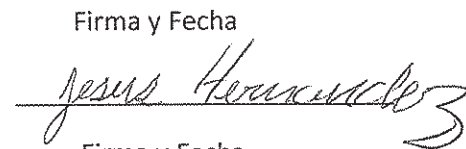
Firma y Fecha



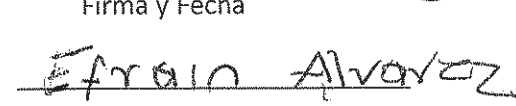
Firma y Fecha



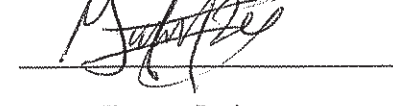
Firma y Fecha



Firma y Fecha



Firma y Fecha



Firma y Fecha

Comment Letter Multiple Names 10

Response to Comment Multiple Names 10-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 10-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 10-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

MULTIPLE NAMES 11

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,

 01-15-10

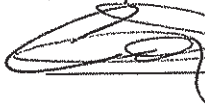
Firma y Fecha

 01-15-2010

Firma y Fecha

 1/15/10

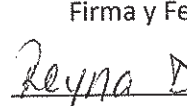
Firma y Fecha

 1/15/10

Firma y Fecha

 1/15-10

Firma y Fecha

 1/15/10

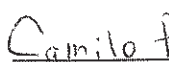
Firma y Fecha

 1/15/10

Firma y Fecha

 01-15-10

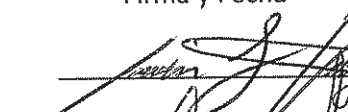
Firma y Fecha

 1/15/10

Firma y Fecha

 01-15-10

Firma y Fecha

 1-22-10

Firma y Fecha

 01 22-10

Firma y Fecha

Comment Letter Multiple Names 11

Response to Comment Multiple Names 11-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 11-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 11-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,

Laura Beyane 1/15/10

Firma y Fecha

Quetzal

Firma y Fecha

Lidia Chavez

Firma y Fecha

PETER DEHADILO

Firma y Fecha

Christine A.

Firma y Fecha

Vivian Campos

Firma y Fecha

Xochit B.

Firma y Fecha

Jose Portillo

Firma y Fecha

Arana Guzman

Firma y Fecha

San Cuellar

Firma y Fecha

Guadalupe

Firma y Fecha

Maria Chavez

Firma y Fecha

Comment Letter Multiple Names 12

Response to Comment Multiple Names 12-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 12-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 12-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,

Rocio Rubio 1/19/10 Adriana Ortiz 1/19/09

Firma y Fecha

Firma y Fecha

Firma y Fecha

Emelda L. Rubio
1-19-10

Tiffanni Rojas

Firma y Fecha

Firma y Fecha

Firma y Fecha

Matthew Rojas
1-19-10

Antonio Rubio 1/20/10

Firma y Fecha

Firma y Fecha

Firma y Fecha

Anthony Rubio 1-19-10

Antonio Rubio
1-20-2010

Firma y Fecha

Firma y Fecha

Firma y Fecha

Comment Letter Multiple Names 13

Response to Comment Multiple Names 13-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 13-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 13-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 15, 2010

Adam Villani, Planning Assistant
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

Estamos escribiendo para proporcionar nuestros comentarios al propuesto proyecto de Lorenzo, caso No. # ENV-2006-9471-EIR. Estamos escribiendo para expresar nuestra oposición al complejo de viviendas de lujo propuesto para el sitio vacante situado en 2330 y 2337 S Flower St.

Este sitio era una vez un hospital en la comunidad, y nos afectó profundamente la demolición del edificio. La ausencia del hospital disminuyó los servicios de salud en un área que no tiene suficiente cuidados de la salud primarias. Vivimos en el área que rodea este desarrollo y nos impacta la pérdida de vivienda económica y la calidad del aire en el área que resultaría del proyecto propuesto.

Las 1.400 unidades residenciales de lujo propuestas levantarán el valor de propiedades en el área y eliminarán a más familias de bajo recursos. Somos entre 80.000 residentes que vive en el Corredor de Figueroa, pocos de nosotros podrían vivir en estas propiedades de lujo. De hecho, este desarrollo amenazaría a las familias con la pérdida de sus hogares.

Un informe escrito por Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Los Angeles Community Action Network (LACAN) y Esperanza Community Housing Corporation, encontró que de las visitas pediátricas a la clínica St. John's Well Child Clinic (cerca de Adams y de Figueroa), el 28% de los pacientes jóvenes tenían asma. Declaramos que el desarrollo propuesto en el sitio tendrá un impacto negativo en la calidad del aire de la comunidad circundante y afectara a nuestros niños al igual que los residentes, padres, madres, familias, profesoras/es y trabajadoras/es de la comunidad.

Atentamente,

Edgar Marts 1/17/2010

Firma y Fecha

Pedro Silva 1-19-10

Firma y Fecha

Araceli Lobos 1/17/2010

Firma y Fecha

IRMA DIAZ 1/19/2010

Firma y Fecha

Cristobal C. 1-19-10

Firma y Fecha

Napolcon Cui 1/19/2010

Firma y Fecha

LUCIA 1/17/2010

Firma y Fecha

Jacinta Soto 1/19/2010

Firma y Fecha

Maria Llanos 1/19/10

Firma y Fecha

BIANCA Tinco 1/17/10

Firma y Fecha

BIANCA Medina 1/18/2010

Firma y Fecha

ANA SILVA 1/17/10

Firma y Fecha

Comment Letter Multiple Names 14

Response to Comment Multiple Names 14-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Multiple Names 14-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Multiple Names 14-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

Sinceramente

Reyna Martinez
Nombre

Dirección

643 N 120th St
LA CA 90044
Ciudad, estado y código

Comment Letter Name Illegible 1

Response to Comment Name Illegible 1-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Name Illegible 1-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Name Illegible 1-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Mr. Madaya Melon
Nombre
513 E 23 Th St Apt 1
Dirección
Mr. Madaya Melon
Ciudad, estado y código

Comment Letter Name Illegible 2

Response to Comment Name Illegible 2-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Name Illegible 2-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Name Illegible 2-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

January 13, 2010

Adam Villani, Planning Assistant
 Los Angeles City Planning Department
 200 North Spring Street, Room 750
 Los Angeles, CA 90012
 RE: Draft EIR NO. ENV-2006-9471-EIR

Dear Mr. Villani,

We are writing to provide our comments to the draft EIR for the proposed Lorenzo Project, Case No. # ENV-2006-9471-EIR. We are writing to express our opposition to the proposed luxury housing project planned for the vacant site located on 2330 and 2337 S. Flower St. This site was once a community serving hospital, and we are deeply concerned with the negative impacts the development of luxury housing on this site would have on our community. We live in the area surrounding this development and we are concerned about the loss of affordable housing in the area, gentrification, and the increased unhealthy air quality in the area that would result from the proposed project.

1

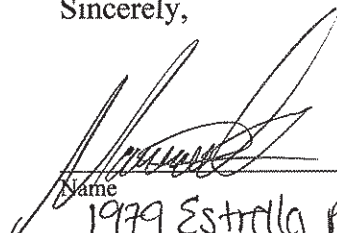
We are especially concerned about the failure of the draft EIR to address the physical deterioration of the buildings in the area due to neglect and the loss of affordable housing. We are concerned that the proposed 1,400 luxury residential units will raise property values in the area and push out more low income families. We are among the 80,000 residents that live in the Figueroa Corridor, few if any of us would be able to afford to live in these luxury condos. Instead, this development would further contribute to the ongoing loss of affordable housing in the area and threaten families with the loss of their homes.

2

A report co-authored by Strategic Actions for a Just Economy (SAJE), St. John's Well Child Clinic, Esperanza Community Housing Corporation and Los Angeles Community Action Network (LA-CAN), found that based on pediatric visits to St. John's Well Child Clinic (near Adams and Figueroa), 28% of St. John's young patients in this area have asthma. This rate is 2-3 times greater than in Los Angeles as a whole. We are concerned that the proposed development on the site will have a negative impact on the air quality of the surrounding community and exacerbate an already unhealthy situation for our children.

