



City of Los Angeles

Department of City Planning • Environmental Analysis Section
City Hall • 200 N. Spring Street, Room 750 • Los Angeles, CA 90012



FINAL ENVIRONMENTAL IMPACT REPORT

HOLLYWOOD COMMUNITY PLAN AREA

This document, together with the Draft EIR and its appendices, comprise the Final EIR as required under the California Environmental Quality Act

The Lexington Project

Case Number: ENV-2006-9653-EIR
State Clearinghouse Number: 2007031159

Project Location: 6677 West Santa Monica Boulevard, Los Angeles, California, 90038

Council District: 4

Project Description: The proposed Lexington project would include the development of 695 residential units with approximately 24,900 square feet of community-serving retail and restaurant uses. The residential uses would be located within six buildings ranging from five to seven stories in height and would include open space and recreational amenities. The community-serving retail and restaurant uses would be located on the ground level along the Santa Monica Boulevard frontage. Additionally, a three-level parking facility, providing approximately 1,391 spaces within two subterranean levels and one ground level, would be located below the residential uses. To accommodate the proposed project, the existing structures on the site would be removed.

The project would require various approvals and may include, but would not be limited to, the following: certification of an EIR; a vesting tentative tract map (including relief from the Advisory Agency's parking policy); General Plan Amendment to change the designation of the site from Limited Manufacturing to General Commercial; zoning change to change the zoning of the site to C2-2D-SN; Site Plan Review findings; Conditional Use Permit for alcoholic beverages; demolition, grading, excavation, foundation, and associated building permits; haul route approval; Project Permit Compliance or other necessary signage approvals pursuant to the requirements of the Hollywood Signage Supplemental Use District; and any additional actions as may be deemed necessary.

APPLICANT:
Eugene La Pietra

PREPARED BY:
CAJA Environmental Services,
LLC

ON BEHALF OF:
The City of Los Angeles
Department of City Planning
Environmental Analysis Section

August 2014

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 to the Draft EIR.....	IV-1
V. Supplemental Analysis of Project Revisions	V-1
VI. Mitigation Monitoring Program.....	VI-1

Appendices

Appendix A	Comment Letters on the Draft EIR
Appendix B	Comment Letters on the Recirculated Portions of the Draft EIR
Appendix C	Proposed Project Trip Generation Table (ITE Trip Generation, 9 th Edition)
Appendix D	NAHC Sacred Lands File Search Letter
Appendix E	LADBS Soils Report Approval Letter
Appendix F	Supplemental Geotechnical Analysis for Revised Project
Appendix G	Traffic Study Addendum for Revised Project

This page left blank intentionally

I. INTRODUCTION

A. PURPOSE

Before approving a project, the California Environmental Quality Act (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 Statute and 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 evaluation and response to public comments is an important part of the CEQA process as it allows the following: (1) the opportunity to review and comment on the methods of analysis contained within the Draft EIR; (2) the ability to detect any omissions which may have occurred during preparation of the Draft EIR; (3) the ability to check for accuracy of the analysis contained within the Draft EIR; (4) the ability to share expertise; and (5) the ability to discover public concerns.

B. PROCESS

As defined by Section 15050 of the CEQA Guidelines, the City of Los Angeles Planning Department is the Lead Agency for the Project. A Notice of Preparation (NOP) was prepared and circulated on March 30, 2007 through April 28, 2007 for the required 30-day review period.

The public review period for the Draft EIR for The Lexington Project was June 19, 2008 to August 4, 2008, for the required 45-day review period. The City received a total of 11 comment letters on the Draft EIR; however, a Final EIR was not completed due to the recession and the exit of the previous applicant, DS Ventures. In 2012, the owner of the Project site, Eugene La Pietra, elected to resume completing the entitlement process.

Portions of the Draft EIR were recirculated for public review in 2013 under the title “Recirculated Portions of the June 2008 Draft EIR (RPDEIR)”. The 45-day public review period for the RPDEIR for The Lexington Project was July 18, 2013 to September 2, 2013. A total of five comment letters on the

RPDEIR were received either during or shortly after the conclusion of the comment period, and those comments are set forth and are responded to in this Final EIR. Additionally, the 11 comment letters that were submitted to the City on the original Draft EIR in 2008 are set forth and are responded to in this Final EIR.

The Draft EIR, the RPDEIR, and this Final EIR will be submitted to the Planning Commission and City Council for requested certification and action on the Project.

C. HOLLYWOOD COMMUNITY PLAN UPDATE

As discussed at page I-1 of the Introduction to the RPDEIR, subsequent to the circulation of the Draft EIR, the City adopted an update to the Hollywood Community Plan involving new land use and zoning designations for the project site. Accordingly, the RPDEIR provided a revised/updated analysis of project consistency with the updated Community Plan, as well as its land use designation and zoning requirements (see Chapter VI, Land Use, of the RPDEIR). However, because the City's approval of the Community Plan update was then undergoing judicial review, the RPDEIR noted (at page I-3) that the original Land Use analysis contained in Section IV.F of the Draft EIR may become relevant in the event the update of the Community Plan is set aside.

On December 10, 2013, Judge Allan Goodman issued his decision in *Fix the City v. City of Los Angeles* (Case No. BS138580). The court's decision may result in the previous Community Plan and zoning designations analyzed in Section IV.F of the Draft EIR being reinstated as the currently relevant analysis of project land use impact.

Because the Community Plan update and zoning designations may have continuing relevance notwithstanding the court's decision, this Final EIR provides two alternative analysis of CEQA land use impacts: (i) the Land Use analysis contained in Section IV.F of the Draft EIR provides CEQA analysis of the project's land use impacts as compared to the Community Plan and zoning designations prior to the update; and (ii) the Land Use analysis contained in Section VI of the RPDEIR provides CEQA analysis of the project's land use impacts as compared to the Community Plan and zoning designations after the update. In addition: (i) Alternative B in Section V of the Draft EIR provides a potential development scenario consistent with the Community Plan and zoning designation of [Q]M1-1VL-SN for the project site prior to the update; and (ii) Alternative B in Section IX of the RPDEIR provides a potential development scenario consistent with the Community Plan update zoning designation of [Q]CM-2D-SN for the project site after the update.

D. ORGANIZATION OF THE FINAL EIR

Together with the Draft EIR and its appendices and the RPDEIR and its appendices, this document constitutes the Final EIR for the Project and includes the following sections:

Section I. Introduction: This section provides an introduction to the Final EIR.

Section II. List of Commenters: This section includes a list of the persons and agencies that submitted comments on the Draft EIR and the RPDEIR.

Section III. Responses to Comments: This section includes responses to each of the comments submitted by persons and agencies listed in Section II.

Section IV. Corrections and Additions to the Draft EIR: This section provides corrections and additions to the non-recirculated portions of the Draft EIR and/or the RPDEIR, based on comments received during and after the public review period and based on staff-initiated text changes.

Section V. Supplemental Analysis of Project Revisions: This section consists of an analysis of the potential changes to the Project's impacts associated with revisions to the Project being offered by the Applicant as an outgrowth of the CEQA process.

Section VI. Mitigation Monitoring and Reporting Program: This section includes all of the mitigation measures identified to reduce or avoid environmental impacts of the Project and notes the monitoring phase, the enforcement phase, and the applicable department or agency responsible for ensuring that each mitigation measure is implemented.

Appendices: The appendices to this document include copies of all the comments received on the Draft EIR and the RPDEIR and additional information cited to support the responses to comments and the analysis of Project revisions.

E. REVIEW AND CERTIFICATION OF THE FINAL EIR

Consistent with State law (Public Resources Code 21092.5), responses to agency comments will be forwarded to each commenting agency at least 10 days prior to the public hearing. At the same time, responses will be distributed to all commenters who provided an address.

The Final EIR is available for public review by appointment at the following locations:

Diana Kitching
City of Los Angeles
Department of City Planning
200 Spring Street, Room 750
Los Angeles, CA 90012
E-Mail: diana.kitching@lacity.org

Central Library
630 W. 5th Street
Los Angeles, CA 90071

Frances Howard Goldwyn - Hollywood Regional Branch Library
1623 N. Ivar Avenue
Los Angeles, CA 90028

Cahuenga Branch Library
4591 Santa Monica Boulevard
Los Angeles, CA 90029

Will & Ariel Durant Branch Library
7140 W. Sunset Boulevard
Los Angeles, CA 90046

Fairfax Branch Library
161 S. Gardner Street
Los Angeles, CA 90036

John C. Fremont Branch Library
6121 Melrose Avenue
Los Angeles, CA 90038

The Final EIR is also available online at the Department of City Planning's website [<http://planning.lacity.org/> (click on "Environmental" and then "Final EIR")]. The Final EIR can be purchased on CD-ROM for \$7.50 per copy. Contact Darlene Navarrete of the City of Los Angeles at darlene.navarrete@lacity.org or by phone at (213) 978-1332 to purchase one.

II. LIST OF COMMENTERS

The City of Los Angeles Department of City Planning received a total of 11 comment letters on the Draft EIR and a total of five comment letters on the RPDEIR. Each comment letter has been assigned a corresponding number, and distinct comments within each comment letter are also numbered. Comment letters on the Draft EIR are in “Group A”, while comment letters on the RPDEIR are in “Group B”. For example, comment letter “A1” is from the State Clearinghouse and Office of Planning and Research on the Draft EIR. The comments in this letter are numbered “A1-1”, etc.

The agencies, organizations and persons listed below provided written comments on the Draft EIR to the City of Los Angeles either during or shortly following the close of the formal public review period, which was from June 19, 2008 to August 4, 2008. Copies of the comments are included in Appendix A to this document.

Public Agencies and Neighborhood Councils

- A1. State Clearinghouse and Planning Unit, Governor’s Office of Planning and Research (Terry Roberts) on August 5, 2008
- A2. State Clearinghouse and Planning Unit, Governor’s Office of Planning and Research (Terry Roberts) on August 7, 2008
- A3. Native American Heritage Commission (Dave Singleton) on July 7, 2008
- A4. California Department of Toxic Substances Control (Ken Chiang) on July 30, 2008
- A5. California Department of Transportation (Elmer Alvarez, Caltrans District 7) on July 31, 2008
- A6. Metropolitan Transportation Authority (Susan Chapman) on August 1, 2008
- A7. City of Los Angeles Bureau of Sanitation, Wastewater Engineering Services Division (Brent Lorscheider) on July 7, 2008
- A8. City of Los Angeles Department of Recreation and Parks (Michael Shull) on June 23, 2008
- A9. Los Angeles Public Library (Rona Berns) on August 5, 2008
- A10. Los Angeles Unified School District, Office of Environmental Health and Safety (Glenn Striegler) on August 13, 2008

Private Individuals, Homeowners Associations, and Private Organizations

- A11. Adelman, Charles on August 13, 2008

The agencies, organizations and persons listed below provided written comments on the RPDEIR to the City of Los Angeles either during or shortly following the close of the formal public review period, which was from July 18, 2013 to September 2, 2013. Copies of the comments are included in Appendix B to this document.

Public Agencies and Neighborhood Councils

- B1. California Department of Transportation (Dianna Watson, Caltrans District 7) on September 3, 2013
- B2. Native American Heritage Commission (Dave Singleton) on August 2, 2013
- B3. South Coast Air Quality Management District (Ian MacMillan) on August 30, 2013

Private Individuals, Homeowners Associations, and Private Organizations

- B4. Citizens Advocating Rational Development (Nick Green) on September 3, 2013
- B5. McQuiston, Jim on September 5, 2013

III. RESPONSES TO COMMENTS

The purpose of the public review of the Draft EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the CEQA Guidelines states the following regarding standards from which adequacy is judged:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers 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. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

CEQA Guidelines Section 15088(a) states:

The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the notice comment period and any extensions and may respond to late comments.

The purpose of each response to a comment on the Draft EIR is to address the significant environmental issue(s) raised by each comment. This typically requires clarification of points contained in the Draft EIR. Section 15088(c) of the CEQA Guidelines describes the evaluation that CEQA requires in the response to comments. It states that:

The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

Section 15204(a) (Focus of Review) of the CEQA Guidelines helps the public and public agencies to focus their review of environmental documents and their comments to lead agencies. Case law has held that the lead agency is not obligated to undertake every suggestion given them, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. Section 15204.5(a) of the CEQA Guidelines clarifies this for reviewers and states:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and

ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by comments. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

The guideline encourages reviewers to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Given that an effect is not considered significant in the absence of substantial evidence, subsection (c) advises reviewers that comments should be accompanied by factual support. Section 15204(c) states:

Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Written comments made during the public review of the Draft EIR intermixed comments and questions regarding environmental issues pursuant to CEQA Guidelines Section 15088 with comments about the merits of project approval. While CEQA only requires responses to significant environmental issues in a Final EIR, the responses also acknowledge comments regarding the merits of project approval where appropriate. The response “comment noted” is often used in cases where the comment does not raise a significant environmental issue within the meaning of CEQA Guidelines Section 15088; for example, statements of opinion or preference regarding a project’s design or its presence as opposed to points within the purview of an EIR: environmental impact and mitigation. These points are relevant for consideration in the subsequent project approval process. In addition, the response “comment acknowledged” is also used where action has been taken in response to the comment in the CEQA process or preparation of the Final EIR.

Note that there may be spelling and/or grammar errors in the comment letters. These are replicated here as they were delivered to the City.

DRAFT EIR PUBLIC AGENCY COMMENTS**LETTER NO. A1 - STATE CLEARINGHOUSE AND OFFICE OF PLANNING AND RESEARCH**

State of California, Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
Terry Roberts
Director, State Clearinghouse
1400 10th Street
P.O. Box 3044
Sacramento, CA 95812

Comment No. A1-1

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 4, 2008, and the comments from the responding agency(ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Response to Comment No. A1-1

This comment states that the State Clearinghouse submitted the Draft EIR to selected state agencies for review. The enclosed comment letter refers to the Native American Heritage Commission letter dated July 7, 2008 and the Department of Toxic Substances Control letter dated July 30, 2008. These letters

and their responses are included in this Final EIR as Letter No. A3 (Native American Heritage Commission) and Letter No. A4 (Department of Toxic Substances Control), respectively.

LETTER NO. A2 – STATE CLEARINGHOUSE AND OFFICE OF PLANNING AND RESEARCH

State of California, Governor’s Office of Planning and Research
State Clearinghouse and Planning Unit
Terry Roberts
Director, State Clearinghouse
1400 10th Street
P.O. Box 3044
Sacramento, CA 95812

Comment No. A2-1

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 August 4, 2008. 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 (2007031159) when contacting this office.

Response to Comment No. A2-1

This comment states that the State Clearinghouse submitted the Draft EIR to selected state agencies for review. The enclosed comment letter refers to the Department of Transportation (Caltrans) letter dated July 31, 2008. This letter and responses to the comments it contains are included in this Final EIR as Letter No. A5.

LETTER NO. A3 – STATE OF CALIFORNIA, NATIVE AMERICAN HERITAGE COMMISSION

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

Comment No. A3-1

The Native American Heritage Commission (NAHC) is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) 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)(CEQA guidelines). Section 15382 of the 2007 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 action:

- Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.

Response to Comment No. A3-1

The first portion of this comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The Applicant contacted the California Historical Resources Information System South Central Coastal Information Center (CHRIS-SCCIC) and received a response on December 6, 2006 indicating that no archaeological resources were known to exist beneath the project site, nor have any been uncovered within a half-mile radius of the project site. In addition, as is discussed in Section III (Environmental Setting) of the Draft EIR (at page III-5), a records search was conducted through the CHRIS-SCCIC at California State University in Fullerton. The records search revealed that there are no recorded historic resources within the project site. Eight historic properties have been recorded within a half-mile radius of the project site. These include properties such as A&M Records Studio (formerly Charlie Chaplin Studio), Hollywood YMCA, Fire Station No. 27, and the area known as the Crossroads of the World. All eight properties have been designated as Los Angeles Historic Cultural Monuments (LAHCM), numbers 58, 134, 165, 227, 657, 2395, 2462, and 2464. The closest of these properties is the Toberman Storage Company, 1025 North Highland Avenue, located about a quarter-mile to the southwest of the project site.