3

Sincerely,


 Name
 1979 Estrella Ave. #105
 Address
 Los Angeles, CA 90007
 City, State and Zipcode

Comment Letter Name Illegible 3

Response to Comment Name Illegible 3-1

This comment is the same as Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Name Illegible 3-2

This comment is the same as Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Name Illegible 3-3

This comment is the same as Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

13 de enero del 2010

Adam Villani, Asistente de Planeación
Los Angeles City Planning Department
200 North Spring Street, Room 750
Los Angeles, CA 90012
RE: Draft EIR NO. ENV-2006-9471-EIR

Estimado Sr. Villani,

Estamos escribiéndole para dar nuestros comentarios al Reporte de Impacto Ambiental (EIR) para el Proyecto Lorenzo, Caso No. # ENV-2006-9471-EIR. Estoy escribiéndole para expresar nuestra oposición al proyecto lujoso de vivienda que se planea construir en lote vacante que esta en el 2330 y 2337 S. Flower St. En este lugar opero un hospital que servia a la comunidad y estamos profundamente preocupados con el impacto negativo que este desarrollo de vivienda de lujo podrá tener en nuestra en el área. Vivimos en los alrededores de este desarrollo y estamos preocupados por la perdida de vivienda económica, el aburguesamiento y el incremento del aire sin calidad en el área, que podría resultar del proyecto propuesto.

1

Estamos especialmente preocupados por el fracaso del reporte (EIR) para resolver el deterioro físico de los edificios del área debido al descuido y la perdida de vivienda económica. Estamos preocupados por que el proyecto de 1,400 unidades de lujo incrementara el precio de las propiedades y desplazara a familias de bajos ingresos. Somos parte de los 80,000 residentes que viven en el Corredor Figueroa, muy pocos de nosotros podremos pagar el costo de esta vivienda de lujo. En su lugar, este desarrollo podría contribuir a la continua perdida de vivienda económica en el área y amenazara a las familias a perder sus viviendas.

2

Un reporte co-escrito por Acciones Estratégicas para Una Economía Justa (SAJE), Clínica de Bienestar Infantil San John, Corporación Comunitaria de Viviendas La Esperanza y Los Angeles Community Action Network (LA-CAN), encontró que basado en visitas infantiles a la Clínica (cerca de Adams Blvd. y Figueroa St.), el 28% de los pacientes jóvenes tienen asma. Este nivel es de los más grandes en Los Ángeles. Estamos preocupados que el propuesto desarrollo en este lugar tendrá un impacto negativo en la calidad de aire y las comunidades en los alrededores, y empeorara las ya existente situación insalubre de nuestros niños.

3

Sinceramente

Concha Plummer
Nombre 413-E. 23- ST APT #LOS

Dirección Los Angeles CA 90011
Ciudad, estado y código

Comment Letter Name Illegible 4

Response to Comment Name Illegible 4-1

This comment is a direct Spanish translation of Comment Aguilar-1. The commenter is referred to Response to Comment Aguilar-1.

Response to Comment Name Illegible 4-2

This comment is a direct Spanish translation of Comment Aguilar-2. The commenter is referred to Response to Comment Aguilar-2.

Response to Comment Name Illegible 4-3

This comment is a direct Spanish translation of Comment Aguilar-3. The commenter is referred to Response to Comment Aguilar-3.

IV. CORRECTIONS AND ADDITIONS

INTRODUCTION

This section presents corrections and additions that have been made to the text of the Draft EIR. These changes include revisions resulting from responses to comments and staff-initiated text changes to provide clarifications to the project description and analysis and to correct non-substantive errors. The revisions are organized by section and page number as they appear in the Draft EIR. Text deleted from the Draft EIR is shown in ~~strike through~~, and new text is underlined. For corrections resulting from a response to a comment on the documents, references in parentheses refer to the comment letter and comment number.

CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

Section I (Introduction/Summary)

As discussed below, mitigation measure C-14 in Table I-1 on page I-13 in Section I (Introduction/Summary) of the Draft EIR has been changed to read as follows (refer to Response to Comment Pless-58):

- C-14 The Project Applicant shall require all ~~serapers, excavators, crawlers, forklifts, water trucks, pavers, and tractors~~ bore/drill rigs, excavators, rubber tired dozers, rubber tired loaders, cranes, forklifts, rough terrain forklifts, tractors/loaders/backhoes, trenchers, and cement and mortar mixers used in the construction phases to be equipped with diesel oxidation catalyst systems that would achieve a 20 percent reduction of NO_x emissions from approved systems.

The text in the third cell on Table I-1 on page I-27 in Section I (Introduction/Summary) of the Draft EIR has been changed in the Final EIR to read as follows (refer to Response to Comment LAPARKS-2):

Parks and Recreation ~~If the proposed on-site recreational and outdoor facilities do not fully satisfy the requirements of the Quimby Act, the project developer would be required to pay Quimby fees to the City to satisfy its obligations under the Quimby Act. With the provision of project included recreation and open space and the payment of appropriate in lieu Quimby fees, the Proposed Project would have a less than significant impact upon park and recreation facilities. The Project includes total of approximately 186,836 square feet of open space would be provided throughout the project site, which would meet the open space expected to be required for the proposed residential units. Therefore, the Proposed Project would have a less than significant impact with respect to the open space~~	None.	Less than significant

required as set forth in the LAMC.		

The text in the second cell on Table I-1 on page I-28 in Section I (Introduction/Summary) of the Draft EIR erroneously listed mitigation measures L-2 and L-3 as one mitigation measure. The cell has been corrected to reflect this; additionally, Mitigation Measure L-4 has been added (refer to Response to Comments Pless-58):

The Proposed Project would generate approximately 6,529 daily trips (after the ten percent transit credit), including approximately 480 trips during the AM peak hour and 548 trips during the PM peak hour. As credits were taken for transit use by patrons and residents of the development, some of the net trip generation totals are negative. Based on this LADOT criteria (illustrated in Table IV.K-4), development of the Proposed Project would result in significant impacts at three of the 11 study intersections: • Figueroa Street and West 23rd Street (AM and PM peak hours) • Flower Street and West 23rd Street (PM peak hour) • Grand Avenue and West 23rd Street (AM and PM peak hours) However with mitigation measures L-1 through L-3 impacts would be less than significant.	<u>L-1.</u> <u>Figueroa Street and West 23rd Street:</u> Potential physical capacity improvements and traffic signal improvements were evaluated at this intersection. No additional approach lanes can be added to the intersection without significant widening and potential property acquisition. It was concluded that such efforts would be beyond the scope of the Proposed Project. The addition of a protected left turn phase at the northbound approach would mitigate the significant traffic impact at this intersection in the PM peak period but not in the AM peak period. Corridor signal control improvements, if implemented, would improve operations without requiring roadway widening. Implementation of an ATCS network that includes this intersection would provide a benefit of 0.030 in the B/C value, removing the significant project impacts within both peak periods. This intersection currently has operational ATCS synchronization equipment, and the ATCS capability can be added as an enhancement. <u>L-2.</u> <u>L-2 Flower Street and West 23rd Street:</u> Implementation of an ATCS system that includes this intersection would provide a benefit of 0.030 in the V/C value,	Less than significant.

	removing the significant project impacts within both peak periods. This intersection currently has operational ATSAC synchronization equipment, and the ATCS capability can be added as an enhancement. <u>L-3.</u> <u>Grand Avenue and West 23rd Street:</u> Implementation of an ATCS network that includes this intersection would provide a benefit of 0.030 in the V/C value, removing the significant project impact within both peak periods. As there are no identified physical mitigation measures for this intersection that would be feasible under the scope of the Proposed Project, it is recommended that a contribution be made toward the ATSAC synchronization program and the ATCS capability can be added as an enhancement. Such contributions would fully mitigate project impacts at this location. <u>L-4.</u> <u>Prior to the issuance of the building permits, the applicant shall prepare detailed construction traffic control plans, including street closure information, detour plans, haul routes, hours of operation, protective devices, and staging plans satisfactory to the affected jurisdictions, including Metro, which shall be submitted to LADOT for its approval.</u>	

As discussed below, the text in the second cell on Table I-1 on page I-29 in Section I (Introduction/Summary) of the Draft EIR has been changed as reflected below because mitigation measures M-2 and M-3 are not required to reduce a significant impact:

- M-1. If it is found that the adjacent sewer infrastructure has insufficient capacity for the Proposed Project, the developer shall be required to build another sewer line or additional laterals with direct flow to the nearest, larger line that has the available capacity.
- ~~M-2. The project shall include a holding tank large enough to hold three times the project daily wastewater flow so that the tank would hold all project wastewater during peak wastewater flow periods for discharge into the wastewater collection system during off-peak hours.~~
- ~~M-3. The project shall include a grey water system to reuse wastewater generated on site.~~

As discussed below, mitigation measures M-13 and M-16 in Table I-1 on page I-31 in Section I (Introduction/Summary) of the Draft EIR are not required to reduce a significant impact and therefore have been removed as follows:

- ~~M-4.~~ M-2. The Project Applicant shall install high efficiency toilets (1.28 gallons per flush or less, includes dual flush).
- ~~M-5.~~ M-3. The Project Applicant shall install high efficiency urinals (0.5 gallons per flush or less, includes waterless).
- ~~M-6.~~ M-4. The Project Applicant shall install faucet hardware in restrooms with a faucet flow rate of 1.5 gallons per minute or less.
- ~~M-7.~~ M-5. The Project Applicant shall install showerheads with a flow rate of 2.0 gallons per minute or less.
- ~~M-8.~~ M-6. The Project Applicant shall limit showers to one showerhead per shower stall.
- ~~M-9.~~ M-7. The Project Applicant shall install high efficiency clothes washers (water factor of 6.0 or less) where clothes washers are provided.
- ~~M-10.~~ M-8. The Project Applicant shall install high efficiency dishwashers (Energy Star rated) where dishwashers are provided.
- ~~M-11.~~ M-9. The Project Applicant shall install domestic water heating systems located in close proximity to point(s) of use, as feasible; use of tank-less and on-demand water heaters as feasible.
- ~~M-12.~~ M-10. Cooling towers must be operated at a minimum of 5.5 cycles of concentration.

- ~~M-13.~~ The Project Applicant shall install onsite water recycling systems for wastewater discharge for commercial laundries, dye houses, food processing, certain manufacturing operations, etc. (subject to a payback threshold of five years or less).
- ~~M-14.~~ M-11. Single-pass cooling shall be strictly prohibited.
- ~~M-15.~~ M-12. The Project Applicant shall install irrigation systems that meet the following requirements:
- Weather-based irrigation controller with rain shutoff.
 - Flow sensor and master valve shutoff (large landscapes).
 - Matched precipitation (flow) rates for sprinkler heads.
 - Drip/microspray/subsurface irrigation where appropriate.
 - Minimum irrigation system distribution uniformity of 75 percent.
 - Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials.
 - Use of landscaping contouring to minimize precipitation runoff.
- ~~M-16.~~ The Project Applicant shall install metering systems as follows:
- ~~• All dwelling units shall have individual metering and billing for water use.~~
 - ~~• All irrigated landscapes of 5,000 square feet or more require separate metering or submetering.~~
- ~~M-17.~~ M-13. The Project Applicant is mandated to use recycled water (where available) for appropriate end uses (irrigation, cooling towers, sanitary).
- ~~M-18.~~ M-14. Should it be determined that the existing water main infrastructure is unable to accommodate the estimated water consumption for the project site, the developer shall be required to make special arrangements with LADWP to enlarge the supply lines.

Mitigation Measures M-19 through M-30 have also been renumbered sequentially, to M-15 through M-26. Revised numbering of the utilities Mitigation Measures is reflected in Final EIR Section V, Mitigation Monitoring Program.

Section IV.C (Air Quality)

Table IV.C-4 on page IV.C-12 in Section IV.C (Air Quality) of the Draft EIR has been changed in the Final EIR as follows (refer to Response to Comment Pless-9):

Table IV.C-4
Summary of Ambient Air Quality in the Project Vicinity

Air Pollutants Monitored Within SRA 1 — Central Los Angeles Area ^a	Year		
	~~2005~~ 2006	~~2006~~ 2007	~~2007~~ 2008
Ozone			
Maximum 1-hour concentration measured	0.42+11 ppm	0.4+115 ppm	0.4+5109 ppm
Days exceeding State 0.09 ppm 1-hour standard	28	83	3
Maximum 8-hour concentration	0.098079 ppm	0.079102 ppm	0.402090 ppm
Days exceeding national 0.075 ppm 8-hour standard	40	02	23
Days exceeding State 0.07 ppm 8-hour standard	24	46	67
Respirable Particulate Matter (PM₁₀)			
Maximum 24-hour concentration measured	70 ~~µg~~ 59 µg/m ³	59 ~~µg~~ 78 µg/m ³	7866 ~~µg~~ µg/m ³ ^{3b}
Days exceeding national 150 µg/m ³ 24-hour standard	0	0	0 ^b
Days exceeding State 50 µg/m ³ 24-hour standard	43	35	2 ^b
Fine Particulate Matter (PM_{2.5})			
Maximum 24-hour concentration measured	73.756.2 µg/m ³	5664.2 µg/m ³	64.278.3 µg/m ³
Days exceeding national 35 µg/m ³ 24-hour standard	211	4+20	2010
Carbon Monoxide (CO)			
Maximum 1-hour concentration measured	4.0 3.0 ppm	3.0 ppm	3.0 ppm
Days exceeding national 35.0 ppm 1-hour standard	0	0	0
Days exceeding State 20.0 ppm 1-hour standard	0	0	0
Maximum 8-hour concentration measured	3.42.6 ppm	2.62 ppm	2.21 ppm
Days exceeding national & State 9.0 ppm 8-hour standard	0	0	0
Nitrogen Dioxide (NO₂)			
Maximum 1-hour concentration measured	0.4311 ppm	0.4+10 ppm	0.4012 ppm
Days exceeding State 0.18 ppm 1-hour standard	-0	-0	-0
AAM	0.0278 ~~ppm~~ 0.288 ppm	0.02880299 ppm	0.0299 ~~ppm~~ 0.275 ppm
Does measured AAM exceed national 0.0534 ppm AAM standard or state 0.030 ppm AAM standard?	No	No	No
Sulfur Dioxide (SO₂)			
Maximum 24-hour concentration measured	0.04006 ppm	0.006003 ppm	0.003002 ppm
Number of days exceeding national 0.14 ppm 24-hour standard	0	0	0
Number of days exceeding state 0.04 ppm 24-hour standard	0	0	0
^a Effective December 17, 2006, the national standard for PM _{2.5} was revised from 65 µg/m ³ to 35 µg/m ³ . ^b Less than 12 full months of data; may not be representative.			
Note: ppm = parts per million by volume µg/m ³ = micrograms per cubic meter AAM = annual arithmetic mean			
Source: South Coast Air Quality Management District, ~~September 2008~~ March 2010.			

Table IV.C-8 on page IV.C-36 in Section IV.C (Air Quality) of the Draft EIR has been changed in the Final EIR as follows (refer to Response to Comment Pless-53):

**Table IV.C-8
Estimated Daily Regional Construction Emissions**

Emissions Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Site Grading/Excavation Phase (2010)						
Fugitive Dust	--	--	--	--	~~256.17~~ <u>256.00</u>	~~53.52~~ <u>46</u>
Off-Road Diesel Equipment	4.37	37.78	19.44	--	1.82	1.68
On-Road Diesel Equipment	2.68	34.96	13.42	0.04	1.59	1.37
Worker Trips	0.05	0.09	1.57	--	0.01	0.01
Total Emissions	7.10	72.83	34.43	0.04	259.43	56.52
Implementation of Dust Control Measures ^a	0.00	0.00	0.00	0.00	(~~197.96~~ <u>156.16</u>)	(~~41.34~~ <u>32.62</u>)
Total Emissions after Mitigation Rule 403	7.10	72.83	34.43	0.04	~~61.47~~<u>103.27</u>	~~15.18~~<u>23.90</u>
Site Grading/Excavation Phase (2011)						
Fugitive Dust	--	--	--	--	256.00	53.46
Off-Road Diesel Equipment	4.14	34.93	18.96	--	1.70	1.57
On-Road Diesel Equipment	2.47	31.46	12.10	0.04	1.42	1.21
Worker Trips	0.05	0.08	1.46	--	0.01	0.01
Total Emissions	6.65	66.47	32.53	0.04	259.14	56.25
Implementation of Dust Control Measures ^a	0.00	0.00	0.00	0.00	(~~201.09~~ <u>156.16</u>)	(~~44.13~~ <u>32.61</u>)
Total Emissions after Mitigation Rule 403	6.65	66.47	32.53	0.04	~~58.05~~<u>102.98</u>	~~12.12~~<u>23.64</u>
Building Construction Phase (2011)						
Building Construction Off-Road Diesel Equipment	3.31	22.58	12.85	--	1.72	1.58
Building Construction Vendor Trips	2.87	32.46	25.78	0.06	1.57	1.31
Building Construction Worker Trips	3.10	5.82	100.46	0.13	0.95	0.51
Total Emissions	9.28	60.86	139.10	0.20	4.25	3.40
Building Construction Phase (2012)						
Building Construction Off-Road Diesel Equipment	3.10	21.11	12.63	--	1.58	1.45
Building Construction Vendor Trips	2.63	28.97	23.84	0.06	1.42	1.17
Building Construction Worker Trips	2.82	5.34	93.46	0.13	0.95	0.51
Total Emissions	8.55	55.41	129.92	0.20	3.95	3.13
Building Construction Phase (2013)						