Of the 11 buildings currently located on the project site, eight were constructed after 1962 and three were built prior to 1962. Section IV.C (Historic Resources) of the Draft EIR contains an evaluation of the existing structures on the project site with respect to applicable criteria for the identification of historic resources. As described in detail in Section IV.C, none of the buildings on the project site appears eligible for listing in the National Register, California Register, or for local City of Los Angeles Historic-Cultural Monument designation. In addition, for the purposes of CEQA, none of these buildings is considered a historic resource as defined by the CEQA Guidelines, Section 15064.5(a). Thus, no impacts to historic resources would result from implementation of the proposed project.

Comment No. A3-2

- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

Response to Comment No. A3-2

As is discussed in the Initial Study for the proposed project (Draft EIR Appendix A at page B-8) and in Response to Comment A3-1, the project site is located in a highly urbanized area subject to disruption throughout the years. Surficial archaeological resources that may have existed at one time may have previously been disturbed. Results of the cultural resources records search through the CHRIS-SCCIC

indicate that six cultural resource investigations have been conducted within a half-mile radius of the project site. None of these investigations has identified archaeological resources within the half-mile radius of the project site. Therefore, it was determined that the proposed project would have a less than significant impact with respect to archaeological resources and that no archaeological inventory survey is required. Also see Response to Comment A3-3 with respect to mitigation measures in the event unexpected resources are encountered.

Comment No. A3-3

- Contact the Native American Heritage Commission (NAHC) for:
 - A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name township, range and section.
 - The NAHC advises the use of Native American Monitors, also, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).

Response to Comment No. A3-3

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather suggests that the Applicant contact a list of Native American Tribes attached to the comment. A Sacred Lands File search was conducted through the NAHC in 2006 and is included as Appendix D to this Final EIR. This search revealed that there are no known burials or Native American cultural resources within the project site or within a quarter-mile radius of the project site.

As is discussed in the Initial Study prepared for the proposed project (see Draft EIR Appendix A), state laws and regulations require that, if a unique archaeological resource is discovered during construction of the project, work in the area must cease and deposits must be treated in accordance with federal, state, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. In addition, if it is determined that an archaeological site is a historical resource, the provisions of Section 21084.1 of the Public Resources Code and CEQA Guidelines Section 15064.5 must be implemented. As a result, through compliance with these regulations, project activities would not disturb, damage, or degrade potential unique archaeological resources or archaeological sites considered historic resources. Therefore, impacts to archaeological resources would be less than significant and no mitigation measures are necessary.

Similarly, if human remains are encountered during construction excavation and/or grading activities, all

work must cease in that area. Any discovery of human remains must be treated in accordance with Section 5097.98 of the Public Resources Code (PRC) and Section 7050.5 of the Health and Safety Code. Specifically, in the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. Stop immediately and contact the County Coroner:

1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)

- b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- e. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
- f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.

Thus, through compliance with the above-described regulations, impacts associated with the disturbance of human remains are anticipated to be less than significant and no mitigation measures are required.

Comment No. A3-4

- Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - 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.
- 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.
- 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.

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

Response to Comment No. A3-4

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather suggests that the Applicant include mitigation to address the unanticipated discovery of archaeological and/or human (including Native American) remains during project construction. As discussed in Response to Comment A3-3, California laws and regulations address this topic and the proposed project will comply with all relevant provisions of state and local laws concerning unknown cultural resources. See also Response to Comment A3-3.

LETTER NO. A4 – STATE OF CALIFORNIA, DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Department of Toxic Substances Control
Ken Chiang
Senior Hazardous Substances Scientist
Brownfields and Environmental Restoration Program
9211 Oakdale Avenue
Chatsworth, CA 91311

Comment No. A4-1

The Department of Toxic Substances Control (DTSC) has reviewed the Draft Environmental Impact Report (DEIR), dated June 19, 2008, for the subject project. The due date to submit comments is August 4, 2008. Based on a review of the DEIR, DTSC would like to provide the following comments:

1. The project includes the development of approximately 786 residential units with approximately 22,200 square feet of community-serving retail and restaurant uses.

Response to Comment No. A4-1

This comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A4-2

2. If demolition of an old structure will occur, lead based paint and organochlorine pesticides from termiticide applications may be potential environmental concerns at the site. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's "*Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006.*

Response to Comment No. A4-2

As is discussed in the Draft EIR, the proposed project would involve the demolition of all existing structures on the project site. The existing buildings on the project site were originally constructed over several decades, beginning as early as 1923. Thus, the potential exists for lead-based paint to occur on the site. Section IV.D (Hazards and Hazardous Materials) of the Draft EIR includes a discussion of the potential for lead-based paint to occur on-site and recommends that Mitigation Measure D-4 be implemented to reduce potential project impacts to a less than significant level.

With respect to the issue of organochlorine pesticides resulting from termiticide applications, there is no evidence to suggest that such substances were historically applied to the structures on the project site. However, in order to be cautious, the following mitigation measure has been added to this Final EIR (see also Section IV, Corrections and Additions to the Draft EIR):

Mitigation Measure D-8: Prior to issuance of demolition permits, the Applicant shall submit verification to the City of Los Angeles Department of Building and Safety that a survey for the presence of organochlorine pesticides from termiticide applications has been conducted at all existing buildings located on the project site. If such residual pesticides are found, the Applicant shall follow all applicable investigation and mitigation protocols contained in the Department of Toxic Substances Control publication *Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers*, dated June 9, 2006, for proper removal and disposal of the residual pesticides.

Comment No. A4-3

3. A gas station is located to the south of the site. Additionally, the site previously included an underground storage tank (UST). Contaminants associated with these UST locations may potentially migrate to the site via groundwater and/or soil gas pathways. DTSC recommends that these environmental concerns be investigated and if necessary, mitigated, in accordance with applicable requirements, such as DTSC's "*Advisory-Active Soil Gas Investigations*", dated January 2003 and "*Vapor Intrusion Guidance Document-Final Interim*", dated December 15, 2004.

Response to Comment No. A4-3

Section IV.D (Hazards and Hazardous Materials) of the Draft EIR includes a discussion of the potential for contaminants associated with USTs to exist on-site and recommends that Mitigation Measure D-2 be implemented to reduce potential project impacts to a less than significant level. Mitigation Measure D-2 would involve the monitoring of the site to observe for evidence of any USTs, toxic materials, contaminated soils, or contaminated groundwater. If contamination is discovered, grading within such areas shall be temporarily halted and redirected around the area until the appropriate evaluation and follow-up measures are implemented so as to render the area suitable for grading activities to resume. The potentially contaminated area shall be evaluated to determine the nature and extent of contamination, if any. Any contamination above regulatory limits shall be excavated/disposed of, treated in-situ (in place), or otherwise managed in accordance with applicable regulatory requirements. Contaminated soils shall be remediated to the satisfaction of the DTSC, and written confirmation of completion of the soils remediation to the agency's satisfaction shall be submitted to the City of Los Angeles Department of

Building and Safety prior to issuance of a certificate of occupancy. With implementation of this mitigation measure, potential project impacts associated with USTs would be reduced to a less than significant level.

Comment No. A4-4

4. Several portions of the site are located within a designated methane buffer zone. Methane is considered a hazardous material. DTSC recommends that methane investigation and if necessary, mitigation, be conducted in accordance with applicable requirements, such as DTSC's "Advisory-Methane Assessment and Common Remedies at School Sites, dated June 16, 2005."

Response to Comment No. A4-4

Section IV.D (Hazards and Hazardous Materials) of the Draft EIR includes a discussion of the site's location within a designated methane buffer zone and the potential for methane gases to exist beneath the project site. The Draft EIR, in Mitigation Measure D-5, recommends that Cal-OSHA worker safety measures be implemented to preclude an exposure to unsafe levels of soil gases, including methane. Mitigation Measure D-6 requires testing for methane gases prior to the issuance of building permits and also requires, if necessary, a methane control system to be incorporated into the design of project structures. With implementation of these two mitigation measures, potential project impacts associated with methane gases would be reduced to a less than significant level.

Comment No. A4-5

5. The site has previously been occupied by an automotive repair facility, an automotive and lumber facility, an oil storage building, a manufacturing facility, and Kodak Studios. DTSC recommends that an environmental review, such as Preliminary Endangerment Assessment (PEA), be conducted to determine whether there has been or may have been a release or threatened release of a hazardous material at the site.

If you would like to discuss this matter further, please contact me at (818) 717-6617.

Response to Comment No. A4-5

As is noted in Section IV.D (Hazards and Hazardous Materials) of the Draft EIR, an Environmental Site Assessment Summary and Update was prepared for the project site by California Environmental in August 2007. This report was included in the Draft EIR as Appendix D. The previous uses of the project site referenced in the comment are described in detail in Section IV.D of the Draft EIR (see page IV.D-7) and known or potential contamination resulting from these previous uses is discussed on pages IV.D-11 through IV.D-13 of the Draft EIR. As noted in Appendix D to the Draft EIR, the property owners and DTSC have entered into a Voluntary Clean-Up Agreement for additional assessment and clean-up of the project site. Additionally, Mitigation Measures D-1, D-2, and D-5 would require that remnants of

previous hazardous material releases underneath the project site would be fully investigated and remediated prior to construction of the proposed project.

LETTER NO. A5 – CALIFORNIA DEPARTMENT OF TRANSPORTATION

Department of Transportation
District 7, Regional Planning
IGR/CEQA Branch
Elmer Alvarez, IGR/CEQA Branch Chief
100 Main Street, MS #16
Los Angeles, CA 90012

Comment No. A5-1

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project is to develop 786 residential units with approximately 22,200 square feet of community-serving retail and restaurant uses on an approximately 5.9 net acre site.

The project is right on Santa Monica Blvd. (State Route 2), two blocks from Highland Avenue, and about 1.5 miles away from US-101. Since the project site borders State right-of-way, there is the possibility that work may encroach onto State property. In all instances where the proposed work falls within or affects the State right-of-way such as constructions, grading, changes to hydraulic run-off, etc., a Caltrans encroachment permit will be needed. Consequently, plans will need to be reviewed by our Office of Permits.

Response to Comment No. A5-1

Construction impacts on adjacent street right of ways are discussed in Section IV.I (Transportation and Circulation) of the Draft EIR. As noted on page IV.I-26, it is anticipated that project construction activities would be primarily confined to the project site. In the event the proposed project requires work within or that would affect the State right-of-way on Santa Monica Boulevard, the proposed project would comply with Caltrans' requirements to obtain an encroachment permit. Plans for any such encroachment would be submitted to the Caltrans' Office of Permits for review, in accordance with the comment.

Comment No. A5-2

From Table IV.I-7 Project Trip Generation, the project would generate net 1,938 average daily traffic and 309/293 net project vehicle trips during AM/PM peak. Many of those trips will utilize SR-2, and US-101. In this table, the consultant is using 50% Pass-By Trips and credit 3,892 trips for 4 existing night clubs. The 50% Pass-By Trips and the credit for the night clubs are unreasonably high.

Response to Comment No. A5-2

The trip generation reductions utilized in the Draft EIR and project traffic analysis were determined in compliance with LADOT procedures and in consultation with LADOT. A pass-by adjustment of 50 percent was used for the coffee shop/juice bar and specialty retail components of the project, as set forth

in Attachment G of LADOT's Traffic Study Policies and Procedures for such uses, and was applied to the project in consultation with LADOT. The LADOT factors, in turn, were based on research presented in the Institute of Transportation Engineers (ITE) *Trip Generation* manual. High-turnover convenience uses such as fast-food restaurants, convenience markets, small shopping centers (e.g., mini-malls), and other such uses attract a high percentage of pass-by traffic, meaning trips that are already traveling on the street system for another reason and are not new trips added to the street system. ITE research indicates that an average of 50 percent of fast-food restaurant trips during the PM peak hour are pass-by trips and an average of 61% of convenience market trips during the PM peak hour are pass-by trips. In the case of the proposed project, some of the patrons of the coffee shop/juice bar and retail components may be walk-ins from the project's residential uses or from surrounding uses. A separate discount was not taken for this phenomenon in the project traffic analysis, but the pass-by adjustment conservatively reflects the combined effect of both pass-by and walk-in trips.

Regarding the daily trip credit for the existing nightclubs on the project site, ITE has a rate category for "drinking places", but does not provide a daily trip generation rate due to limited sample size. Therefore, the daily trip generation estimate for the existing nightclubs was developed through application of the ITE rate for quality restaurants (ITE code 931). The quality restaurant daily rate was used as a surrogate because, similar to nightclubs, quality restaurants are often open only in evening hours. Since nightclubs typically accommodate more persons per square foot than a restaurant, however, use of the restaurant rate as a surrogate was considered to be a conservative approach (conservative in that it may underestimate the trip generation of the clubs, yielding a smaller credit). Also, it should be noted that no credit was taken for the nightclubs during the typical AM and PM peak hours of analysis in the report, since the clubs do not open until after the PM peak hour.

Comment No. A5-3

On Table IV.I-2, the existing LOS (Level of Service) at Highland Avenue and Santa Monica Blvd is operating at LOS D in AM and E in the PM peak. Additional project trips along with cumulative trips from related projects will significantly impact this intersection and Las Palmas/Santa Monica. Therefore, Caltrans requests that mitigation measures are considered.

Response to Comment No. A5-3

This comment reiterates portions of the Draft EIR relating to the project's traffic impacts. Project-generated trips in addition to trips generated by related projects in the surrounding area were analyzed to determine cumulative levels of service (LOS) at the study area intersections. Through this analysis, the project was found to have significant impacts at the intersections of Highland Avenue/Santa Monica Boulevard and Las Palmas Avenue/Santa Monica Boulevard. However, because no feasible mitigation measures for these intersections (as well as five other intersections) to improve LOS were identified due to both physical constraints and secondary impacts, these impacts of the project were considered to be significant and unavoidable and were presented as such on page IV.I-50 of the Draft EIR.

Subsequently, however, during preparation of the RPDEIR, mitigation measures were identified in consultation with LADOT that would fully mitigate the project impact at Highland Avenue/Santa Monica Boulevard and would reduce the previously identified impact at Las Palmas Avenue/Santa Monica Boulevard (Mitigation Measures I-6 and I-7 in the RPDEIR). In addition, Mitigation Measure I-4 in the RPDEIR requires implementation of a comprehensive transportation demand management (TDM) program to further reduce project trips and impacts.

As discussed in Appendix G of the Draft EIR, the significant impact at the intersection of Las Palmas Avenue/Santa Monica Boulevard could be reduced to a less than significant level by restriping the north and south legs to add a left-turn lane and a through/right-turn lane. However, this physical improvement would require the loss of approximately five metered parking spaces on the east side of Las Palmas Avenue north of Santa Monica Boulevard. Due to the secondary impact associated with the loss of on-street parking spaces, LADOT has determined that this mitigation measure is not feasible, and therefore, the project impact at the intersection of Las Palmas Avenue/Santa Monica Boulevard would be reduced but would remain significant and unavoidable.

Comment No. A5-4

On Table IV.I-4, the US-101 LOS in the project vicinity is operating between LOS D and F. On Table IV.I-9, the total Project Only Volume assigned to the mainline freeway US-101 is about 278 trips. This is a significant impact to the State facilities. From Figure III-I, Location of Related Projects, there are many related projects in the project vicinity. There will be cumulative significant traffic impacts when all the related projects are developed. Given existing operating conditions, this project along with related projects are expected to significantly impact US-101. We request the City work with Caltrans to determine appropriate mitigation measures. Caltrans may accept fair-share funding contribution towards pre-established or future improvements.

Response to Comment No. A5-4

Regarding Caltrans' request to work with the City to determine appropriate mitigation measures, see Response to Comment B1-10. The Caltrans *Guidelines for the Preparation of Traffic Impact Studies*¹ does not define significant impact thresholds and Caltrans' recent environmental impact report for the I-710 Corridor Project states that "Caltrans has not adopted specific thresholds of significance for determining whether an impact is significant." Accordingly, notwithstanding the commenter's personal views, Caltrans has not officially promulgated or adopted thresholds of significance for impacts to its facilities or made thresholds of significance available to public agencies such as the City of Los Angeles. In the absence of adopted standards, the Metro CMP provides clear and consistent evaluation procedures and has been adopted by the City (the lead agency for this EIR) as the appropriate methodology for evaluating freeway impacts.