Table IV.C-8
Estimated Daily Regional Construction Emissions

Emissions Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Building Construction Off-Road Diesel Equipment	2.87	19.74	12.42	--	1.43	1.31
Building Construction Vendor Trips	2.40	25.61	21.94	0.06	1.27	1.03
Building Construction Worker Trips	2.57	4.87	86.86	0.13	0.96	0.51
Total Emissions	7.84	50.22	121.22	0.20	3.66	2.86
Site Finishing Phase (2013)						
Architectural Coatings Off-Gas	106.42	--	--	--	--	--
Architectural Coatings Worker Trips	0.11	0.22	3.89	0.01	0.04	0.02
Asphalt Off-Gas	0.19	--	--	--	--	--
Asphalt Off-Road Diesel	1.57	9.60	5.95	--	0.83	0.76
Asphalt On-Road Diesel	0.05	0.56	0.22	--	0.03	0.02
Asphalt Worker Trips	0.02	0.05	0.84	--	0.01	--
Total Emissions	108.36	10.42	10.90	0.01	0.91	0.81
2010 Emissions	7.10	72.83	34.43	0.04	~~61.47~~ 103.27	~~15.18~~ 23.90
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
2011 Emissions	15.93	127.33	171.62	0.24	~~65.44~~ 104.5	~~18.31~~ 27.04
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	Yes	No	No	No	No
2012 Emissions	8.55	55.41	129.92	0.20	3.95	3.13
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
2013 Emissions	116.19	60.64	132.11	0.21	4.56	3.67
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	Yes	No	No	No	No	No
<i>Note: Numbers may not appear to add up correctly due to rounding in the URBEMIS 2007 program.</i> ^a Dust control measures as required by SCAQMD Rule 403—Fugitive Dust. Source: Christopher A. Joseph & Associates, September 2008; March 2010. Calculation sheets are provided in Appendix B to the Final EIR.						

Table IV.C-10 on page IV.C-40 in Section IV.C (Air Quality) of the Draft EIR has been changed in the Final EIR as follows (refer to Responses to Comments Pless-16 and Pless-18):

**Table IV.C-10
Estimated Future (2013) Daily Operational Emissions**

Emissions Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summertime (Smog Season) Emissions						
Water and Space Heating, and Cooking Appliances	1.08	14.05	6.12	0.00	0.03	0.03
Landscape Maintenance Equipment	0.25	0.04	3.09	0.00	0.01	0.01
Consumer Products	71.82	--	--	--	--	--
Architectural Coatings	2.59	--	--	--	--	--
Mobile (Vehicle) Sources	~~3337.05~~	~~24.0128.10~~	~~308.27361.10~~	~~0.3743~~	~~3.4366~~	~~1.922.25~~
Total Future Daily Operational Emissions	~~108112.79~~	~~38.1042.19~~	~~317.48370.13~~	~~0.3743~~	~~3.4770~~	~~1.962.29~~
SCAQMD Regional Thresholds	55.00	55.00	550.00	150.00	150.00	55.00
Significant Impact?	Yes	No	No	No	No	No
Wintertime (Non-Smog Season) Emissions						
Water and Space Heating, and Cooking Appliances	1.08	14.05	6.12	0.00	0.03	0.03
Consumer Products	71.82	--	--	--	--	--
Architectural Coatings	2.59	--	--	--	--	--
Mobile (Vehicle) Sources	~~31.5836.19~~	~~29.6234.67~~	~~294.66345.06~~	~~0.2934~~	~~3.4366~~	~~1.922.25~~
Total Future Daily Operational Emissions	~~107.07111.68~~	~~43.6748.72~~	~~300.78351.18~~	~~0.2934~~	~~3.4669~~	~~1.952.28~~
SCAQMD Regional Thresholds	55.00	55.00	550.00	150.00	150.00	55.00
Significant Impact?	Yes	No	No	No	No	No
<i>Source: Christopher A. Joseph & Associates, September 2008. Calculation sheets are provided in Appendix B to the Draft EIR.</i>						

Mitigation Measure C-14 on page IV.C-57 in Section IV.C (Air Quality) of the Draft EIR has been changed in the Final EIR to read as follows (refer to Response to Comment Pless-58):

- C-14 The Project Applicant shall require all ~~scrapers, excavators, crawlers, forklifts, water trucks, pavers, and tractors~~ bore/drill rigs, excavators, rubber tired dozers, rubber tired loaders, cranes, forklifts, rough terrain forklifts, tractors/loaders/backhoes, trenchers, and cement and mortar mixers used in the construction phases to be equipped with diesel oxidation catalyst systems that would achieve a 20 percent reduction of NO_x emissions from approved systems.

Table IV.C-16 on page IV.C-58 in Section IV.C (Air Quality) of the Draft EIR has been changed in the Final EIR as follows (refer to Response to Comment Pless-53):

Table IV.C-16
Estimated Mass Daily Construction Emissions With Mitigation

Emission Source	Emissions in Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2010 Total Emissions	7.10	72.83	34.43	0.05	~~61.47~~ 103.27	~~15.18~~ 23.90
2010 Total Emissions With NO _x Mitigation	7.10	65.27	34.43	0.05	~~61.47~~ 103.27	~~15.18~~ 23.90
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
2011 Total Emissions	15.93	127.33	171.62	0.24	~~65.44~~ 107.23	~~18.31~~ 27.04
2011 Total Emissions With NO _x Mitigation	15.93	115.83	171.62	0.24	~~65.44~~ 107.23	~~18.31~~ 27.04
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	YES	No	No	No	No
2012 Total Emissions	8.55	55.41	129.92	0.20	3.95	3.13
2012 Total Emissions With NO _x Mitigation	8.55	51.19	129.92	0.20	3.95	3.13
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
2013 Total Emissions	116.19	60.64	132.11	0.21	4.56	3.67
2013 Total Emissions With VOC and NO _x Mitigation	72.72	56.69	132.11	0.21	4.56	3.67
SCAQMD Thresholds	75.00	100.00	550.00	150.00	150.00	55.00
Significant Impact?	No	No	No	No	No	No
<i>Source: Christopher A. Joseph & Associates, March 2010. Modeling results are included in Appendix B of the Final EIR.</i>						

Section IV.H (Land Use Planning)

Table IV.H-2 on page IV.H-18 in Section IV.H (Land Use Planning) of the Draft EIR has been changed in the Final EIR as follows (staff-initiated text change; also refer to Response to Comment Ross-48):

Principle of the Growth Vision Report	Consistency Discussion
4: Promote <i>sustainability</i> for future generations. • Preserve rural, agricultural, recreational and environmentally sensitive areas. • Focus development in urban centers and existing cities. • Develop strategies to accommodate growth that use resources efficiently, eliminate pollution, and significantly reduce waste. • Utilize “green” development techniques.	Generally Consistent. The Proposed Project is located in an urbanized area. The project site is not located in a rural, agricultural, recreational, or environmentally sensitive area. The Proposed Project is a mixed-use development on a site designated as Community Commercial and Limited Manufacturing. As discussed in Section IV.M, Utilities, the Proposed Project would comply with the waste-reducing requirements set forth in AB 939. The Proposed Project would be required to comply with the City Green Building Program Ordinance 179820.

Table IV.H-4 on page IV.H-22 in Section IV.H (Land Use Planning) of the Draft EIR has been changed in the Final EIR as follows (staff-initiated text change; also refer to Response to Comment Ross-48):

General Plan Housing Element Policy	Consistency Discussion
Policy 2.3.1: Encourage and plan for high intensity residential and commercial development in centers, districts and along transit Corridors, as designated in the Community Plans and the Transportation Element of the General Plan, and provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled in order to mitigate traffic congestion, air pollution, and urban sprawl.	Generally Consistent: The Proposed Project would provide a higher density mixed-use development on an existing vacant property, adjacent to major thoroughfares such as Flower Street, Figueroa Street, and Grand Avenue. The Proposed Project would provide neighborhood-serving retail for the existing single family residences approximately four blocks east, as well as the future tenants of the Proposed Project’s residential units. As the project site is in the vicinity of transit and several bus lines and within walking distance of commercial opportunities, the Proposed Project would reduce the overall need for automobile transport to and from the project site.

Table IV.H-7 on page IV.H-22 in Section IV.H (Land Use Planning) of the Draft EIR has been changed in the Final EIR as follows (staff-initiated text change; also refer to Response to Comment Ross-48):

Walkability Checklist Guideline	Consistency Discussion
The primary entrance for pedestrians should be at grade level from the public way and be easily accessible from transit stops, with as direct a path as possible to the transit stop. Retail establishments	Generally Consistent. Pedestrian entrances to the retail portion of the project are proposed at ground level along Flower Street. These entrances would remain unlocked during business hours. As discussed

should maintain at least one entrance from the public way with doors unlocked during regular business hours.	further in Section IV.L, Traffic and Transportation, public transit stops are either located or planned within walking distance to the project site.

Table IV.H-7 on page IV.H-32 in Section IV.H (Land Use Planning) of the Draft EIR has been changed in the Final EIR as follows (staff-initiated text change; also refer to Response to Comment Ross-48):

Walkability Checklist Guideline	Consistency Discussion
The façade should include a variety of features such as: a combination of different textures, colors and materials; distinctive architectural features; display windows; signage; setbacks and differentiated massing; rooflines; shade and shadow textures.	Generally Consistent. The Proposed Project avoids a box-like appearance through use of articulation of the horizontal and vertical elements of the building by using varied materials, textures and colors. Greater transparency would occur at the grade-level storefronts to display merchandise and promote sidewalk window shopping.

Section IV.K (Public Services)

The first paragraph on page IV.K-4 in Section IV.K (Public Services) of the Draft has been changed in the Final EIR to read as follows (refer to Response to Comment LAFD-3):

Fire Station 15 is located at 915 W. Jefferson Boulevard in the USC University Village area, approximately 1.2 mile to the southwest of the project site. This station is staffed with ~~14~~ 12 members at all times. ~~Of these 14 members, six members are assigned to the Light Force (Truck and Engine), four members are assigned to the Fire Engine, two members are assigned to the Paramedic Rescue Ambulance, and two members are assigned to the Battalion Command Team.~~ The response time from Fire Station 15 to the project site is approximately 4.8 minutes, and complies with the LAFD desired performance standards. This station also meets the desired response distance to the project site.¹

The first sentence of the last paragraph on page IV.K-7 and the footnote on page IV.K-8 in Section IV.K (Public Services) of the Draft have been changed in the Final EIR to read as follows (refer to Response to Comment LAFD-2):

According to the ~~City Fire Code~~ LAFD, the overall fire flow requirement for the Proposed Project, ~~a high density residential land use, is 4,000~~ 3,000 gpm from four adjacent fire hydrants flowing simultaneously with a 20 PSI minimum residual water pressure in the system.¹

¹ Email correspondence from William Wells, Captain II-Paramedic, City of Los Angeles Fire Department, Planning Section, May 22, 2008.

¹ ~~City of Los Angeles Municipal Code, §57.09.06, Fire-Flow.~~ Los Angeles Fire Department, Comment Letter, Millage Peaks, Fire Chief, December 17, 2009.

The second paragraph on page IV.K-33 in Section IV.K (Public Services) of the Draft has been changed in the Final EIR to read as follows (refer to Response to Comment LAPARKS-5):

The standard short-term minimum parkland-to-population ratio, provided in the City's Public Recreation Plan, is two acres of parkland per 1,000 residents generated. Therefore, implementation of the Proposed Project would require approximately 8.3 acres of parkland². The long-term parks and recreation goal in the Public Recreation Plan would require approximately 16.6 acres of new parkland³.

Section IV.L (Traffic, Transportation, and Parking)

Mitigation Measure L-4 has been added as follows (refer to Response to Comments Pless-58):

L-4 Prior to the issuance of the building permits, the applicant shall prepare detailed construction traffic control plans, including street closure information, detour plans, haul routes, hours of operation, protective devices, and staging plans satisfactory to the affected jurisdictions, including Metro, which shall be submitted to LADOT for its approval.

Section IV.M (Utilities)

The Mitigation Measures section on page IV.M-10 has been changed because the Proposed Project would not have significant sewer impacts and therefore would not require mitigation measures M-2 and M-3. The change is reflected below:

The following mitigation measures are required to mitigate any impacts to wastewater conveyance infrastructure to a less than significant level:

- M-1. If it is found that the adjacent sewer infrastructure has insufficient capacity for the Proposed Project, the developer shall be required to build another sewer line or additional laterals with direct flow to the nearest, larger line that has the available capacity.

² [(4,154 residents) ÷ (1,000)] = 4.154 residents. [(2 acres of parkland) x (4.154 residents)] = 8.3 required acres.

³ *Written correspondence from Michael A. Shull, Superintendent, City of Los Angeles Department of Recreation and Parks, January 26, 2010.*

~~M-2. The project shall include a holding tank large enough to hold three times the project daily wastewater flow so that the tank would hold all project wastewater during peak wastewater flow periods for discharge into the wastewater collection system during off peak hours.~~

~~M-3. The project shall include a grey water system to reuse wastewater generated on site.~~

The Mitigation Measures section on page IV.M-23 has been changed because the Proposed Project would not have significant water impacts and therefore would not require Mitigation Measure M-13. The mitigation measure was also not relied upon by the Water Supply Assessment (WSA). The change is reflected below:

The following mitigation measures are required to mitigate any impacts to water services to a less than significant level:

~~M-4.~~ M-2. The Project Applicant shall install high efficiency toilets (1.28 gallons per flush or less, includes dual flush).

~~M-5.~~ M-3. The Project Applicant shall install high efficiency urinals (0.5 gallons per flush or less, includes waterless).

~~M-6.~~ M-4. The Project Applicant shall install faucet hardware in restrooms with a faucet flow rate of 1.5 gallons per minute or less.

~~M-7.~~ M-5. The Project Applicant shall install showerheads with a flow rate of 2.0 gallons per minute or less.

~~M-8.~~ M-6. The Project Applicant shall limit showers to one showerhead per shower stall.

~~M-9.~~ M-7. The Project Applicant shall install high efficiency clothes washers (water factor of 6.0 or less) where clothes washers are provided.

~~M-10.~~ M-8. The Project Applicant shall install high efficiency dishwashers (Energy Star rated) where dishwashers are provided.

~~M-11.~~ M-9. The Project Applicant shall install domestic water heating systems located in close proximity to point(s) of use, as feasible; use of tank-less and on-demand water heaters as feasible.

~~M-12.~~ M-10. Cooling towers must be operated at a minimum of 5.5 cycles of concentration.

~~M-13. The Project Applicant shall install onsite water recycling systems for wastewater discharge for commercial laundries, dye houses, food processing, certain manufacturing operations, etc. (subject to a payback threshold of five years or less).~~

~~M-14.~~ M-11. Single-pass cooling shall be strictly prohibited.

~~M-15.~~ M-12. The Project Applicant shall install irrigation systems that meet the following requirements:

- Weather-based irrigation controller with rain shutoff.
- Flow sensor and master valve shutoff (large landscapes).
- Matched precipitation (flow) rates for sprinkler heads.
- Drip/microspray/subsurface irrigation where appropriate.
- Minimum irrigation system distribution uniformity of 75 percent.
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials.
- Use of landscaping contouring to minimize precipitation runoff.

~~M-16.~~ The Project Applicant shall install metering systems as follows:

- ~~• All dwelling units shall have individual metering and billing for water use.~~
- ~~• All irrigated landscapes of 5,000 square feet or more require separate metering or submetering.~~

~~M-17.~~ M-13. The Project Applicant is mandated to use recycled water (where available) for appropriate end uses (irrigation, cooling towers, sanitary).