¹ *Guidelines for the Preparation of Traffic Impact Studies, State of California Department of Transportation, December 2002.*

The traffic impact study (Appendix G of the Draft EIR) was prepared consistent with the City's traffic study guidelines. The study included a Congestion Management Program (CMP) analysis, a state-mandated requirement administered by the Los Angeles County Metropolitan Transportation Authority (Metro).² The CMP, which is a statutory requirement that became effective with the passage of Proposition 111 in 1990, includes procedures for measuring a project's impacts on the transit and freeway systems. Both the City³ and Metro guidelines clearly define what constitutes a significant traffic impact.

Using the City and Metro guidelines, the CMP impact analysis presented in the Draft EIR (Section IV.I, Transportation and Circulation) determined that the project would not have significant impacts on the US 101 mainline. Significant impacts were found at a number of intersections along Santa Monica Boulevard (State Route 2), including at the US 101 northbound off-ramp/Santa Monica Boulevard intersection, and mitigation measures are identified in the RPDEIR (Mitigation Measures I-6 through I-13) that will be fully funded by the project. In addition, RPDEIR Mitigation Measure I-4 requires implementation of a comprehensive TDM program to further reduce project trips and impacts.

Finally, the comment states that the total project only volume assigned to the US 101 freeway is 278 trips. However, the comment has misinterpreted the data shown on Table IV.I-9, since the table shows multiple freeway segments and the 278 figure quoted in the comment double-counts trips that travel on more than one segment. The correct total project only volume assigned to the freeway system is 139 trips in the AM peak hour and 132 trips in the PM peak hour, but only a portion of these would be on any one segment. See also Response to Comment B1-4.

Comment No. A5-5

On page IV.I-48, Mitigation Measure I-2 for US-101 freeway northbound off ramp at Santa Monica Blvd. is to widen and to provide two left turn lanes and a separate through/right-turn lane. The City has determined that the project's fair share contribution shall be 12% of the cost of the improvement (up to \$120,000). The fair share percentage needs to be justified and the source of remaining funds needs to be identified. Otherwise, significant traffic impact will remain.

Response to Comment No. A5-5

During preparation of the RPDEIR, a new mitigation measure was identified in consultation with LADOT that would fully mitigate the project impact at the US 101 northbound off-ramp/Santa Monica Boulevard intersection (Mitigation Measure I-12 in the RPDEIR, which replaces Mitigation Measures I-2 in the Draft EIR). Implementation of Mitigation Measure I-12 will be fully funded by the project. With implementation of Mitigation Measure I-12, the project impact at this intersection would be reduced to a less than significant level and Mitigation Measure I-2 from the Draft EIR is no longer required.

² *Congestion Management Program for Los Angeles County (Los Angeles County Metropolitan Transportation Authority).*

³ *L.A. CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles, City of Los Angeles, 2006.*

Comment No. A5-6

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.

Response to Comment No. A5-6

The issue of stormwater runoff from the project site during the construction period, as well as following project completion, is addressed fully in Section IV.E (Hydrology and Water Quality) of the Draft EIR and as updated in Section V (Hydrology and Water Quality) of the RPDEIR. Implementation of Mitigation Measures E-1 through E-7, as well as compliance with applicable laws and ordinances concerning stormwater runoff, including the City's Standard Urban Stormwater Mitigation Plan requirements, would reduce the project's stormwater runoff impacts to a less than significant level.

Comment No. A5-7

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.

Response to Comment No. A5-7

As indicated in this comment, if the use of oversized transport vehicles on State highways becomes necessary during project construction, the project would be required to obtain a Caltrans transportation permit. Construction truck trips could occur during peak periods. However, Mitigation Measure I-1 in Section IV.I, Transportation and Circulation, of the Draft EIR requires the project applicant to prepare a Construction Staging and Traffic Management Plan to be implemented during construction of the project. As part of the Construction Staging and Traffic Management Plan, deliveries and pick-ups of construction materials would be scheduled for non-peak travel periods to the maximum extent feasible. As noted on page IV.I-25 of the Draft EIR, however, even with implementation of Mitigation Measure I-1, temporary construction traffic impacts associated with the project could be potentially significant and unavoidable.

Comment No. A5-8

Highland Avenue (north of Santa Monica Boulevard) has been relinquished to the City. Santa Monica Boulevard has been relinquished in West Los Angeles and Beverly Hills. We recommend the City consider receiving the segment of Santa Monica Boulevard within its boundaries (State Route 2) through the Caltrans relinquishment process. The State would be required to leave it in a state of good repair. Once the City has control over the street, modifications to it would no longer need to meet State standards. Additional benefits could include:

- Incorporating traffic calming features,
- Streetscape enhancement and beautification projects,

- Allowing variation in sidewalk construction and composition,
- Allowing advertising signage along sidewalks,
- Allowing reciprocal ingress/egress,
- Allowing changes to building setback requirements,
- Allowing changes to median stripes and islands,
- Promote transit oriented mixed-used developments, etc.

Response to Comment No. A5-8

This comment recommends that the City consider receiving the segment of Santa Monica Boulevard within its boundaries through the Caltrans relinquishment process such that modifications to Santa Monica Boulevard would no longer need to meet State standards. The comment does not relate specifically to the proposed project or to any impacts of the project identified in the Draft EIR or RPDEIR. This comment is acknowledged and will be forwarded to the decision makers for review and consideration.

Comment No. A5-9

In the spirit of mutual cooperation, we would like to invite the lead agency and the traffic consultant to the Caltrans office to discuss project generated traffic impacts on State facilities and mitigation measures. We would also like to discuss possible transportation solutions for future projects involving alternate modes of transportation. Please contact this office at your earliest convenience to schedule a meeting within the next few weeks.

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. 080641AL.

Response to Comment No. A5-9

With respect to the comment inviting the Lead Agency as well as the traffic consultant to discuss project generated traffic impacts and mitigation measures, as well as possible transportation solutions for future projects involving alternate modes of transportation, see Response to Comment B1-10. This comment does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. This comment is acknowledged and will be forwarded to the decision makers for review and consideration.

LETTER NO. A6 – METROPOLITAN TRANSPORTATION AUTHORITY

METRO

Susan Chapman, Program Manager, Long Range Planning
Metro CEQA Review Coordination
One Gateway Plaza, MS 99-23-2
Los Angeles, CA 90012-2952

Comment No. A6-1

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

Response to Comment No. A6-1

This comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A6-2

The Traffic Impact Analysis prepared for the Draft EIR satisfies the traffic and transit requirements of the proposed project. However, the following issue should be addressed for the Final EIR:

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.

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

Response to Comment No. A6-2

The Draft EIR, on page IV.I-26, notes that project construction would not require the temporary relocation of bus stops or the re-routing of bus lines. Construction activities would primarily be confined

to the project site. Thus, transit services provided by Metro and other municipal transit operators would not be impacted due to project construction.

LETTER NO. A7 – CITY OF LOS ANGELES BUREAU OF SANITATION, WASTEWATER ENGINEERING SERVICES DIVISION

City of Los Angeles
Bureau of Sanitation
Wastewater Engineering Services Division
Brent Lorscheider, Acting Division Manager

Comment No. A7-1

This is in response to your June 19, 2008 letter requesting wastewater service information for the proposed project. The Bureau of Sanitation, Wastewater Engineering Services Division (WESD), has conducted a preliminary evaluation of the potential impacts to the wastewater system for the proposed project.

Projected Wastewater Discharges for the Proposed Project:

Type Description	Average Daily Flow per Unit Description (GPD/Unit)	Proposed No. of Units	Average Daily Flow (GPD)
<i>Existing</i>			
Commercial use	80 GPD/1000 SQ.FT	130,698 SQ.FT	(10,456)
<i>Proposed</i>			
Condo (Studio)	80 GPD/DU	139 DU	11,120
Condo (1 Bedroom)	120 GPD/DU	310 DU	37,200
Condo (2 Bedroom)	160 GPD/DU	338 DU	54,080
Retail	80 GPD/1000 SQ FT	17,778 SQ FT	1,423
Restaurant	300 GPD/1000 SQ FT	9,422 SQ FT	2,827
TOTAL			96,194

SEWER AVAILABILITY

The sewer infrastructure in the vicinity of the proposed project includes two (2) existing 8-inch pipes in Santa Monica Blvd. Both existing 8-inch lines feed into a 12-inch line and continues into a 14-inch line on Seward St. The flow then feeds into a 27-inch line (Pipe 1) on Melrose Ave. It continues into a 24-inch, 30-inch, 36-inch, before discharging into another 27-inch line (Pipe 2) on Melrose Ave. The current flow level (d/D) in one of the existing 8-inch, 24-inch, 36-inch, and 27-inch (Pipe 2) lines cannot be determined at this time as gauging is needed for these lines. Based on our gauging information, the current flow level (d/D) in the one of the existing 8-inch, 12-inch, 14-inch, 27-inch (Pipe 1), and 30-inch lines are approximately 39%, 32%, 35%, 26%, and 41%, respectively.

Based on the estimated flows, it appears the sewer system might be able to accommodate the total flow for your proposed project. Further detailed gauging and evaluation will be needed as part of the permit process to identify a sewer connection point. If the local sewer line, the 8-inch lines, to the 27-inch (Pipe

2) sewer line, has insufficient capacity then the developer will be required to build a secondary line to the nearest larger sewer line with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

If you have any questions, please call Abdul Danishwar of my staff at (323) 342-6220.

Response to Comment No. A7-1

This comment presents information regarding the sewer lines in the vicinity of the project site and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. As noted in the comment, the project will be required to submit a sewer connection permit application, at which time a more detailed assessment of available sewer capacity must be completed. If sufficient capacity is not available to serve anticipated project wastewater generation, the project applicant will be required to build a secondary line to the nearest larger sewer line with sufficient capacity.

LETTER NO. A8 – CITY OF LOS ANGELES DEPARTMENT OF RECREATION AND PARKS

City of Los Angeles
Department of Recreation and Parks
Michael Shull, Superintendent
1200 West 7th Street, Suite 700
Los Angeles, CA 90017

Comment No. A8-1

The following information has been prepared in response to your request for comments relative to the proposed Lexington Project Draft Environmental Impact Report. This proposed project includes the development of approximately 787 residential units, located at 6677 Santa Monica Boulevard in the Hollywood area of the City of Los Angeles. These comments are regarding Section IV.H.4: Environmental Impact Analysis, Public Services, Parks and Recreation.

Section 1.a.: Existing Conditions. The project site is located in the Pacific Region of the DRP's jurisdiction. Several park and recreational facilities, totaling approximately 4,500 acres, are located within a 2-mile radius of the project site. As shown in Figure IV.H-5 on page IV.H-47, these park and recreational facilities include the following:

This project is located within the Metro Region of the DRP's jurisdiction. Additionally, Pan Pacific Park and Recreation Center is listed twice in this list of facilities.

Response to Comment No. A8-1

The first portion of this comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. With respect to the remainder of the comment, the following revisions have been made to Section IV.H.4 (Parks and Recreation) of the Draft EIR (see also Section IV, Corrections and Additions to the Draft EIR):

- On page IV.H-46, the first sentence of the second paragraph under the “a. Existing Conditions” subheading has been revised to read: The project site is located in the Pacific Metro Region of the DRP’s jurisdiction.
- On page IV.H-48, the final bullet point has been deleted in its entirety: ~~Pan Pacific Park and Recreation Center. This is an approximate 31.86-acre community park located at 7600 Beverly Blvd. This park features an auditorium, barbecue pits, baseball diamond, basketball courts, children’s play area, indoor gym, and picnic tables.~~

Comment No. A8-2

Section 2.c.1.: Project Design Features. The project would provide approximately 110,595 square feet (or 2.54 acres) of common and private open space for residents. Common open space areas, which would comprise approximately 71,295 square feet, are proposed throughout the project site and would include, but not be limited to: two recreation rooms (within Buildings 2 and 5), pedestrian walkways open to the public during daytime hours, a children's play lawn, outdoor landscaped seating areas, two landscaped courtyards that would each contain a pool, barbecues, seating areas with tables and chairs, and a 28 foot wide landscaped pedestrian plaza that would run through the entire length of the site from Santa Monica Boulevard to Lexington Avenue. This landscaped pedestrian plaza would be accessible to project residents as well as the general public (during daytime hours) and would serve as an emergency vehicle access lane, when necessary.

According to LAMC section 17.12.F.7.b(2), the 'Quimby Code' the granting of credits shall be subject to several conditions including the following: The use of private facilities is restricted for park and recreational purposes by recorded covenants which run with the land in favor of the future owners of property within the tract...Therefore, in order to receive any credit for facility provision, those facilities must be, by recorded covenant, for recreation and park use. An emergency vehicle access lane, required as a condition of approval for the project, by definition would not qualify for this credit. All proposed recreation and park amenities are subject to review by the Department of Recreation and Parks for appropriateness prior to the granting of any credit.

Response to Comment No. A8-2

This comment presents information regarding the City's Quimby Ordinance and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. It is noted that, although the proposed Mid-Block Pedestrian Plaza component of the project would not be eligible to qualify for credit under the City's Quimby Ordinance due to its required usage as an emergency vehicle access lane, it would be eligible to count toward the City's open space requirement contained in LAMC Section 12.21, as is noted in Table IV.H-10 on page IV.H-56 of the Draft EIR.

Comment No. A8-3

Section 2.c.2(a).: Project Impacts-Public Recreation Plan. Based on the 1,769 residents generated by the project, the project would require 3.5 acres of neighborhood parkland within a 0.5-mile radius to meet the PRP's long-range standard and 1.7 acres within a one-mile radius to meet the PRP's short-and intermediate-range standard. Of the approximately 71,295 square feet (1.64 acres) would be considered "neighborhood" open space, thus falling short of the City's long-range standard as well as the short-range and intermediate-range standards for neighborhood parks.

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 Community Plan Standards, it is anticipated that a development of the magnitude of the proposed project will outlast the lifespan of the existing community plan, and should strive to meet the long-range goals of the Public Recreation Plan. Therefore the provision of 1.64 acres of neighborhood park type recreational amenities does not meet the standards set by the Public Recreation Plan.

Response to Comment No. A8-3

This comment essentially restates the conclusions presented on page IV.H-54 of the Draft EIR with respect to the relationship between project open space and recreation facilities and the City's long-range goals for community parks as expressed in the Public Recreation Plan. The comment does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. Attaining the goals and ratios of the Public Recreation Plan for the creation of public parks reflects the City's long-term objectives, but represents a goal for the City rather than a requirement that is to be applied to individual development projects. The Public Recreation Plan acknowledges that the goals may not be met during the lifetime of the Public Recreation Plan and also that the City does not intend that the goals be exclusively funded or supplied through private project exactions. Rather, as stated at page 3 (of the Public Recreation Plan), the objectives of the Plan are intended to be accomplished through a combination of "federal, state and private funds to implement acquisition and development of parks and recreational facilities." The Public Recreation Plan is a policy document and does not prescribe standards applicable for use in determining the environmental impacts of individual development projects.

The project will implement Mitigation Measure H-19, which will mitigate the project's environmental effects to a less than a significant level through compliance with the requirements of LAMC Sections 12.21.G and 17.12. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A8-4

With the project's 71,295 square feet of common open space and recreation opportunities, the use of existing community parks in the area would also be minimized. Nevertheless, residents of the proposed development would be expected to utilize community parks (i.e., baseball, basketball, volleyball, and tennis courts, etc.) in addition to using the on-site recreation and open space amenities. The project would come close to meeting but would fall short of the City's long-range and short-range standards for community parks.

The Public Recreation Plan specifies two acres per 1,000 residents of neighborhood parks **and** two acres per 1,000 residents of community parks. This Draft EIR is attempting to make a point that the same 71,295 square feet would be counted towards meeting both of these standards. The same square footage cannot be used to satisfy both requirements.

Response to Comment No. A8-4

See Response to Comment A8-3. The comment asserts that the Draft EIR assumes that the same open space to be developed at the project site as part of the project could be applied toward either the Public Recreation Plan neighborhood parkland or community parkland standard. In fact, the Draft EIR (see page IV.H-54) makes no such statement or implication. As presented in the Draft EIR, the project would include approximately 1.64 acres of common open space that could be considered “neighborhood” open space of the type contained within neighborhood parks. The Draft EIR does not, however, attempt to differentiate precisely how much of the proposed open space area within the project would fall into each of these two parkland categories. Rather, the Draft EIR simply notes that the proposed project would not provide sufficient common open space to attain either the neighborhood parkland or the community parkland standards in the Public Recreation Plan. As noted in Response to Comment A8-3, however, the Public Recreation Plan is a policy document and does not prescribe standards applicable for use in determining the environmental impacts of individual development projects. Accordingly, attaining the goals and ratios of the Public Recreation Plan for the creation of public parks represents a goal for the City rather than a requirement that is to be applied to individual development projects. The Draft EIR goes on to present Mitigation Measure H-19 as a means of reducing the project’s impacts on public recreation facilities to a less than significant level consistent with adopted City policies.

It should also be noted that the parkland ratio calculations presented in the Draft EIR and referenced above do not take into account other recreational land within the Los Angeles metropolitan region, including federal and state parkland, county beaches, etc. As acknowledged in the final report for the Department of Recreation and Parks Needs Assessment (2009), since the time the City’s Public Recreation Plan was adopted in 1980, expectations have changed drastically as to how far people are willing to travel to recreation sites. Together with public transit, it is now very easy for people to access parks farther than a half-mile from the project site. In addition, recreational programming at both City and other regional parks facilities is available for utilization by future project residents.

Comment No. A8-5

Section 2.c.2(b): Project Impacts - City of Los Angeles Municipal Code (LAMC). As previously stated, Section 17.12 of the LAMC, the City's parkland dedication ordinance enacted under the Quimby Act, provides a formula for satisfying park and recreational uses through parkland dedication and/or the payment of in-lieu fees. For the project's proposed density of over 100 dwelling units per acre, approximately 32 percent of the gross subdivision area would be required to be dedicated as parkland. Based on this formula and the gross site area of 6.67 acres, the project would be required to do one of the following: dedicate approximately 2.13 acres of park and recreation space, or pay in-lieu fees of approximately \$5,906 per dwelling unit.

It should be made clear that according to Section 17.12 of the LAMC, the Advisory Agency is the entity which determines whether the percentage of the project site is due for the provision of recreation and park amenities, or whether an in-lieu fee is allowed instead.

Response to Comment No. A8-5

The comment provides information concerning the determination of the project's eligibility to pay in-lieu fees under the City's Quimby Ordinance. In order to clarify the information in the Draft EIR on this subject, the following revision has been made to Section IV.H.4 (Public Services – Parks and Recreation) of the Draft EIR (see also Section IV, Corrections and Additions to the Draft EIR):

- On page IV.H-55, the first sentence of the last paragraph has been revised to read: As previously stated, Section 17.12 of the LAMC, the City's parkland dedication ordinance enacted under the Quimby Act, provides a formula for satisfying park and recreational ~~uses~~ needs of new subdivisions through parkland dedication and/or the payment of in-lieu fees, subject to the determination of the Department of City Planning/Advisory Agency.

Comment No. A8-6

Section 4: Mitigation Measures. In consultation with the Department of Recreation and Parks, the Applicant shall do one or more of the following: (1) dedicate additional parkland to meet the requirements of the Los Angeles Municipal Code Section 17.12; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide on-site improvements equivalent in value to said in-lieu fees.

This project is located in a high density area of the city that is below the City's standard for neighborhood and community park acreage. The City's standard ratio of neighborhood and community parks to population is four (4) acres per 1,000 people, per the Public Recreation Plan. The Hollywood Community Plan Area, which includes the project area, has 0.41 acres of neighborhood and community park acreage per 1,000 people. The facilities in this area with active recreational features are already heavily used by residents and additional patrons will greatly impact the existing facilities.

The project proposes the development of 787 new residential units which would add an estimated 1,769 new residents to this area. In order to meet the City's standards for park acreage this would require the development of 7.07 acres of neighborhood and community park acreage. The 1.64 acres open space currently proposed for this project site (a portion of which it has already been determined does not satisfy the requirements of LAMC Section 17.12) would not be adequate to serve the needs of the residents of this development. In fact, due to the density of the proposed project, meeting the requirements of LAMC Section 17.12 through either the dedication of 32 percent of the project site, or the payment of in-lieu fees, will not provide sufficient recreation and park space or amenities to fully mitigate the impact of the development. Additionally, the Department requires that the project applicant meet with Department staff at the earliest design stages of this project to review recreation facility options for the proposed recreation facility.

Other options that may mitigate the impact to park and recreational facilities and reduce the needs of residents of the proposed project include: developing additional recreational and park amenities within the proposed site; paying Quimby Park fees to improve existing facilities in the project area, expand existing

park sites, or add new sites; and offering a local shuttle service or vans to transport residents to recreation and park sites. Payment of in-lieu fees alone will not satisfy the recreation needs of the residents of the proposed development.

Thank you for the opportunity to provide information relative to the proposed project's impact on recreation and park services. Please contact Camille Walls, at (213) 928-9196 or Melinda Gejer, at (213) 928-9136 to arrange a meeting to discuss this project.

Response to Comment No. A8-6

See Response to Comment A8-3. The project will comply with Mitigation Measure H-19, which reflects the City's adopted policy for reducing the proposed project's significant impact on parks and recreation to a less than significant level. The proposed mitigation measure would require the project applicant to dedicate additional parkland, pay in-lieu fees for the land dedication shortfall, and/or provide on-site improvements equivalent in value to the in-lieu fees. The proposed mitigation would also require the project applicant to consult with the Department of Recreation and Parks, as is suggested by the comment. The comment acknowledges that the payment of Quimby fees to improve existing facilities in the project area represents one potential avenue by which project impacts may be mitigated, which is consistent with phrasing of Mitigation Measure H-19. Furthermore, the Department of Recreation and Parks does not suggest specific revisions to the wording of Mitigation Measure H-19 and consultation with the Department on the precise components of the mitigation plan for the project will be required. Thus, no further response is necessary.

LETTER NO. A9 – LOS ANGELES PUBLIC LIBRARY

Los Angeles Public Library
Rona Berns, Library Facilities Division
630 West Fifth Street
Los Angeles, CA 90071

Comment No. A9-1

This letter is to update Los Angeles Public Library information originally provided in a letter dated February 12, 2007.

We have revised incorrect information in the Draft EIR regarding the Los Angeles Public Library system under V. Environmental Impact Analysis - H. Public Services 5. Libraries - Environmental Setting as follows:

Page IV.H-59

- Should read “The LAPL... with a multimedia inventory of over 6.3 million items and 2,200 computer workstations...”

Page IV.H-62

- Should read, "The LAPL Branch Facilities Plan (Facilities Plan) guides the construction of branch libraries and specifies standards for the size and features of branch facilities based on population served in each community." Delete sentence stating Facilities Branch Plan is continually updated through Library Bond Program Master Schedule reports.
- Should read, "Under Proposition 1, the Facilities Plan proposed...renovating and expanding libraries that are unable to serve the community sufficiently and/or were damaged by the Whittier (rather than the Sylmar) earthquake.
- Should read, "The original 32 projects have been completed and of the four newly added projects, three (rather than two) projects are complete and one is in construction as of August, 2008.
- Delete sentence stating LAPL participates in the "Library of California".

If you have further questions, please call me at (213) 228-7574.

Response to Comment No. A9-1

This comment suggests several minor corrections to the description of the existing setting in Section IV.H.5 (Public Services – Libraries) of the Draft EIR. In accordance with these recommended revisions

from the Los Angeles Public Library, the following corrections have been made to Section IV.H.5 of the Draft EIR (see also Section IV, Corrections and Additions to the Draft EIR):

- On page IV.H-59, the second sentence of the first paragraph under the “a. Existing Conditions” subheading has been revised to read: The LAPL consists of the Central Library and 71 branch libraries, with a multimedia inventory of over 6.4³ million items and ~~2,000~~ 2,200 computer workstations with access to the Internet and electronic databases.
- On page IV.H-62, the first paragraph has been revised to read: The LAPL Branch Facilities Plan (Facilities Plan) guides the construction, ~~maintenance, and organization~~ of public branch libraries and specifies standards ~~in defining geographic service areas and~~ for the size and features of branch facilities based on population served in each community. The Facilities Plan was revised and recently approved by the Board of Library Commissioners on February 8, 2007. The Facilities Plan also outlines the required facilities expansion needs of the libraries within the City. Under the 2007 Facilities Plan, the service population for branch libraries is defined according to the size of the facilities, as shown in Table IV.H-11 on page IV.H-63. The LAPL bases the service population for a branch upon census tracts that are assigned to that branch. ~~The Facilities Branch Plan is continually assessed and updated through annual and quarterly Library Bond Program Master Schedule reports.~~
- On page IV.H-62, the third sentence of the second paragraph has been revised to read: Under Proposition 1, the Facilities Plan proposed obtaining new sites for building, renovating, and expanding libraries that are unable to serve the community sufficiently and/or were damaged by the ~~Sylmar~~ Whittier earthquake.
- On page IV.H-62, the final sentence of the third paragraph has been revised to read: The original 32 projects have been completed and of the four newly added projects, ~~two~~ three projects are complete; and one is in construction, and one is in the Bid & Award Phase as of August 2008.
- On page IV.H-62, the second sentence in the bottom (partial) paragraph has been deleted as follows: ~~The LAPL also participates with other library systems in the “Library of California,” a network of public and private California libraries.~~

LETTER NO. A10 – LOS ANGELES UNIFIED SCHOOL DISTRICT, OFFICE OF ENVIRONMENTAL HEALTH AND SAFETY

LAUSD

Office of Environmental Health and Safety
Glenn Striegler, Environmental Assessment Coordinator
333 South Beaudry Ave. – 20th Floor
Los Angeles, CA 90017

Comment No. A10-1

The District has reviewed the Lexington Project DEIR and it appears that the information regarding LAUSD schools is correct; however, some of the information is listed under different headings in the DEIR than the headings in our RFI letter (attached). Both of the Documents are stating the same information, but in a different way. I requested PCR to include a complete copy of our response letter as an attachment in their DEIR, but none was found. The reason I ask our response letter to be included is to provide easy reference for individuals who wish to see the original data. Thank you for giving us the time to properly review the DEIR.

Response to Comment No. A10-1

The Los Angeles Unified School District (LAUSD) is requesting that the letter it provided to the preparers of the Draft EIR in response to a request for information concerning local LAUSD facilities be included as an attachment to the EIR in its entirety. This letter, dated January 31, 2007, has been added to the Draft EIR as Appendix J (see also Section IV, Corrections and Additions to the Draft EIR). Given that the comment states that the information in this letter is accurately presented in Section IV.H.3 (Public Services – Schools) of the Draft EIR, albeit in a different format, no further response is necessary.

DRAFT EIR PRIVATE INDIVIDUAL COMMENTS**LETTER NO. A11 – ADELMAN, CHARLES**

Charles Adelman
6146 Eleanor Ave #107
Los Angeles, CA 90038

Comment No. A11-1

I would like to offer some comments regarding the Draft EIR for the Lexington Project (PL 020-08 ENV 2006-9653 EIR).

First, in the section on cumulative effects, the list of nearby projects includes many duplications, including two listings for Encore Hall Senior housing (completed more than a year ago) as well as a listing for Hollywood Marketplace II, a predecessor project to Encore Hall; the Madrona Condominiums on La Brea Ave is also listed twice (at different addresses). There are also a number of Projects have long since been completed and are now baseline data.

Response to Comment No. A11-1

This comment is in reference to the list of cumulative projects proposed for the general vicinity of the project site that was utilized in the Draft EIR to assess impacts that the proposed project would generate in combination with other development in the area. The original list of cumulative (or “related”) projects was identified for the Draft EIR in 2008 and was based upon the applications that were then on file with the City of Los Angeles and the City of West Hollywood. This list is presented in Table III-1 in Section III.B (Related Projects) of the Draft EIR. The commenter notes that a few of these cumulative projects are present twice in Table III-1 and that some of the listed projects had already been completed by the time the Draft EIR was released. Although these were inadvertent errors, they did not affect the outcome of the environmental impact analysis in a significant manner and, if anything, resulted in more conservative conclusions regarding the degree of cumulative impact that would result from the combined development of the proposed and “related” projects in the area.

During preparation of the RPDEIR, the 2008 “related” projects list was reviewed against an updated list prepared in 2013. As is noted in RPDEIR Appendix D, a total of 67 cumulative projects were identified in 2013, compared to the 142 that had been identified in 2008. Rather than updating the entire cumulative impact analysis to reflect the new, smaller level of development being proposed in the project vicinity, the City determined that the original 2008 cumulative project list provided the basis for a more conservative impact analysis and thus carried it over to the RPDEIR. As a result, no revisions to the list of cumulative projects utilized in the Draft EIR are necessary and no additional analysis is required.

Comment No. A11-2

Second, the methodology used in Chapter IV Section H.1 Fire Protection is pure garbage, as is the conclusion reached in the section that 495 new fire department responses per year is statistically insignificant (this would in fact be a substantial number of responses, if true, for a one square block area!). You can not estimate the number of new F.D. responses simply by dividing the population of the local fire station “first-in” district by the total number of responses in a year from that station and then multiplying the result by the estimated population of the proposed project. Fire Station 27’s district, in addition to its residential population, includes part of the US 101 Freeway, a number of major arterial streets, two Red Line stations, hotels, office building, movie theaters, nightclubs, restaurants, live entertainment venues, stores, movie studios and industrial businesses. A large percentage of FS 27’s responses are a result of these nonresidential uses. As an example, on July 19, 2008, RA 27 responded to two medical aid calls at the Hollywood Bowl during the course of one 2.5-hour concert.

To properly calculate the number of new F.D. responses expected from a residential project, you must divide the population of the F.S. district by the number of responses to residential incidents and traffic accidents on residential streets only in that district; then multiply that number by the proposed project’s expected population. You then subtract the number of responses generated by the project site from the total; this accounts for the fact that the project site’s current use may generate responses that will end with the proposed project. If we use this methodology, we find that the effect of this project on fire protection resources truly is insignificant.

Response to Comment No. A11-2

The comment recommends an alternative methodology to the one utilized in Section IV.H.1 (Public Services – Fire Protection) of the Draft EIR to evaluate the potential impact of the proposed project on existing levels of demand for fire protection services at the project site and concludes that utilizing such a methodology would show the project’s impact on fire protection services is insignificant. Although the comment raises valid points regarding relative fire protection needs associated with the different land uses that would be located at the project site following construction of the proposed project, the relative rates of fire protection service calls by land use type are not available for use in the analysis. Thus, the population-based methodology described in the comment was employed to provide a rough estimation of the potential impact of the project on fire protection service calls, consistent with conventional EIR preparation protocols. The comment notes that it is likely that the project’s primarily residential use would generate fewer fire protection service calls than the existing commercial and industrial uses at the site. In the event that the comment’s assertion proves true, the analysis in the Draft EIR can be considered to present a conservative approach that overstates the project’s fire protection service needs. Even under the scenario presented in the Draft EIR, the project’s impacts on fire protection services are concluded to be less than significant.

Comment No. A11-3

Third, in Chapter IV.H.2 Police, we see the same error. We cannot estimate the projects effect on police services simply by multiplying Hollywood Division's Crime rate by the projects population. Again, not all crime in Hollywood involves residents or residential properties; visitors and businesses are also frequent targets. We must multiply the projects population by the division's residential crime rate and the projects commercial square footage by the divisions commercial crime rate, then subtract the number of crimes generated by the project sites current usage. Furthermore, not all police responses generate crime reports; therefore, we must calculate police responses generated by the project the same way: Residential response rate times project population, commercial responses times commercial S.F, then subtract responses from current site usage. The last step is very important because the existing nightclubs at the project site have a long history of generating police responses due to disorderly patrons engaging in disruptive behavior in the surrounding neighborhood as they leave the clubs. It is quite probable, that this project will result in a net reduction in LAPD responses.