~~M-18.~~ M-14. Should it be determined that the existing water main infrastructure is unable to accommodate the estimated water consumption for the project site, the developer shall be required to make special arrangements with LADWP to enlarge the supply lines.

Mitigation Measures M-19 through M-30 have also been renumbered sequentially, to M-15 through M-26. Revised numbering of the utilities Mitigation Measures is reflected in Final EIR Section V, Mitigation Monitoring Program.

V. MITIGATION MONITORING PROGRAM

MITIGATION MONITORING PROGRAM PROCEDURES

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The City of Los Angeles Department of City Planning is the Lead Agency for the Lorenzo Project.

An Environmental Impact Report has been prepared to address the potential environmental impacts of the Proposed Project. Where appropriate, this environmental document identified project design features or recommended mitigation measures to avoid or to reduce potentially significant environmental impacts of the Proposed Project. This Mitigation Monitoring Program (MMP) is designed to monitor implementation of the mitigation measures identified for the Proposed Project. The MMP is subject to review and approval by the Lead Agency as part of the certification of the EIR and adoption of project conditions. The required mitigation measures are listed and categorized by impact area, as identified in the Draft EIR, with an accompanying identification of the following:

- Monitoring Phase, the phase of the project during which the mitigation measure shall be monitored;
 - o Pre-Construction, including the design phase
 - o Construction
 - o Occupancy (post-construction)
- Enforcement Agency, the agency with the power to enforce the mitigation measure; and
- Monitoring Agency, the agency to which reports including feasibility, compliance, implementation, and development are made.

The project applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The MMP performance shall be monitored annually to determine the effectiveness of the measures implemented in any given year and reevaluate the mitigation needs for the upcoming year.

A. IMPACTS FOUND TO BE LESS THAN SIGNIFICANT

Agricultural Resources

No mitigation measures are required.

Biological Resources

No mitigation measures are required.

Mineral Resources

No mitigation measures are required.

B. AESTHETICS

- B-1. Project lighting shall be directed onto the Project Site, and all lighting shall be shielded from adjacent roadways and off-site properties.
- B-2. Atmospheric light pollution shall be minimized by utilizing lighting fixtures that cut-off light directed to the sky.
- B-3. All glass to be incorporated into the exterior of the building shall be either of low-reflectivity, or accompanied by a non-glare coating.
- B-4. On-site signs shall be limited to the maximum allowable under the LAMC. Multiple temporary signs in the store windows and along the building walls are not permitted.

Monitoring Phase:

Pre-Construction

Enforcement Agency:

Department of Building and Safety

Monitoring Agency:

Department of Building and Safety

C. AIR QUALITY**Code Required Measures**

The Project Developer shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:

- C-1. Use watering to control dust generation during break-up of pavement.
- C-2. Water active grading/excavation sites and unpaved surfaces at least three times daily.
- C-3. Cover stockpiles with tarps or apply non-toxic chemical soil binders.
- C-4. Limit vehicle speed on unpaved roads to 15 miles per hour.
- C-5. Sweep daily (with water sweepers) all paved construction parking areas and staging areas.
- C-6. Provide daily clean-up of mud and dirt carried onto paved streets from the site.

- C-7. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- C-8. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more.
- C-9. An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

Monitoring Phase:

Construction

Enforcement Agency:Department of Building and Safety, and
South Coast Air Quality Management District**Monitoring Agency:**Department of Building and Safety, and
South Coast Air Quality Management District

The Project Developer shall also implement the following measure in accordance with the City of Los Angeles Green Building Ordinance:¹

- C-10. To reduce GHG emissions associated with new construction resulting from the Project and to ensure energy efficient design, the Proposed Project shall meet the intent of the criteria for Leadership in Energy and Environmental Design (LEED) certification level which shall meet the 2008 Title 24 standards.

Monitoring Phase:

Pre-Construction

Enforcement Agency:

Department of City Planning

Monitoring Agency:

Department of City Planning

Project Mitigation Measures

- C-11. Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- C-12. The Project Applicant shall require in the construction specifications for the Proposed Project that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, are turned off when not in use for an extended period of time (i.e., 5 minutes or longer). The contract specifications shall be reviewed by the City prior to issuance of an excavation permit. Signs will be posted which restrict idling and education for truck drivers will be provided regarding diesel health impacts

¹ Ordinance 179820, Amending Chapter 1 of the Los Angeles Municipal Code by adding Sections 16.10 and 16.11, adopted April 22, 2008.

- C-13. The Project Applicant shall require in the construction specifications for the Proposed Project that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible. The contract specifications shall be reviewed by the City prior to issuance of an excavation permit.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

- C-14. The Project Applicant shall require all bore/drill rigs, excavators, rubber tired dozers, rubber tired loaders, cranes, forklifts, rough terrain forklifts, tractors/loaders/backhoes, trenchers, and cement and mortar mixers used in the construction phases to be equipped with diesel oxidation catalyst systems that would achieve a 20 percent reduction of NOx emissions from approved systems.

- C-15. The Project Applicant shall require in the construction specifics for the Proposed Project that residential exterior coatings shall contain no more than 50 grams VOC per liter and residential interior coatings shall contain no more than 30 grams VOC per liter.

- C-16. The Project Applicant shall require storage piles of dirt to be watered by hand or covered when wind events are declared, which would increase the control efficiency for fugitive dust from the stockpile to 90 percent.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety, and South Coast Air Quality Management District
Monitoring Agency:	Department of Building and Safety, and South Coast Air Quality Management District

- C-17. The Minimum Efficiency Reporting Value (MERV) air filtration systems are rated based on their efficiency with which they remove particulate matter of specific aerodynamic diameters. For this Project, the MERV 13 air filtration system would be implemented. The MERV 13 system is capable of arresting up to 75 percent of particles between 0.1 and 1.0 microns; over 90 percent of particles between 1.0 and 3.0 microns; and over 90 percent of particles between 3.0 and 10.0 microns.

Monitoring Phase:	Pre-Construction, Occupancy
Enforcement Agency:	Department of Building and Safety, and South Coast Air Quality Management District
Monitoring Agency:	Department of Building and Safety, and South Coast Air Quality Management District

D. CULTURAL RESOURCES

Historic Resources

No mitigation measures are required.

Archaeological and Paleontological Resources

Archaeological Resources

- D-1. If any archaeological materials are encountered during the course of development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology – Cal State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the South Central Coastal Information Center at Cal State Fullerton (SCCIC). A covenant and agreement shall be recorded prior to obtaining a grading permit.

Paleontological Resources

- D-2. If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology –USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the Los Angeles County Natural History Museum to assess the resources and evaluate the impact. Copies of the paleontological survey, study, or report shall be submitted to the Los Angeles County Natural History Museum. A covenant and agreement shall be recorded prior to obtaining a grading permit.

Human Remains

- D-3. If human remains are discovered at the project site during construction, work at the construction site shall be suspended, and the City of L.A. Public Works Department and County Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment or disposition of the remains.

Monitoring Phase:

Construction

Enforcement Agency:

Department of Building and Safety

Monitoring Agency:

Department of Building and Safety

E. GEOLOGY/SOILS

- E-1. The Proposed Project shall be designed and constructed in accordance with all of the recommendations provided in the Geotechnical Report, which shall be approved by the

Department of Building and Safety prior to issuance of building and grading permits. Recommendations in the Geotechnical Report include, but are not limited to:

- A mat foundation may be used for the Parcel B 40 story tower to distribute the anticipated load.
- All fill material generated during demolition shall be removed during the excavation of the subterranean levels and wasted from the site.
- Type II cement shall be used to prevent premature deterioration due to interaction with water-soluble sulfates on the project site.
- When rain is forecast, all fill that has been spread and awaits compaction shall be properly compacted prior to stopping work for the day or prior to stopping during inclement weather. These fills, once compacted, shall have the surface sloped to drain to an area where water can be removed.
- Drainage shall not be allowed to pond anywhere on the site, and especially not against any foundation or retaining wall.

Monitoring Phase:

Construction

Enforcement Agent

Department of Building and Safety

Monitoring Agency:

Department of Building and Safety

F. HAZARDS AND HAZARDOUS MATERIALS

- F-1. Prior to the issuance of a construction permit, the applicant shall provide a letter to the LAFD Underground Storage Tank Division, from a qualified USTs decommissioning consultant, indicating that no USTs are present on-site. If USTs are found to be present, a qualified USTs consultant shall decommission the USTs in compliance with the LAFD and other applicable State agencies. ASTs shall also be decommissioned in compliance with the applicable standards.
- F-2. The Applicant shall follow those specifications identified in the City of Los Angeles Department of Building and Safety's Standard Plan: Methane Hazard Mitigation.
- F-3. The Project Applicant shall consult a methane expert to monitor the excavation and construction of the Proposed Project, and to provide any applicable mitigation measures as recommended in the Geotechnical Report.
- F-4. All buildings shall be constructed with an impermeable membrane below the building foundation to prevent the potential for methane seepage.

Monitoring Phase:

Construction

Enforcement Agency:

Department of Building and Safety, and

Monitoring Agency:

Los Angeles Fire Department
Department of Building and Safety, and
Los Angeles Fire Department

- F-5. All commercial and multiple residential buildings shall be provided with an approved Methane Control System and adequate ventilation as defined in Section 91.7102, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.

Monitoring Phase:

Pre-Construction/Construction/Occupancy

Enforcement Agency:

Department of Building and Safety, and
Los Angeles Fire Department

Monitoring Agency:

Department of Building and Safety, and
Los Angeles Fire Department

- F-6. In the event the concentration of methane gas in any building located in a Methane Zone or Methane Buffer Zone reaches or exceeds 25 percent of the minimum concentration of gas that will form an ignitable mixture with air at ambient temperature and pressure, the owner shall hire an engineer to investigate, recommend and implement mitigating measures. These measures shall be subject to the approval of this Department and the Fire Department.

Monitoring Phase:

Pre-Construction/Construction

Enforcement Agency:

Department of City Planning,
Department of Building and Safety, and
Los Angeles Fire Department

Monitoring Agency:

Department of City Planning, and
Los Angeles Fire Department

G. HYDROLOGY/WATER QUALITY

- G-1. The project developers shall prepare and submit a Notice of Intent to comply with the Construction General Permit to the State Water Resources Control Board.

Monitoring Phase:

Pre-Construction

Enforcement Agency:

Department of Building and Safety

Monitoring Agency:

Department of Building and Safety, and
State Water Resources Control Board

- G-2. The applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) and erosion control plan per the requirements of the Construction General NPDES Permit.

Monitoring Phase:

Pre-Construction

Enforcement Agency:

Department of Building and Safety

Monitoring Agency:

Department of Building and Safety

G-3. The project developers shall implement the following SWPPP and SUSMP BMPs:

- During construction and operation, all waste shall be disposed of in accordance with all applicable laws and regulations. Properly labeled recycling bins shall be utilized for recyclable construction materials including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials and wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed, regulated disposal site by a licensed waste hauler.
- All leaks, drips, and spills occurring during construction shall be cleaned up promptly and in compliance with all applicable laws and regulations to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- If materials spills occur, they should not be hosed down. Dry cleaning methods shall be employed whenever possible.
- Construction waste containers shall be covered with tarps or plastic sheeting if left uncovered for extended periods. All dumpsters shall be well maintained.
- The project applicant shall conduct street sweeping and truck wheel cleaning to prevent dirt in stormwater.
- The project applicant shall provide regular sweeping of private streets and parking lots with equipment designed for removal of hydrocarbon compounds.
- The amount of exposed soil shall be limited and erosion control procedures implemented for those areas that must be exposed.
- Grading activities shall be phased so that graded areas are landscaped or otherwise covered, as quickly as possible after completion of activities.
- Appropriate dust suppression techniques, such as watering or tarping, shall be used in areas that must be exposed.
- The project area shall be secured to control off-site migration of pollutants.
- Construction entrances shall be designed to facilitate removal of debris from vehicles exiting the site, by passive means such as paved/graveled roadbeds, and/or by active means such as truck washing facilities.
- Truck loads shall be tarped.

- Roadways shall be swept or washed down to prevent generation of fugitive dust by local vehicular traffic.
- Simple sediment filters shall be constructed at or near the entrances to the storm drainage system wherever feasible.

Monitoring Phase:

Construction

Enforcement Agency:

Department of Building and Safety

Monitoring Agency:

Department of Building and Safety

H. LAND USE AND PLANNING

No mitigation measures are required.

I. NOISE

Construction Noise

- I-1. The Proposed Project shall comply with the City of Los Angeles Noise Ordinance No. 144331 and 161574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- I-2. Construction and demolition shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday, and prohibited on all Sundays and federal holidays.
- I-3. Noise and groundborne vibration construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses.
- I-4. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- I-5. To the extent feasible, the use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized. Examples include the use of drills, jackhammers, and pile drivers.
- I-6. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- I-7. Barriers such as plywood structures or flexible sound control curtains shall be erected around the project site to minimize the amount of noise on the surrounding off-site sensitive receptors to the maximum extent feasible during construction.

- I-8. All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

- I-9. The Proposed Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction sites prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.

- I-10. Two weeks prior to the commencement of construction at the project site, notification must be provided to the immediate off-site sensitive uses surrounding the project site that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

Monitoring Phase:	Pre-Construction/Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

Construction Vibration

- I-11. The operation of construction equipment that generates high levels of vibration, such as large bulldozers, loaded trucks, caisson drills, and jackhammers, shall be prohibited within 43 feet of the four-story residential building located north of Site B, and within 34 feet of the shared property lines with the Magnet High School and the Orthopaedic Hospital. Instead, small rubber-tired bulldozers shall be used within these areas during grading and site preparation operations.
- I-12. To the extent feasible, construction activities involving high vibration levels should be scheduled and conducted either prior to or after school is in session at the Magnet High School (i.e., early morning or late afternoon).

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

Operational Noise

- I-13. All new mechanical equipment associated with the Proposed Project shall comply with Section 112.02 of the City of Los Angeles Municipal Code, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than five decibels.
- I-14 The Project Applicant shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which ensure an acceptable interior noise environment.
- I-15 All exterior windows within the residential units on the project site shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or any amendment thereto. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

Monitoring Phase:

Construction, Occupancy

Enforcement Agency:

Department of Building and Safety

Monitoring Agency:

Department of Building and Safety

J. POPULATION, HOUSING, AND EMPLOYMENT

No mitigation measures are required.

K. PUBLIC SERVICES**Fire Protection**

- K-1. LAFD has stated that the Proposed Project would require several on-site private fire hydrants. The quantity and location of the private fire hydrants would be determined during the final plot plan review by LAFD prior to the issuance of construction permits.

Monitoring Phase:

Pre-Construction

Enforcement Agency:Los Angeles Fire Department, and
Department of Public Works**Monitoring Agency:**

Los Angeles Fire Department

Police Protection

- K-2. The plans shall incorporate design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard

patrol throughout the project site if needed. These measures shall be approved by the Police Department prior to the issuance of building permits.

Monitoring Phase: Pre-Construction
Enforcement Agency: Los Angeles Police Department
Monitoring Agency: Los Angeles Police Department

- K-3. The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

Monitoring Phase: Pre-Construction
Enforcement Agency: Bureau of Engineering, and
 Los Angeles Department of Transportation
Monitoring Agency: Bureau of Engineering, and
 Los Angeles Department of Transportation

- K-4. The Proposed Project shall provide 24-hour on-site security staffing.

Monitoring Phase: Construction/Occupancy
Enforcement Agency: Department of Building and Safety
Monitoring Agency: Department of Building and Safety

- K-5. The Proposed Project shall provide security hardware such as security cameras, lighting, and access control. Applicants shall coordinate with LAPD by providing site plans for review and to implement security features, such as private security, video surveillance, and secured entryways, as recommended by the LAPD during their review.

Monitoring Phase: Pre-Construction
Enforcement Agency: Los Angeles Police Department
Monitoring Agency: Los Angeles Police Department

Schools

With payment of school fees pursuant to SB 50, all potential impacts are considered fully mitigated.

Recreation and Parks

No mitigation measures are required.

Libraries

- K-6. The Proposed Project applicant shall pay a mitigation fee of \$200 per capita based upon the projected employment and residential population of the development. The funds will be used for additional books, computers, and other library materials and information services.