Response to Comment No. A11-3

The comment recommends an alternative methodology to the one utilized in Section IV.H.2 (Public Services – Police) of the Draft EIR to evaluate the potential impact of the proposed project on existing levels of demand for police protection services at the project site. Although the comment raises valid points regarding the relative police protection needs associated with the different land uses that would be located at the project site following construction of the proposed project, the relative rates of police protection service calls by land use type are not available for use in the analysis. Thus, the population-based methodology described in the comment was employed to provide a rough estimation of the potential impact of the project on demands for police protection, consistent with conventional EIR preparation protocols. The comment notes that it is likely that the project's primarily residential use would generate fewer police service calls than the existing commercial, nightclub, and industrial uses at the site. The Draft EIR, on page IV.H-23, states "the removal of four existing nightclubs and replacement of these uses would be expected to generate a reduction in the calls for services and crimes typically associated with such commercial uses." In the event that the comment's assertion proves true, the analysis in the Draft EIR can be considered to present a conservative approach that overstates the project's police service needs. Even under the scenario presented in the Draft EIR, the project's impacts on police services are concluded to be less than significant.

Comment No. A11-4

Fourth, regarding Chapter IV.I Transportation and Circulation, this project's very high density is repeatedly justified in this EIR on the grounds that this projects close proximity to mass transit will encourage the use of alternative transportation, even though this site is not well served by the type of transit that people who can afford to live here tend to want to use. Even as gasoline prices have reached \$4.50+ a gallon, while subway ridership has skyrocketed and light rail ridership has also grown, bus ridership has stagnated. People who can afford to drive find busses to be too slow and too inconvenient to be useful as anything but a last resort. This site nevertheless is too far from the Red Line Stations to be

considered a subway oriented development as most people do not want to walk nearly a mile to catch the train. Furthermore, this site is only served by three regional bus lines: MTA Line 4 (Santa Monica Blvd Local), Line 704 [replaces line 304] (Santa Monica Blvd Rapid), and Line 156 (Hollywood to S.F. Valley). All the other MTA Lines listed in this EIR have the nearest stop at least .5 miles away; some are two miles away. Most people will not walk that far just to catch a slow bus; many older people ride the bus just to go that short a distance. By the way, one of the lines listed, Line 710 (Vine St. Crenshaw Rapid) no longer serves Hollywood; it is now Crenshaw Limited and terminates at Wilshire Blvd. In short, this transit oriented development (T.O.D.) is only served by local and limited stop east west buses and a north bound bus with a 20-40 minute headway but no service south to Wilshire Blvd and beyond. Thus, it is not transit friendly and cannot be justified as encouraging alternative transportation usage.

Response to Comment No. A11-4

While questions of “transit friendliness” are subjective in nature, the project is located on a transportation corridor. The Los Angeles County Congestion Management Program (CMP) requires that a traffic study summarize existing local fixed-route bus services within one-quarter mile of the project site, express bus routes within two miles of the project site, and rail service within two miles of the project site. The one-quarter mile radius for local services approximates the typical comfortable walking distance for transit riders; the longer distance radius for express bus and rail routes reflects the potential for riders to use a local service to transfer to the express bus or rail service. Metro Rapid 704 serves the site directly; Line 156 (on Highland Avenue 0.15 mile west of the project site) and the Hollywood DASH (on Fountain Avenue 0.1 mile north of the project site); all of which can be used to obtain access from the project site to the Metro Red Line Hollywood/Highland station.

In addition, Mitigation Measure I-4 in the RPDEIR requires that the project implement a comprehensive TDM plan to encourage use of alternative modes including transit. The mitigation measure specifies that the TDM program shall include, but not be limited to, the following strategies: site design and amenities to maximize connectivity and encourage walking, biking, and transit; unbundled parking; parking cash-out; transit pass discount program; bicycle repair area; contribution to the City of Los Angeles Bicycle Plan Trust Fund; possible participation in LADOT’s mobility hub program; and participation in the Hollywood Transportation Management Organization.

In consultation with LADOT, the traffic impact analysis for the project applied an appropriate transit reduction of 10 percent to the project-generated trips. This reduction is *lower* than the transit mode shares typically experienced at land uses in the immediate vicinity of rail transit stations but higher than areas that are served only by local routes.

While the project is located along a transportation corridor and proximate to public transit stops, neither the Draft EIR nor the RPDEIR attempts to “justify” the project on the basis of its accessibility to public transit. As is discussed in Section IV.F (Land Use) of the Draft EIR, the project is consistent with many adopted City policies designed to encourage development in transit accessible locations.

The comment regarding the modification to Line 710 since the preparation of the Draft EIR is noted. As noted by the commenter, the line has been modified to terminate at Wilshire Boulevard and no longer serves Hollywood.

Comment No. A11-5

Finally, in the section on land use compatibility, this project is described as creating a transition between the Industrial Zone south of Santa Monica Blvd and the residential areas north of Lexington. At a height of 5 to 6 stories, these buildings will be taller and denser than the 3 to 4 story apartments to the north or the 1 to 3 story industrial buildings to the south. This is hardly a transition. Furthermore, this project will place five floors of apartments or condos directly across Santa Monica Blvd. from Hollywood Center Studios a historic motion picture production studio complex that operates 24/7. How long will it take if this project is built before the residents of this building start complaining about the noise from the studio crews loading gear onto trucks and tossing scenery into dumpsters at 2 or 3 in the morning?

Response to Comment No. A11-5

This comment objects to the Draft EIR's characterization of the proposed project as providing a transition between the commercial and light industrial land uses to the south of the site and the residential land uses to the north of the site. The differences in height and density between the proposed project and adjacent land uses to the south and north of the site are discussed and evaluated in Section IV.A (Aesthetics) of the Draft EIR, beginning on page IV.A-23. The Draft EIR concludes that the height and density of the proposed buildings within the project would not present a substantial contrast with the neighborhood's character given that the height differences are relatively minor. Page IV.A-24 of the Draft EIR states:

The project is designed to respect the visual character of adjacent land uses in terms of height, location of proposed structures, massing, architecture, and landscaping. While maximum building heights on the site would increase with implementation of the project, project buildings would be limited to five and six stories with a maximum height of 65 feet. The two buildings on Lexington Avenue (Buildings 5 and 6), which are nearest to the residential uses to the north, would include a stepped roof design with a height of 55 feet on the street frontage that would increase to a maximum height of 65 feet. Thus, these project buildings would not substantially contrast with the five-story residential uses to the north and three-story commercial and light industrial uses to the south, east, and west. The project's proposed community-serving commercial uses would be located along Santa Monica Boulevard, a major thoroughfare. The placement of the commercial uses at this portion of the project site would provide a visual transition between the proposed residential uses and the light commercial and light industrial uses to the south on Santa Monica Boulevard.

Thus, the Draft EIR concludes that the proposed project would be generally compatible with existing land uses in the surrounding area.

The commenter's query regarding the eventuality of complaints by future project residents concerning nighttime noise from the Hollywood Center Studios complex to the south of the project site across Santa Monica Boulevard is speculative. In addition, noise, whether daytime or nighttime, generated by site-adjacent land uses to the project represents an existing condition and not an impact of the project on the environment. The noise environment that currently exists surrounding the project site would also affect the proposed development. As discussed in the Draft EIR, the project site is currently exposed to noise levels that range from 60.0 to 74.0 CNEL, due primarily to traffic on adjacent roadways and operation of existing commercial business including the night clubs, building material yard, lumber yard, FedEx service center, and other commercial establishments. Currently, the baseline ambient noise level at times exceeds the City recommended noise standard (65 dBA CNEL) for the site to be used for multi-family residential development. However, incorporation of the Mitigation Measure G-7 would reduce potential impacts associated with the introduction of residential uses to a less than significant level.

RPDEIR PUBLIC AGENCY COMMENTS**LETTER NO. B1 – CALIFORNIA DEPARTMENT OF TRANSPORTATION**

State of California
Department of Transportation
District 7, Transportation Planning
IGR/CEQA Branch
Dianna Watson, Chief
100 Main Street, MS #16
Los Angeles, CA 90012

Comment No. B1-1

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project is to develop 786 residential units with approximately 22,200 square feet of community-serving retail and restaurant uses. In 2008 a DEIR for the project was prepared, published, and circulated for public comments. However, a final EIR was not completed and the EIR was not certified due to the recession. The current owner elected to reinstate the entitlement process, the City has prepared the Recirculated Portions of the June 2008 Draft EIR (RPDEIR) for the project. The environmental issue includes traffic in the environmental document.

Response to Comment No. B1-1

This comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B1-2

Even though the project description remains the same, the traffic volumes in the project vicinity may change significantly since the traffic study was prepared in 2007. According to Caltrans Guide for the Preparation of Traffic Impact Studies, on page 2, "Generally a TIS requires updating every two years." According to Fehr & Peers' Draft Memorandum dated April 22, 2013, there is a huge drop in traffic volume at US-101 NB off-ramp and Santa Monica Blvd., the traffic volume is dropping 18% in AM and 34% in PM peak hours. The total street segments have dropped 13% of traffic volume. Caltrans would like the City to validate those claims.

Response to Comment No. B1-2

As stated in the comment, the Caltrans Guide says that "**Generally** [emphasis added] a Traffic Impact Study (TIS) requires updating every two years." The reason for that is concern that traffic volumes generally increase over time. In this case, however, traffic volumes have declined in recent years in the

Hollywood area. In consultation with the Los Angeles Department of Transportation (LADOT), it was determined that the TIS would not need to be redone if continued use of the prior traffic baseline could be validated (and shown to be conservative) by demonstrating that volumes have declined and that the current list of related projects generates fewer trips than those generated by the list of related projects in the original analysis. This determination was made (and supporting analysis was presented) in the Traffic Technical Memorandum dated April 22, 2013 contained in Appendix D of the RPDEIR. LADOT confirmed this determination, as indicated in their review letter appended to the RPDEIR.

Comment No. B1-3

Below are Caltrans' major concerns with the RPDEIR for the Lexington Project:

1. Caltrans submitted a comment letter dated April 6, 2007, on the Notice of Preparation (NOP) and another comment letter dated July 31, 2008, on the DEIR to discuss Caltrans' traffic concerns about the project's impact on the SR-02 (Santa Monica Blvd.) and US-101 freeway and on/off ramps. However, the RPDEIR does not response to Caltrans' concerns nor follow those procedures and does not analyze the impacts to the state highway system.

Response to Comment No. B1-3

Please see Responses to Comments A5-1 through A5-9 for responses to the Caltrans' comment letter on the DEIR. The DEIR did analyze impacts to the state highway system, to the US 101 mainline, to the ramp termini intersections of US 101 southbound on-ramp/Santa Monica Boulevard and US 101 northbound off-ramp/Santa Monica Boulevard, as well as to numerous other intersections along Santa Monica Boulevard (State Route 2). The analyses of US 101 northbound off-ramp/Santa Monica Boulevard and of seven other analyzed intersections along Santa Monica Boulevard were updated in the RPDEIR to reflect new mitigation measures proposed for the intersections; the analyses for the US 101 mainline and the US 101 southbound on-ramp/Santa Monica Boulevard intersection remains as presented in the DEIR.

Comment No. B1-4

2. The traffic analysis performed on US-101 freeway is not adequate. The TIS only used the Los Angeles County Congestion Management Program (CMP) criteria. However, the CMP fails to provide adequate information as to direct and cumulative impacts to the freeway mainline and ramps, per CEQA.

Response to Comment No. B1-4

The traffic impact study for the proposed project was prepared consistent with the City's traffic study guidelines. The study included a Congestion Management Program (CMP) analysis, which is a state-mandated requirement administered by the Los Angeles County Metropolitan Transportation Authority

(Metro).⁴ The CMP, which is a statutory requirement that became effective with the passage of Proposition 111 in 1990, includes procedures for measuring a project's impacts on the transit and freeway systems. Both the City⁵ and Metro guidelines clearly define what constitutes a significant traffic impact.

The Caltrans *Guide for the Preparation of Traffic Impact Studies*⁶ does not define significant impact thresholds. This is clearly stated in Caltrans' recent environmental impact report for the I-710 Corridor Project: "Caltrans has not adopted specific thresholds of significance for determining whether an impact is significant." Since Caltrans has not officially promulgated or adopted thresholds of significance or communicated adopted thresholds to Metro or the City, the Metro CMP provides clear and consistent evaluation procedures and has been adopted by the City (the Lead Agency under CEQA for this Draft EIR and RPDEIR) as the appropriate methodology for evaluating freeway impacts. The CMP impact analysis presented in the Draft EIR determined that the project would not have significant impacts on the US 101 mainline.

It should also be noted that in October 2013, in response to Caltrans' comments on numerous EIRs for projects throughout the City, the City and Caltrans entered into an agreement guiding future analysis of freeway impacts for projects in the City.⁷ The agreement includes screening criteria to determine when a freeway should be evaluated in a traffic study. The screening criteria state that freeway mainline segments should be evaluated if a project adds traffic equivalent to 1 percent or more of capacity when a segment operates at LOS E or F, or 2 percent or more of capacity when a segment operates at LOS D, and further specifies that a capacity value of 2,000 vehicles per hour (vph) per lane should be used in this screening. As shown in the Draft EIR, 30 percent of the project traffic is expected to utilize US 101 south of Santa Monica Boulevard and 15 percent of project traffic is expected to utilize US 101 north of Highland Avenue. The freeway has four lanes (8,000 vph capacity) in each direction south of Santa Monica Boulevard and five lanes (10,000 vph capacity) in each direction north of Highland Avenue. Thus, the threshold for evaluation would be 80 trips in either direction south of Santa Monica Boulevard and 100 trips in either direction north of Highland Avenue, assuming the freeway is operating at LOS E or F. Given the project trip generation estimates provided in the RPDEIR, the project would add at most 55 trips in any one direction to any freeway segment (southbound on US 101 during the AM peak hour), which is below the screening threshold. Thus, per the new agreement, freeway mainline impacts would not even be evaluated for this project if it were subject to the agreement. Thus, it is concluded that the project's traffic impacts on US 101 were properly and fully evaluated in accordance with applicable guidance in the Draft EIR and RPDEIR.

⁴ *Congestion Management Program for Los Angeles County (Los Angeles County Metropolitan Transportation Authority).*

⁵ *L.A. CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles, City of Los Angeles, 2006.*

⁶ *Guidelines for the Preparation of Traffic Impact Studies, State of California Department of Transportation, December 2002.*

⁷ *Agreement Between City of Los Angeles and Caltrans District 7 on Freeway Impact Analysis Procedures, October 2013.*

Comment No. B1-5

3. Currently, the Level of Service (LOS) for many segments on US-101 is operating at LOS F. Any additional trips may worsen the existing freeway condition. The TIS did not include an adequate cumulative traffic analysis for US-101, which would consider the trips generated from the 142 related projects that are referred to in the Table 4 of the 2008 DEIR, the proposed NBC Universal Project, the Millennium Hollywood Project, and growth from the Hollywood Community Plan (Plan).

Response to Comment No. B1-5

The cumulative analysis presented for traffic impacts in the Draft EIR included traffic generated by 142 related projects that were known at that time. As discussed in Response to Comment B1-2, as part of the validation of the continued use of the 2008 traffic baseline in the RPDEIR, the number of trips generated by the 142 related projects known at that time was found to be greater than the number of trips generated by the 67 related projects known at the time of preparation of the RPDEIR in 2013, and thus the 2008 cumulative analysis was considered to be conservative. It is not appropriate to include long-term buildout potential of the Hollywood Community Plan in a project-level traffic analysis such as this one as the growth envisioned in the Plan is not certain to occur or associated with specific development applications on file with the City. Thus, the traffic analysis presented in the Draft EIR for the proposed project is consistent with applicable standards for traffic impact studies in the City and adequately evaluates the traffic impacts of the project.

Comment No. B1-6

4. The updated traffic study should include Santa Monica Blvd. (SR-02) at Wilton Place and Santa Monica Blvd. (SR-02) at Van Ness Ave.

Response to Comment No. B1-6

The geographic scope of the traffic study was determined in consultation with LADOT based on anticipated patterns and levels of traffic that the project would create, and thus the anticipated potential for impact. The intersections of Santa Monica Boulevard at Van Ness Avenue and at Wilton Place lie between the project site and the US 101 freeway, and thus project traffic to or from the freeway will travel through these intersections; however, almost all project traffic at these locations would be east/west through traffic with very few turns to/from Van Ness Avenue or Wilton Place.

Nonetheless, in response to the comment, an analysis was conducted of the potential for project impacts at Santa Monica Boulevard/Van Ness Avenue and Santa Monica Boulevard/Wilton Place. Existing traffic counts were obtained from the LADOT count database for years 2010 and 2011. These counts were factored to the project buildout year of 2017 using a background growth rate of 1 percent per year, and additional cumulative traffic growth was assumed due to related projects (including the proposed Paseo Plaza project located along the north side of Santa Monica Boulevard between Wilton Place and St.

Andrews Place, and the Paramount Pictures Master Plan located along Melrose Avenue to the south). The Lexington project traffic was then added and level of service (LOS) calculations were conducted. The table below presents the results. As can be seen, using the LADOT significance criteria, the project would not have a significant impact at either the Santa Monica Boulevard/Van Ness Avenue or Santa Monica Boulevard/Wilton Place intersections.

INTERSECTION LEVEL OF SERVICE ANALYSIS SANTA MONICA BOULEVARD/VAN NESS AVENUE AND SANTA MONICA BOULEVARD/WILTON PLACE							
<i>Intersection</i>	<i>Peak Hour</i>	<i>Existing</i>		<i>Existing + Project</i>		<i>Project Change in V/C</i>	<i>Significant Impact</i>
		<i>V/C</i>	<i>LOS</i>	<i>V/C</i>	<i>LOS</i>		
Van Ness Avenue/ Santa Monica Blvd	AM	0.653	B	0.671	B	0.018	NO
	PM	0.683	B	0.697	B	0.014	NO
Wilton Place/ Santa Monica Blvd	AM	0.655	B	0.672	B	0.017	NO
	PM	0.608	B	0.623	B	0.015	NO
<i>Intersection</i>	<i>Peak Hour</i>	<i>Cumulative Base</i>		<i>Cumulative + Project</i>		<i>Project Change in V/C</i>	<i>Significant Impact</i>
		<i>V/C</i>	<i>LOS</i>	<i>V/C</i>	<i>LOS</i>		
Van Ness Ave/ Santa Monica Blvd	AM	0.831	D	0.849	D	0.018	NO
	PM	0.849	D	0.863	D	0.014	NO
Wilton Place/ Santa Monica Blvd	AM	0.785	C	0.803	D	0.018	NO
	PM	0.741	C	0.755	C	0.014	NO

Comment No. B1-7

5. In order to provide a complete traffic analysis, the updated traffic analysis needs to include all on/off ramps from Highland to Melrose Ave. to/from US-101.

The traffic analysis at these off-ramps needs to show projected queue build-up upstream of the off-ramp. Although most of the on-ramps are meter controlled, the analysis needs to show how the added/over-flow volume to the on-ramp may affect other nearby intersections, including off-ramps. Caltrans is concerned that the freeway ramps will back up, creating a potentially unsafe condition. To ensure the ramps do not back up, the intersections adjacent to the ramps must be able to absorb the off-ramp volumes at the same time as they serve local circulation and land uses. In addition, the off-ramps should be analyzed utilizing the Highway Capacity Manual (HCM) 85th Percentile Queuing Analysis methodology with the actual signal timings at the ramps' termini.

Response to Comment No. B1-7

The project site is located on Santa Monica Boulevard at Las Palmas Avenue (two blocks east of Highland Avenue). The primary routes of travel to/from the US 101 freeway would be Santa Monica Boulevard to the US 101/Santa Monica Boulevard interchange for travel to/from the south on US-101, and Highland Avenue to the US 101/Highland Avenue interchange for travel to/from the north on US 101. There is no particular reason to believe that significant amounts of project traffic would utilize other ramps to access the freeway system.

The on-/off-ramps at the Santa Monica Boulevard interchange were analyzed in the DEIR and the RPDEIR, and mitigation is suggested in the RPDEIR for impacts found at the US 101 northbound off-ramp/Santa Monica Boulevard intersection. The on-/off-ramps at the Highland Avenue interchange were not analyzed in the DEIR due to the relatively small amount of trips expected to be added to this interchange and the nature of the interchange. Approximately 15% of the project trips are expected to travel to/from the north on US 101. This represents a maximum of 27 trips using the Highland Avenue on-ramp (AM peak hour) and a maximum of 26 trips using the Highland Avenue off-ramp (PM peak hour). The interchange is unique in that the on-ramp flows directly from northbound Highland Avenue and the off-ramp flows directly to southbound Highland Avenue without traffic control. Furthermore, the Highland Avenue ramps would also not need to be evaluated if the screening criteria contained in the October 2013 agreement between the City and Caltrans guiding analysis of freeway impacts for projects in the City⁸ were to be applied.

Comment No. B1-8

6. As shown in the Table IV.I-7, Project Trip Generation, the project will generate a net 1,938 average daily vehicle trips with 309/293 vehicle trips during the AM/PM peak hours. These traffic volumes need to be validated by the ITE Trip Generation, 9th Edition. Also, the trip reduction credits taken are not in compliance with the Caltrans Traffic Impact Study Guide and any deviation should be properly justified and substantiated. For example, the 50% reduction of the Coffee Shop/Juice Bar and Community Serving Retail pass-by trips is significantly high without justification. Utilizing such high reduction rates will result in inadequate identification of traffic impacts and mitigation, thus violating CEQA.

The Trip Generation figures and its distribution need to be forecasted based on a Select Zone Analysis. Based on the magnitude of the project and its close proximity to SR-02 and US-101, the trip assignment appears to be unreasonably low. Please elaborate on the trip assignment methodology utilized.

⁸ Agreement Between City of Los Angeles and Caltrans District 7 on Freeway Impact Analysis Procedures, October 2013.

Response to Comment No. B1-8

Regarding the edition of the Institute of Transportation Engineers (ITE) Trip Generation manual used, the project trip generation estimates shown in the DEIR were developed based on ITE's *Trip Generation, 7th Edition*, since that edition was current at the time the DEIR was prepared. In response to the comment, the project trip generation estimates have prepared using rates from ITE's *Trip Generation, 9th Edition*, as shown in Appendix C to this Final EIR. With trip rates from ITE 9th, the project is estimated to generate a net increase of 1,891 daily trips (47 less than shown in the Draft EIR), 309 AM peak hour trips (unchanged from the Draft EIR), and 289 PM peak hour trips (four less than shown in the Draft EIR). This validates the analyses in the Draft EIR and RPDEIR, since the trip generation would be equivalent or slightly less and the level of change would be insignificant, particularly during peak hours.

Regarding trip generation credits, the trip generation reductions were determined in compliance with LADOT procedures and in consultation with LADOT. A pass-by adjustment of 50 percent was used for the coffee shop/juice bar and specialty retail components of the project, as set forth in Attachment G of LADOT's Traffic Study Policies and Procedures for such uses, and was applied to the project in consultation with LADOT. The LADOT factors, in turn, were based on research from ITE *Trip Generation*. High-turnover convenience uses such as fast-food restaurants, convenience markets, small shopping centers (e.g., mini-malls), and other such uses attract a high percentage of pass-by traffic, meaning trips that are already traveling on the street system for another reason and are not new trips added to the street system. ITE research indicates that an average of 50 percent of fast-food restaurant trips during the PM peak hour are pass-by trips and an average of 61 percent of convenience market trips during the PM peak hour are pass-by trips. In the case of the proposed project, some of the patrons of the coffee shop/juice bar and retail components may be walk-ins from the project residential uses or from surrounding uses. A separate discount was not taken for this phenomenon, but rather the pass-by adjustment in essence conservatively reflects the combined effect of both pass-by and walk-in trips.

Regarding use of select zone analyses to determine trip distribution, select zone analyses require use of a travel demand model. A travel demand model is rarely used when assessing impacts of a typical development project, as it is not a helpful tool when measuring local traffic impacts for an intersection level analysis. Developing a model that can measure project impacts at an intersection level would require major model network refinement and development, and traffic analysis zone (TAZ) development efforts, which would significantly increase the cost and time of the preparation of traffic studies. Travel demand models in the City of Los Angeles are typically only required for mega-projects of regional significance such as Playa Vista, NBC/Universal Evolution Plan, and the LAX Master Plan. Instead, the project trip distribution patterns used in the Draft EIR and RPDEIR were developed in consultation with LADOT based on a review of the locations of employment and commercial centers to which residents of the project would most likely be drawn.

Comment No. B1-9

Caltrans is concerned that the project impacts may result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. These concerns need to be adequately addressed

in the RPEIR. In summary, without the necessary traffic analysis, Caltrans cannot recognize the TIS and RPDEIR as adequately identifying and mitigating the project's impacts to the State highway facilities.

Response to Comment No. B1-9

As discussed in Response to Comment B1-4, the traffic impact study was prepared consistent with the City's traffic study guidelines, using the procedures and impact criteria set forth in the Metro CMP. The Metro CMP provides clear and consistent evaluation procedures and has been adopted by the City (the Lead Agency for this Draft EIR and RPDEIR) as the appropriate methodology for evaluating freeway impacts.

The impact analysis presented in the Draft EIR determined that the project would not have significant impacts on the US 101 mainline. Significant impacts were found at a number of intersections along Santa Monica Boulevard (State Route 2), including at the US 101 northbound off-ramp/Santa Monica Boulevard intersection, and mitigation is identified in the RPDEIR (Mitigation Measures I-6 through I-12). In summary, the Draft EIR and RPDEIR evaluated the traffic impacts of the proposed project in accordance with all applicable guidelines. See also Response to Comment B1-4.

Comment No. B1-10

In the spirit of mutual cooperation, we would like to invite the lead agency, City of Los Angeles to the Caltrans office to discuss traffic impact and fair share contributions towards planned freeway improvements. Please contact this office at your earliest convenience to schedule a meeting in the near future.

Response to Comment No. B1-10

See Response to Comment B1-4 regarding the recent agreement between Caltrans and the City of Los Angeles regarding analysis of potential freeway impacts. As noted, the proposed project fails to meet the screening thresholds negotiated in this agreement. Since the Draft EIR did not find any significant project impacts on the US 101 freeway mainline, no fair share contributions would be required towards freeway mainline improvements. The RPDEIR did find a significant impact at the US 101 northbound off-ramp/Santa Monica Boulevard intersection and a mitigation measure is identified in the RPDEIR for this location (Mitigation Measure I-12) that would be fully funded by the project.

This comment was written prior to the October 2013 LADOT/Caltrans agreement concerning screening criteria for traffic analyses within the City. In light of the agreement, LADOT staff do not feel that a meeting with Caltrans is necessary and do not want to establish a precedent of negotiating regarding traffic studies for specific development projects whose projected traffic impacts do not exceed the screening criteria established in the agreement. Caltrans District 7 will receive a copy of this Final EIR and will have additional opportunity to provide comment.

This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

LETTER NO. B2 – NATIVE AMERICAN HERITAGE COMMISSION

Native American Heritage Commission
Dave Singleton
Program Analyst
1550 Harbor Boulevard
West Sacramento, CA 95691

Comment No. B2-1

The Native American Heritage Commission (NAHC) has reviewed the CEQA Notice regarding the above referenced project. In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Response to Comment No. B2-1

This comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B2-2

Contact the appropriate Information Center for a record search to determine: If a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s). The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report (DEIR).

If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

Response to Comment No. B2-2

See Responses to Comments A3-1 and A3-2.

Comment No. B2-3

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

Response to Comment No. B2-3

See Response to Comment A3-3.

Comment No. B2-4

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Health & Safety Code Section 7050.5 and California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 requires documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f). Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans. Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Response to Comment No. B2-4

See Responses to Comments A3-3 and A3-4.

LETTER NO. B3 – SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

South Coast Air Quality Management District
Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
21865 Copley Drive
Diamond Bar, CA 91765

Comment No. B3-1**Review of the Recirculated Draft Environmental Impact Report (Draft EIR) for the Proposed Lexington Project**

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final environmental impact report (Final EIR) as appropriate.

Based on a review of the Draft EIR the SCAQMD staff recognizes the potential regional air quality benefits from projects that facilitate mixed land uses in close proximity to mass transit. However, the SCAQMD staff is concerned about the significant construction and operations related air quality impacts from the proposed project. Specifically, the lead agency determined that the project will exceed the SCAQMD's CEQA regional significance thresholds for NO_x and VOC emissions during construction of the project due to concurrent construction and operational activities of the project. As a result, the SCAQMD staff recommends that pursuant to Section 15126.4 of the CEQA Guidelines the lead agency require the following revisions/additions to the mitigation measures identified in the Draft EIR.

Response to Comment No. B3-1

This comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B3-2**Additional Construction Mitigation Measures**

- Use coatings and solvents with a VOC content lower than that required under SCAQMD Rule 1113.
- Construct or build with materials that do not require painting or use pre-painted construction materials.

- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export).
- Consistent with measures that lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)¹ have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:
 - ✓ Project start, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
 - ✓ Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

Response to Comment No. B3-2

The comment suggests several mitigation measures designed to reduce air pollutant emissions associated with project construction activities for incorporation into the RPDEIR for the proposed project. Each of these suggestions is addressed below (see also Section IV, Corrections and Additions to the Draft EIR).

With respect to the first bullet point addressing VOC emissions from coatings and solvents, Mitigation Measure B-5 on page III-60 of the RPDEIR has been revised to read as follows:

Mitigation Measure B-5: The project applicant shall ensure that the construction contractor utilizes architectural coatings and solvents that comply with SCAQMD Section 1113 or, if feasible, that have a lower VOC content. Coatings used for the project must ~~which~~ contain a VOC rating of 75 grams/liter of VOC or less.

The project will comply with Mitigation Measure B-5. With respect to the second bullet point addressing the painting of construction materials, Mitigation Measure B-3 in Section III (Air Quality) of the RPDEIR requires the project applicant to implement measures to maximize off-site construction, including prefabricating and pre-painting of construction materials. However, for new residential construction, it is not considered feasible to require that all construction materials be either pre-painted or left unpainted due to the construction methods that are to be employed at the project site, as well as the final project design.

With respect to the third bullet point addressing the use of 2010 or newer diesel haul trucks, the first bullet of Mitigation Measure B-2 on page III-59 of the RPDEIR has been revised to read as follows:

- Use ~~late model~~ heavy-duty diesel-powered equipment with cooled exhaust gas recirculation that meets 2010 model year United States Environmental Protection Agency NO_x standards at the project site, where commercially available (defined as a minimum of five vendors with such equipment being readily available). At a minimum, truck fleets used for material delivery and soil import/export shall use trucks that meet EPA 2007 model year NO_x emissions requirements.

With respect to the fourth bullet point addressing a schedule for construction equipment used at the project site to meet EPA Tier 3 or higher emissions standards, the primary feasibility issue is the availability of compliant equipment from equipment suppliers and contractors, which cannot be controlled by a single project. Accordingly, the following bullet points have been added to Mitigation Measure B-2 on page III-59 of the RPDEIR:

- If a minimum of five union and five non-union vendors featuring such equipment are available, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following schedule:
 - Project start, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Encourage construction contractors to apply for SCAQMD "SOON" funds.

Comment No. B3-3

Additional Operational Mitigation Measures - Energy Efficiency

- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
- Require all lighting fixtures, including signage, to be the most energy efficient possible, require that new traffic signals have light-emitting diode (LED) bulbs, and require that light fixtures be energy efficient compact fluorescent and/or LED light bulbs. Where feasible use solar powered lighting.
- Use light colored paving and roofing materials.
- Use passive heating, natural cooling, solar hot water systems, and reduced pavement.
- Limit the hours of operation of outdoor lighting.
- Utilizing only Energy Star heating, cooling, and lighting devices, and appliances.
- Install light colored "cool" roofs and cool pavements.
- Require the use of electric/energy efficient appliances (e.g. stoves).

Response to Comment No. B3-3

The comment suggests several mitigation measures designed to increase the efficient use of energy during project operation for incorporation into the RPDEIR for the proposed project. Each of these suggestions is addressed below (see also Section IV, Corrections and Additions to the Draft EIR). It should be noted

that the project is subject to the City's Green Building Code, which is one of the most stringent building codes in the nation with respect to energy efficiency standards, and which is hereby incorporated by reference. Compliance with these building standards will substantially reduce the Project's energy needs and corresponding impact on air quality. These standards are intended to achieve the same general energy conservation purposes as the suggested mitigation measures, although particular approaches chosen by the City of Los Angeles may be different. The social policies that balance all the competing interests of conservation, energy efficiency, economic growth, employment, and job creation were all debated and balanced at the time the City adopted its Green Building Code.