Monitoring Phase:
Enforcement Agency:
Monitoring Agency:

Pre-Construction
Los Angeles Public Library
Department of Building and Safety

L. TRAFFIC, TRANSPORTATION, AND PARKING

- L-1. Figueroa Street and West 23rd Street: Potential physical capacity improvements and traffic signal improvements were evaluated at this intersection. No additional approach lanes can be added to the intersection without significant widening and potential property acquisition. It was concluded that such efforts would be beyond the scope of the Proposed Project. The addition of a protected left turn phase at the northbound approach would mitigate the significant traffic impact at this intersection in the PM peak period but not in the AM peak period.

Corridor signal control improvements, if implemented, would improve operations without requiring roadway widening. Implementation of an ATCS network that includes this intersection would provide a benefit of 0.030 in the B/C value, removing the significant project impacts within both peak periods. This intersection currently has operational ATSAC synchronization equipment, and the ATCS capability can be added as an enhancement.

- L-2. Flower Street and West 23rd Street:

Implementation of an ATCS system that includes this intersection would provide a benefit of 0.030 in the V/C value, removing the significant project impacts within both peak periods. This intersection currently has operational ATSAC synchronization equipment, and the ATCS capability can be added as an enhancement.

- L-3. Grand Avenue and West 23rd Street:

Implementation of an ATCS network that includes this intersection would provide a benefit of 0.030 in the V/C value, removing the significant project impact within both peak periods.

As there are no identified physical mitigation measures for this intersection that would be feasible under the scope of the Proposed Project, it is recommended that a contribution be made toward the ATSAC synchronization program and the ATCS capability can be added as an enhancement. Such contributions would fully mitigate project impacts at this location.

- L-4. Prior to the issuance of the building permits, the applicant shall prepare detailed construction traffic control plans, including street closure information, detour plans, haul routes, hours of operation, protective devices, and staging plans satisfactory to the affected jurisdictions, including Metro, which shall be submitted to LADOT for its approval.

Monitoring Phase:	Construction
Enforcement Agency:	Los Angeles Department of Transportation
Monitoring Agency:	Los Angeles Department of Transportation

M. UTILITIES

Sewer

- M-1. If it is found that the adjacent sewer infrastructure has insufficient capacity for the Proposed Project, the developer shall be required to build another sewer line or additional laterals with direct flow to the nearest, larger line that has the available capacity.

Monitoring Phase:	Construction
Enforcement Agency:	Bureau of Sanitation and Department of Building and Safety
Monitoring Agency:	Bureau of Sanitation and Department of Building and Safety

Water

- M-2. The Project Applicant shall install high efficiency toilets (1.28 gallons per flush or less, includes dual flush).
- M-3. The Project Applicant shall install high efficiency urinals (0.5 gallons per flush or less, includes waterless).
- M-4. The Project Applicant shall install faucet hardware in restrooms with a faucet flow rate of 1.5 gallons per minute or less.
- M-5. The Project Applicant shall install showerheads with a flow rate of 2.0 gallons per minute or less.
- M-6. The Project Applicant shall limit showers to one showerhead per shower stall.
- M-7. The Project Applicant shall install high efficiency clothes washers (water factor of 6.0 or less) where clothes washers are provided.
- M-8. The Project Applicant shall install high efficiency dishwashers (Energy Star rated) where dishwashers are provided.
- M-9. The Project Applicant shall install domestic water heating systems located in close proximity to point(s) of use, as feasible; use of tank-less and on-demand water heaters as feasible.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety and

Monitoring Agency:

Department of Water and Power
Department of Building and Safety and
Department of Water and Power

M-10. Cooling towers must be operated at a minimum of 5.5 cycles of concentration.

M-11. Single-pass cooling shall be strictly prohibited.

M-12. The Project Applicant shall install irrigation systems that meet the following requirements:

- Weather-based irrigation controller with rain shutoff.
- Flow sensor and master valve shutoff (large landscapes).
- Matched precipitation (flow) rates for sprinkler heads.
- Drip/microspray/subsurface irrigation where appropriate.
- Minimum irrigation system distribution uniformity of 75 percent.
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials.
- Use of landscaping contouring to minimize precipitation runoff.

M-13. The Project Applicant is mandated to use recycled water (where available) for appropriate end uses (irrigation, cooling towers, sanitary).

M-14. Should it be determined that the existing water main infrastructure is unable to accommodate the estimated water consumption for the project site, the developer shall be required to make special arrangements with LADWP to enlarge the supply lines.

Monitoring Phase:

Construction/Operation

Enforcement Agency:

Department of Building and Safety and
Department of Water and Power

Monitoring Agency:

Department of Building and Safety and
Department of Water and Power

Solid Waste**Construction**

M-15. The construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction related wastes. The contract specifying recycled waste service will be presented to the Department of Building and Safety prior to approval of certificate of occupancy.

- M-16. To facilitate on-site separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins on-site during demolition and construction.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

Operation

- M-17. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

Monitoring Phase:	Occupancy
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

Electricity

- M-18. Design windows (e.g., tinting, double pane glass, etc.) to reduce thermal gain and loss and thus cooling loads during warm weather, and heating loads during cool weather.

Monitoring Phase:	Pre-Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

- M-19. Install thermal insulation in walls and ceilings that exceed requirements established by the State of California Energy Conservation Standards.

- M-20. Install high-efficiency lamps for all outdoor security lighting.

- M-21. Time control interior and exterior lighting. These systems must be programmed to account for variations in seasonal daylight times.

- M-22. Finish exterior walls with light-colored materials and high-emissivity characteristics to reduce cooling loads. Finish interior walls with light-colored materials to reflect more light and thus increase lighting efficiency.

- M-23. If applicable, coordinate with LADWP and fund the installation of the upgraded facilities as needed to maintain an adequate electricity distribution system and/or to connect the project site to the surrounding infrastructure.

Monitoring Phase:	Pre-Construction/Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

- M-24. The Proposed Project shall meet the intent of the criteria for Leadership in Energy and Environmental Design (LEED) certification level by meeting the 2008 Title 24 standards.

Monitoring Phase:	Pre-Construction
Enforcement Agency:	Department of City Planning and Department of Building and Safety
Monitoring Agency:	Department of City Planning and Department of Building and Safety

Natural Gas

- M-25. Coordinate with Southern California Gas to fund the installation of the upgraded facilities needed to connect the Proposed Project to the surrounding infrastructure.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety and Southern California Gas

- M-26. The Proposed Project shall meet the intent of the criteria for Leadership in Energy and Environmental Design (LEED) certification level by meeting the 2008 Title 24 standards.

Monitoring Phase:	Pre-Construction/Construction/Occupancy
Enforcement Agency:	Department of City Planning and Department of Building and Safety
Monitoring Agency:	Department of City Planning and Department of Building and Safety

VI. PREPARERS OF THE EIR AND PERSONS CONSULTED

Preparers of the EIR

Lead Agency

City of Los Angeles

Department of City Planning 200 North Spring Street, Room 750
Los Angeles, California 90012
Adam Villani, Project Coordinator

Project Applicant

Palmer/Flower Street Properties

11740 San Vicente Blvd., Suite 208
Los Angeles, California 90049

Environmental Consultant

Christopher A. Joseph & Associates

11849 W. Olympic Boulevard, Suite 101
Los Angeles, California 90064

Chris Joseph, President
Craig Fajnor, Senior Vice President
Lainie Herrera, Project Manager
Chad Flynn, GIS Manager
Terrance Wong, Senior Environmental Scientist
Brian Chen, Senior Environmental Scientist
Erin Kreitschitz, Associate Environmental Planner
Brad Perrine, Assistant Environmental Planner
Cristina Lowery, Assistant Environmental Planner
Lina Sahai, Assistant Environmental Planner
Sherrie Cruz, Senior Graphics Specialist

Architects

Nelson/Boivin-Architects

21066 Colina Drive, Suite 101
Topanga, California 90290

Traffic Consultant

KOA Corporation

1055 Corporate Center Drive, Suite 300
Monterey Park, California 91754
Lyly Churchill
Orion Alcalay

Phase I

AEI Consultants

2447 Pacific Coast Highway, Suite 101
Hermosa Beach, California 90254
Lyly Churchill
Orion Alcalay

Phase II

AEI Consultants

2447 Pacific Coast Highway, Suite 101
Hermosa Beach, California 90254
Rodolpho Nades
Joseph P. Derhake