With respect to the first bullet point regarding the generation and use of solar energy at the project site, the City of Los Angeles encourages use of solar panels through the City's Green Building Code, which requires pre-wiring of new buildings for potential future electrical solar systems and requires a minimum of area to be set aside for solar panels unless utilized for green roof purposes. This ensures that the opportunity to install solar panels is available to a project's owner if sufficient area is available and suitable to make the installation efficient and cost effective.

With respect to the second bullet point regarding the efficiency of lighting fixtures, the Green Building Code requires building lighting in kitchen and bathrooms within dwelling units to consist of at least 90 percent ENERGY STAR qualified hard-wired fixtures (luminaires). The following mitigation measure has been added to Section III (Air Quality) of the RPDEIR:

Mitigation Measure B-10: Consistent with the City's Green Building Code, require all lighting fixtures, including signage, to be energy efficient; require that new traffic signals have light-emitting diode (LED) bulbs; and emphasize the use of energy efficient compact fluorescent and/or LED light bulbs in light fixtures. Where feasible, use solar powered lighting.

With respect to the third bullet point, the following mitigation measure has been added to Section III (Air Quality) of the RPDEIR:

Mitigation Measure B-11: To the extent it is feasible, utilize light colored paving and roofing materials.

With respect to the fourth bullet point, the following mitigation measure has been added to Section III (Air Quality) of the RPDEIR:

Mitigation Measure B-12: To the extent it is feasible, utilize passive heating, natural cooling, solar hot water systems, and reduced pavement.

With respect to the fifth bullet point concerning limitations on the hours for outdoor lighting, it is not feasible for a residential project such as the proposed project to require that outdoor lighting be limited to specific hours due to security, safety, and privacy considerations. Therefore, this suggested mitigation measure has not been added to the Draft EIR.

With respect to the sixth bullet point, the City's Green Building Code requires the use of ENERGY STAR-rated appliances for appliances that are provided and installed as part of a project. The project is required to comply with the Green Building Code. Therefore, this suggested mitigation measure has not been added to the Draft EIR.

With respect to the seventh bullet point, the concern of the commenter regarding the use of light colored roofs and pavements is addressed through the addition of new Mitigation Measure B.11, as shown above.

With respect to the eighth bullet point, the City's Green Building Code requires that each appliance provided and installed shall meet ENERGY STAR standards if an ENERGY STAR designation is applicable for that appliance. It is not feasible to effectively monitor or enforce restrictions on the use of non-electric appliances by project residents that are not provided or installed as part of the project. As noted above, the City's Green Building Code reflects the City's determination as to what is socially feasible with regards to appliance specifications for new residential construction and the Code stops short of requiring installation of electric appliances. Therefore, this suggested mitigation measure has not been added to the Draft EIR.

Comment No. B3-4

Additional Operational Mitigation Measures - Transportation

- Provide electric car charging stations for tenants (not just electric vehicle wiring per local ordinance). Also, provide designated areas for parking of zero emission vehicles (ZEVs) for car-sharing programs.
- Provide incentives to encourage public transportation and carpooling.
- Provide incentives for employees and the public to use public transportation such as discounted transit passes, reduced ticket prices at local events, and/or other incentives.
- Implement a rideshare program for employees at retail/commercial sites.
- Create local "light vehicle" networks, such as neighborhood electric vehicle (NEV) systems.
- Require the use of 2010 compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at commercial/retail sites upon project build-out. If this isn't feasible, consider other measures such as incentives, phase-in schedules for clean trucks, etc.

Response to Comment No. B3-4

The comment suggests several mitigation measures designed to reduce the emission of air pollutants by project-generated traffic during project operation for incorporation into the RPDEIR for the proposed

project. Each of these suggestions is addressed below (see also Section IV, Corrections and Additions to the Draft EIR).

With respect to the first bullet point concerning the provision of electric car charging stations for tenants and designated areas for the parking of zero emission vehicles, the Project will be compliant with this measure. Consistent with the City's Green Building Code, the Project shall provide: "a minimum number of 208/240 V 40 amp, grounded AC outlet(s), that is equal to 5 percent of the total number of parking spaces, rounded up to the next whole number. The outlet(s) shall be located in the parking area." Thus, compliance with the Green Building Code will ensure that electric car charging stations will be provided on-site. In order to provide designated parking areas for zero emission vehicles, the following mitigation measure has been added to Section III (Air Quality) of the RPDEIR:

Mitigation Measure B-13: Provide a designated area for the parking of zero emission vehicles (ZEVs) at the project site.

With respect to the second, third, and fourth bullet points regarding incentives for the use of public transportation, carpooling, and ridesharing, the project will be required by the City to develop and implement a Transportation Demand Management (TDM) program. The TDM program is included as Mitigation Measure I-4 in the RPDEIR. The required TDM program will include measures that address site design, flexible/alternative work programs, parking, alternative transportation mode support services (including discounted transit passes, carpool support, and the provision of transit schedule information), among others. No additional mitigation measures are necessary to address this comment.

With respect to the fifth bullet point concerning the creation of a local "light vehicle" network, such a network is beyond the ability of any single project to implement. The measures to be included, at a minimum, in the project's TDM program (required in Mitigation Measure I-4) include a variety of alternative transportation mode support services, mobility hub programs, and participation in the Hollywood Transportation Management Organization, which is being designed to help augment or implement some of the project-specific strategies through a multi-employer approach to implement parking management strategies, carpools/vanpools, promoting and installing pedestrian/bicycle/transit enhancements, flexible work schedules, and telecommuting programs. While the creation of a local "light vehicle" network may eventually be considered by the Hollywood Transportation Management Organization, mandating such a program as part of the mitigation program for a single development project would place an undue burden upon the project applicant due to the need for multiple parties to be involved. Therefore, this suggested mitigation has not been added to the Draft EIR.

With respect to the sixth bullet point requiring the use of 2010-compliant diesel trucks for deliveries to commercial/retail businesses located within the project, the following mitigation measure has been added to Section III (Air Quality) of the RPDEIR:

Mitigation Measure B-14: The use of either 2010-compliant diesel trucks or alternatively fueled delivery trucks (e.g., food, retail, and vendor supply delivery trucks) at

commercial/retail businesses located within the project shall be encouraged by the Applicant.

Comment No. B3-5

Additional Operational Mitigation Measures – Other

- Require use of water-based or low VOC cleaning products.
- Provide outlets for electric and propane barbecues in residential areas.
- Require use of electric lawn mowers and leaf blowers.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Require the use of electric or alternative fueled maintenance vehicles.

Response to Comment No. B3-5

The comment suggests several mitigation measures designed to reduce the emission of air pollutants during project operation for incorporation into the RPDEIR for the proposed project. Each of these suggestions is addressed below (see also Section IV, Corrections and Additions to the Draft EIR).

With respect to the first, third, fourth, and fifth bullet points, the following mitigation measure has been added to Section III (Air Quality) of the RPDEIR:

Mitigation Measure B-15: The Project shall use electric lawn mowers and leaf blowers, electric or alternatively fueled sweepers with HEPA filters, electric or alternatively fueled maintenance vehicles, and use water-based or low VOC cleaning products for maintenance of the buildings.

With respect to the second bullet point concerning the provision of outlets for electric and propane barbecues in residential areas, the project will include electric outlets on residential balconies and in common areas to be used by residents in a manner consistent with the rules to be adopted by the property owner/manager. Charcoal barbecue lighter fluid is already subject to SCAQMD regulation. Propane barbecues do not require electricity. This suggested mitigation measure will not be adopted since its benefit to air quality as it pertains to the project is unclear.

Comment No. B3-6

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the lead agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any

other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Response to Comment No. B3-6

In response to the SCAQMD's request to be provided with written responses to their comments, and in accordance with Section 15088 of the CEQA Guidelines, the Department of City Planning will provide a written response to the SCAQMD's comments at least 10 days prior to certifying the environmental impact report. The published Final EIR will include detailed written responses to all of the comments submitted during the Draft EIR and RPDEIR comment periods and will be published on the Department of City Planning's website in the same manner the Draft EIR was made available. An electronic copy of the Final EIR on CD will also be mailed to all commenting governmental agencies, including the SCAQMD.

RPDEIR PRIVATE INDIVIDUAL COMMENTS**LETTER NO. B4 – CITIZENS ADVOCATING RATIONAL DEVELOPMENT**

Citizens Advocating Rational Development
Nick Green, President

Comment No. B4-1

The undersigned represents Citizens Advocating Rational Development (“CARD”), a non-profit corporation dedicated to issues in development and growth.

This letter contains comments on the Draft Environmental Impact Report on the Lexington Project, in accordance with CEQA and the Notice of Completion and Availability. Please ensure that these comments are made a part of the public record.

Response to Comment No. B4-1

This comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B4-2**ENERGY**

The DEIR does not discuss any requirements that the Project adopt energy saving techniques and fixtures, nor is there any discussion of potential solar energy facilities which could be located on the roofs of the Project. Under current building standards and codes which all jurisdictions have been advised to adopt, discussions of these energy uses are critical; a 22,200 Square Foot development will devour copious quantities of electrical energy, as well as other forms of energy.

Response to Comment No. B4-2

Energy consumption (electricity and natural gas) associated with the proposed project was evaluated in the Initial Study that was prepared prior to the preparation of the Draft EIR in 2006. The Initial Study is presented in Appendix A of the Draft EIR. On page B-33 of the Initial Study, it is stated that the project would have a less than significant impact with respect to energy consumption and, thus, no additional analysis of the issue was warranted in the Draft EIR, nor were any mitigation measures necessary.

Nevertheless, the Draft EIR discusses many requirements for the project to adopt energy saving features. Sections III (Air Quality) and IV (Air Quality - Greenhouse Gas Emissions) of the RPDEIR discuss numerous energy conservation measures that are required to be incorporated into the design of the project.

Some of these measures are identified as Project Design Features, while others are required under various Mitigation Measures.

The project is required to comply with Government Code Section 66473.1, which requires subdivisions to provide, to the extent feasible, for future passive or natural heating opportunities within the subdivision. The project will also comply with the City's Green Building Ordinance, which contains mandatory requirements for the reduction of energy and water use. With respect to the potential to locate solar energy panels on project rooftops, see Response to Comment B3-3.

Comment No. B4-3

WATER SUPPLY

The EIR (or DEIR – the terms are used interchangeably herein) does not adequately address the issue of water supply, which in California, is a historical environmental problem of major proportions.

What the DEIR fails to do is:

1. Make reference to any urban water management plan;
2. Document wholesale water supplies;
3. Document Project demand;
4. Determine reasonably foreseeable development scenarios, both near-term and long-term;
5. Determine the water demands necessary to serve both near-term and long-term development and project build-out (which would have to examine likely development within the totality of the EBMUD service area);
6. Identify likely near-term and long-term water supply sources and, if necessary, alternative sources;
7. Identify the likely yields of future water from the identified sources;
8. Determine cumulative demands on the water supply system;
9. Compare both near-term and long-term demand to near-term and long-term supply options, to determine water supply sufficiency;
10. Identify the environmental impacts of developing future sources of water; and
11. Identify mitigation measures for any significant environmental impacts of developing future water supplies.

There is virtually no information in the DEIR which permits the reader to draw reasonable conclusions regarding the impact of the Project on water supply, either existing or in the future.

For the foregoing reasons, this EIR is fatally flawed.

12. Discuss the effect of global warming on water supplies.

Response to Comment No. B4-3

It should be noted that the LADWP is the municipal water utility serving the project site, not the East Bay Municipal Utilities District (EBMUD) as is stated in the comment. The comment is incorrect in asserting that the Draft EIR fails to address the issue of water supply for the proposed project. The Draft EIR, in Section IV.J.1 (Utilities – Water Supply), contains a complete analysis of the project’s expected water demand and the ability of the Los Angeles Department of Water and Power (LADWP) to serve the project. The analysis in the Draft EIR is supported by LADWP’s own Water Supply Assessment for the proposed project (included in the Draft EIR as Appendix H) as well as by additional correspondence regarding the project’s anticipated water consumption (included in the Draft EIR as Appendix I).

Each of the points raised in the comment is addressed in one or more of these locations (Draft EIR Section IV.J.1, Draft EIR Appendix H, and Draft EIR Appendix I). It should be noted that the LADWP is the municipal water utility serving the project site, not the East Bay Municipal Utilities District (EBMUD) as is stated in the comment. In its Water Supply Assessment for the project, LADWP concludes the following (page 15):

“The proposed Lexington Project is estimated to increase water demand within the site by 86 acre-feet annually based on review of information submitted by the City Planning Department.

The 86 acre-feet increase falls within the available and projected water supplies for normal, single-dry, and multiple-dry years through the year 2030 as described in LADWP’s year 2005 UWMP [Urban Water Management Plan]. LADWP finds that it will be able to meet the water demand of the Lexington Project as well as existing and planned future water demands of its service area.”

Accordingly, the Draft EIR concluded that sufficient supply would be available to meet the project’s estimated water demand. Further, the Draft EIR requires that several water conservation features be incorporated into the project as part of Mitigation Measure J-1. The project’s impacts with respect to water supply were therefore concluded to be less than significant.

Comment No. B4-4

AIR QUALITY/GREENHOUSE EMISSIONS/CLIMATE CHANGE

The EIR lacks sufficient data to either establish the extent of the problem which local emissions contribute to deteriorating air quality, greenhouse emissions or the closely related problem of global warming and climate change, despite the fact that these issues are at the forefront of scientific review due to the catastrophic effects they will have on human life, agriculture, industry, sea level risings, and the many other serious consequences of global warming.

This portion of the EIR fails for the following reasons:

1. The DEIR does not provide any support or evidence that the Guidelines utilized in the analysis are in fact supported by substantial evidence. References to the work of others is inadequate unless the document explains in sufficient detail the manner and methodology utilized by others.
2. Climate change is known to affect rainfall and snow pack, which in turn can have substantial effects on river flows and ground water recharge. The impact thereof on the project's projected source of water is not discussed in an acceptable manner. Instead of giving greenhouse emissions and global warming issues the short shrift that it does, the EIR needs to include a comprehensive discussion of possible impacts of the emissions from this project.
3. Climate change is known to affect the frequency and or severity of air quality problems, which is not discussed adequately.
4. The cumulative effect of this project taken with other projects in the same geographical area on water supply, air quality and climate change is virtually missing from the document and the EIR is totally deficient in this regard.

For the foregoing reasons, the EIR is fatally flawed.

Response to Comment No. B4-4

The methodologies employed in both the Air Quality and Greenhouse Gas Emissions (GHG) analyses are fully described, complete with citations, in discussions beginning on page III-28 and on page IV-24, respectively. The potential impact of global warming on statewide water supplies is discussed on page IV-4 of the Draft EIR and the short- and long-term adequacy of water supplies for the project is evaluated in Section IV.J.1 (Utilities – Water Supply) of the Draft EIR (see also Response to Comment B4-3). The specific GHG emissions estimated to be generated by the proposed project are described beginning on page IV-32 of the RPDEIR. The general impact of climate change on air quality is disclosed on page IV-4 of the RPDEIR. Cumulative impacts of the proposed project in combination with other “related” projects within the general vicinity are described and calculated beginning on page III-54 of the RPDEIR (for air quality), beginning on page IV-36 of the RPDEIR (for GHGs/climate change), and beginning on page IV.J-17 of the Draft EIR (for water supply). Each of these analyses was performed consistent with applicable State and City Guidelines for CEQA documents and the commenter presents no evidence to support its assertion that these evaluations are “fatally flawed”.

Comment No. B4-5**ALTERNATIVE ANALYSIS**

The alternative analysis fails in that the entire alternatives-to-the-project section provides no discussion of the effects of the project, or the absence of the project, on surrounding land uses, and the likely increase in development that will accompany the completion of the project, nor does it discuss the deleterious effects of failing to update the Lexington Project facilities upon those same surrounding properties and the land uses which may or have occurred thereon.

Response to Comment No. B4-5

The analysis of alternatives to the proposed project is presented in Section V (Alternatives) of the Draft EIR and Section IX (Alternatives) of the RPDEIR. Contrary to the comment, the effects of the proposed project on surrounding land uses are fully evaluated throughout the impact analysis sections of the Draft EIR and RPDEIR. The Alternatives analyses present comparisons of the relative level of impact associated with each alternative to that of the proposed project for each environmental issue area. The No Project/No Build alternative, which would leave existing structures and land uses in place, is discussed in Section V.A of the Draft EIR. The commenter presents no evidence to support the statement in the comment that completion of the proposed project will be accompanied by an increase in development in the area. However, the potential growth-inducing impact of the proposed project is addressed in Section VI.D (Growth-Inducing Impacts) of the Draft EIR.

It is unclear what the commenter means by the “deleterious effects of failing to update the Lexington Project facilities upon...surrounding properties and the land uses which may or have occurred thereon.” If the project is not built, the analysis of Alternative A in the Draft EIR presents an assessment of the likely impact, which would essentially consist of a continuation of existing conditions at the project site and a continuation of the manner in which those existing conditions have influenced the use of surrounding properties. To assume anything different would be speculative and CEQA does not encourage the use of speculative discussion in EIRs. Contrary to the comment, the Alternatives analyses in the Draft EIR and RPDEIR was performed consistent with applicable State and City Guidelines for CEQA documents and the commenter presents no evidence to support its assertion that these evaluations are “fatally flawed”.

LETTER NO. B5 – MCQUISTON, JIM

McQuiston Associates
6212 Yucca Street
Los Angeles, CA 90028

Comment No. B5-1

STATEMENT of J.H. McQUISTON on CONVERSION of INDUSTRIAL PROPERTY to RESIDENTIAL

Environmental Unit:

TO CONTROL CORRUPTION, the State of California enacted Statutes requiring the City of Los Angeles to enact and thereafter comply with a system of Planning, which the City enacted as its General Plan Framework, General and Hollywood-Community Plans.

The City is required to comply with its Plans. Zoning must be consistent with the Plans, per Government Code 65860. As it was said in *Leshar Communications v City of Walnut Creek*, 52 Cal 3d 531 (Cal S Ct 1990) at 541:

"The Planning and Zoning Law itself precludes consideration of a zoning ordinance which conflicts with a general plan as a *pro tanto* repeal or implied amendment of the general plan. The general plan stands. A zoning ordinance that is inconsistent with the general plan is invalid when passed (*deBottars v. City Council* (1985) 171Cal.App.3d 1204, 1212, 217 Cal.Rptr. 790; *Sierra Club v. Board of Supervisors* (1981) 126 Cal.App.3d 698, 704, 179 Cal.Rptr. 261) and one that was originally consistent but has become inconsistent must be brought into conformity with the general plan. (§65860.) The Planning and Zoning Law does not contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog. The general plan is the charter to which the ordinance must conform."

The City tried to ignore the above, but it was said in *City of Los Angeles v State of California*, 138 Cal App 3d 526 (2d Dist 1982), Section 65860 applies to the City and it must comply. The City had its day in court and lost. It pointed out that most charter cities comply even though not specifically-targeted like Los Angeles was.

In *deVita v County of Napa*, 9 Cal 4th 763 (Cal S Ct 1995) at 772 the Supreme Court said *Leshar Communications* is "located at the top of the hierarchy of local government law regulating land use". *Leshar* said at 544: "It is the preemptive effect of the controlling state statute, the Planning and Zoning Law, which invalidates the ordinance. A void statute or ordinance cannot be given effect. This self-evident proposition is necessary if a governmental entity and its citizens are to know how to govern their affairs." And at 546: "Subdivision (c) of section 65860 does not permit a court to rescue a zoning ordinance that is invalid *ab initio*. As its language makes clear, the subdivision applies only to zoning ordinances which were valid when enacted, but are not consistent with a subsequently enacted or

amended general plan. It mandates that such ordinances be conformed to the new general plan, but does not permit adoption of ordinances which are inconsistent with the general plan."

The Hollywood Plan clearly-prohibits putting residences in the Media District.

The EIR *must begin from that starting-point*, and must end with conformance with the present Plan which prohibits residences also in the CM zone as well.

Lesh said at 546 that the purpose of Section 65860 is to force compliance with Plan. The Plan has a "zoning consistency" list for each of its parcels, and the Media District and CM parcels are singled-out therein.

The subject parcels are not allowed to become fitted with a residence, except for an industrial watchman if there is one.

Your attention is drawn to LAMC Section 11.00. Persons abetting "public nuisances" may be fined and imprisoned, which persons include public employees if their actions are *ultra vires*.

Lesh said that violating Plan is void *ab initio* because it is *ultra vires*.

Foxen v City of Santa Barbara, 166 Cal 77 (Cal S Ct 1913), said a Municipal City which acts *ultra vires* is not liable for such act; it is void and all persons dealing with the City are charged with knowledge of that fact.

Other court cases said a landowner has no right to a vested interest in land use, regardless of prior EIR. A void operation bestows no rights.

Please revise your EIR accordingly.

Response to Comment No. B5-1

The comment presents a series of case law citations concerning the ability of the City to establish land use designations in General Plans and to enact Zoning Codes that are consistent with these General Plans. With respect to the project site, the comment states that the Hollywood Community Plan does not allow residential land uses within the Media District and that the Commercial Manufacturing (CM) zone does not permit residential land uses. The relevance of the remaining statements made by the commenter to the Draft EIR/RPDEIR, proposed project and/or project site is unclear.

Section IV.F (Land Use) of the Draft EIR presents a complete analysis of the project's level of consistency with the Hollywood Community Plan (1988 version), which designates the project site for Limited Manufacturing. This same section of the Draft EIR also contains an analysis of the project's level of consistency with the project site's then-existing zoning for Limited Industrial use ([Q] M1-1VL-SN). In this discussion, it is acknowledged that neither the then-existing land use designation nor the zoning of the site permitted the construction of residences on the project site. For such reason, the project

applicant requested both a General Plan Amendment and a Zone Change to permit the uses being proposed in the project. These entitlement requests are set forth as part of the project description in Section II (Project Description) of the Draft EIR (see page II-14).

Subsequent to the circulation of the Draft EIR, the City adopted an update to the Hollywood Community Plan involving new land use and zoning designations for the project site. Such designations conditionally permit residential use of the project site. Accordingly, the RPDEIR provided an analysis of project consistency with the updated Community Plan, as well as its land use designation and zoning requirements (see Chapter VI, Land Use, of the RPDEIR). However, because the City's approval of the Community Plan update was then undergoing judicial review, the RPDEIR noted (at page I-3) that the original Land Use analysis contained in Section IV.F of the Draft EIR may become relevant in the event the update of the Community Plan was set aside.

On December 10, 2013, Judge Allan Goodman issued his decision in *Fix the City v. City of Los Angeles* (Case No. BS138580) setting aside the Community Plan update, its underlying Environmental Impact Report, and the zoning actions adopted in connection with the Community Plan update. The court's decision may result in the previous Community Plan and zoning designations analyzed in Section IV.F of the Draft EIR being reinstated as the currently relevant analysis of project land use impact.

Because the Community Plan update and zoning designations may have continuing relevance notwithstanding the court's decision, this Final EIR provides two alternative analysis of CEQA land use impacts: (i) the Land Use analysis contained in Section IV.F of the Draft EIR provides CEQA analysis of the project's land use impacts as compared to the Community Plan and zoning designations prior to the update; and (ii) the Land Use analysis contained in Section VI of the RPDEIR provides CEQA analysis of the project's land use impacts as compared to the Community Plan and zoning designations after the update. In addition: (i) Alternative B in Section V of the Draft EIR provides a potential development scenario consistent with the Community Plan and zoning designation of [Q]M1-1VL-SN for the project site prior to the update; and (ii) Alternative B in Section IX of the RPDEIR provides a potential development scenario consistent with the Community Plan update zoning designation of [Q]CM-2D-SN for the project site after the update.

IV. CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

INTRODUCTION

This section presents corrections and additions that have been made to the text of the Draft EIR, including the portions of the Draft EIR that were revised and recirculated in the RPDEIR. These changes include revisions resulting from responses to comments on both the original Draft EIR and the RPDEIR and others that are necessary 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/RPDEIR. Text deleted from the Draft EIR/RPDEIR is shown in ~~strike~~through, and new text is underlined.

CORRECTIONS AND ADDITIONS

Draft EIR Table Of Contents

1. Page ii, add the following to the end of the list of Draft EIR Technical Appendices:

J. LAUSD Correspondence

Draft EIR Section I. Executive Summary

2. Page I-6, the second bullet point under the subhead “Discretionary Actions Requested and Permits Require” is revised to read:
 - General Plan Amendment to change the designation of the site from Limited ~~Industrial Manufacturing~~ to General Commercial;
3. Table ES-1, Summary of the Project Impacts – The table’s “Mitigation Measures” column will be modified to include the changes, revisions, and additions of the mitigation measures identified in this Section (items 4 and 40 below) for Hazards & Hazardous Materials and Utilities & Service Systems – Solid Waste.
4. Page I-51, add the following text below Mitigation Measure D-7:

Mitigation Measure D-8: Prior to issuance of demolition permits, the Applicant shall submit verification to the City of Los Angeles Department of Building and Safety that a survey for the presence of organochlorine pesticides from termiticide applications has been conducted at all existing buildings located on the project site. If such residual pesticides are found, the Applicant shall follow all applicable investigation and mitigation protocols contained in the Department of Toxic Substances Control publication *Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint*.

Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006, for proper removal and disposal of the residual pesticides.

RPDEIR Section I. Introduction

5. Page I-3, the last bullet point (partial) is revised to read:

The City recently adopted an update to the Hollywood Community Plan which involves new land use and zoning designations for the project site. Section VI, Land Use, of this document includes a revised analysis of project consistency with the new Community Plan, land use designation, and zoning requirements and was intended to replace those discussions previously presented in Section IV.F, Land Use, of the June 2008 Draft EIR. While the Community Plan update and zoning change are currently valid and in effect, it is noted that the City's approval of the same is currently undergoing judicial review due to a lawsuit challenging the approval. Thus, while the land use consistency analysis in this document supersedes that presented in the June 2008 Draft EIR, the original analysis may become relevant in the event the City's approval of the Community Plan update and zoning changes are set aside because of the current litigation. On December 10, 2013, Judge Allan Goodman issued his decision in *Fix the City v. City of Los Angeles* (Case No. BS138580) setting aside the Community Plan update, its underlying Environmental Impact Report, and the zoning actions adopted in connection with the Community Plan update. The court's decision results in the previous Community Plan and zoning designations analyzed in Section IV.F of the Draft EIR being reinstated as the currently relevant analysis of project land use impact.

Accordingly, at this time the continuing relevance of the Community Plan update and zoning designations cannot be fully determined. Thus, the analysis of the project's consistency with the Community Plan update and zoning designations presented in this RPDEIR may also remain relevant. Therefore, both the land use analyses in the Draft EIR and in this RPDEIR are being included in the project CEQA review as alternative evaluations depending upon the version of the Community Plan in effect at the time the City renders its final decision concerning the proposed project.

RPDEIR Section II. Summary

6. Page II-1, the following sentence is added to the end of the paragraph under the subhead "A. Introduction":

Section VI, Land Use, is presented as an alternative to the Land Use section in the June 2008 Draft EIR that may again become relevant if the City's Hollywood Community Plan update is ultimately appealed and/or upheld in the courts.

7. Table II-1, Revised Analyses - Summary of Project Impacts – The table's "Mitigation Measures" column will be modified to include the changes, revisions, and additions of the mitigation measures identified in this Section (items 3 and 4 below) for Air Quality.

8. Page II-20, Mitigation Measure B-2 is revised to read as follows:

Mitigation Measure B-2: The project applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site throughout the project construction. The project applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. These measures include the following:

- Use ~~late model~~ heavy-duty diesel-powered equipment with cooled exhaust gas recirculation that meets 2010 model year United States Environmental Protection Agency NO_x standards at the project site, where commercially available (defined as a minimum of five vendors with such equipment being readily available). At a minimum, truck fleets used for material delivery and soil import/export shall use trucks that meet EPA 2007 model year NO_x emissions requirements.
- Apply NO_x control technologies, such as fuel injection timing retard for diesel engines and air-to-air cooling when such technologies are readily available.
- During construction, trucks and vehicles in loading and unloading queues should turn their engines off when not in use to reduce idling vehicle emissions. Truck and equipment shall be limited to five minutes or less.
- Construction activities should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions and keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Maintain records on fuel use, hours of operation, and periodic maintenance of all construction equipment.
- If a minimum of five union and five non-union vendors featuring such equipment are available, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following schedule:
 - Project start, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Encourage construction contractors to apply for SCAQMD "SOON" funds.

9. Page II-21, Mitigation Measure B-5 is revised to read as follows:

Mitigation Measure B-5: The project applicant shall ensure that the construction contractor utilizes architectural coatings and solvents that comply with SCAQMD Section 1113 or, if feasible, that have a lower VOC content. Coatings used for the project must ~~which~~ contain a VOC rating of 75 grams/liter of VOC or less.

10. Page II-22, add the following text below Mitigation Measure B-9:

Mitigation Measure B-10: Consistent with the City's Green Building Code, require all lighting fixtures, including signage, to be energy efficient; require that new traffic signals have light-emitting diode (LED) bulbs; and emphasize the use of energy efficient compact fluorescent and/or LED light bulbs in light fixtures. Where feasible, use solar powered lighting.

Mitigation Measure B-11: To the extent it is feasible, utilize light colored paving and roofing materials.

Mitigation Measure B-12: To the extent it is feasible, utilize passive heating, natural cooling, solar hot water systems, and reduced pavement.

Mitigation Measure B-13: Provide a designated area for the parking of zero emission vehicles (ZEVs) at the project site.

Mitigation Measure B-14: The use of either 2010-compliant diesel trucks or alternatively fueled delivery trucks (e.g., food, retail, and vendor supply delivery trucks) at

commercial/retail businesses located within the project shall be encouraged by the Applicant.

Mitigation Measure B-15: The Project shall use electric lawn mowers and leaf blowers, electric or alternatively fueled sweepers with HEPA filters, electric or alternatively fueled maintenance vehicles, and use water-based or low VOC cleaning products for maintenance of the buildings.

11. Page II-28, the first paragraph under subhead “4. Land Use” is revised to read:

The analysis in Section VI, Land Use, of this document includes a revised analysis of project consistency with the ~~new~~ Community Plan update, including the land use designation, and zoning for the project site and presents an alternative to the analysis contained in ~~supplements~~ Section IV.F, Land Use, of the June 2008 Draft EIR. This alternative analysis may again become relevant if the City’s Community Plan update is ultimately appealed and/or upheld in the courts. Therefore, the summary below only addresses the ~~revised~~ Community Plan update analysis.

Draft EIR Section II. Project Description

12. Page II-5, the bottom paragraph is revised to read:

The project is located within the Hollywood Community Plan Area. ~~The Hollywood Community Plan is currently in the process of being updated by the City of Los Angeles.~~ Pursuant to the ~~most recent~~ currently applicable version of the Hollywood Community Plan, which was adopted in December 1988, the project site is designated for Limited Manufacturing land uses. In addition, the project site is zoned as [Q]M1-1VL-SN. The “[Q]” portion of this designation indicates that Qualifying conditions apply to the project site. The “M1” portion of this designation indicates that the project site is zoned for Limited Industrial uses, while the “1VL” portion of this zoning indicates that the site is within a Very Limited Height District No. 1, which restricts building heights to a maximum of 45 feet and three stories. The “SN” portion of the zoning designation indicates that the project site is within the Hollywood Signage Supplemental Use District (HSSUD) and therefore, is subject to special regulations with regard to the type, use, and size of signage.

The City recently adopted an update to the Hollywood Community Plan that involves new land use and zoning designations for the project site. Section VI, Land Use, of the RPDEIR includes a revised analysis of project consistency with this Community Plan update. On December 10, 2013, Judge Allan Goodman issued his decision in *Fix the City v. City of Los Angeles* (Case No. BS138580) setting aside the Community Plan update, its underlying Environmental Impact Report, and the zoning actions adopted in connection with the Community Plan update. The court’s decision results in the previous Community Plan and zoning designations analyzed in Section IV.F of the Draft EIR being reinstated as the currently relevant analysis of project land use impact.

13. Page II-14, the second bullet point under the subhead “G. Intended Use of the EIR” is revised to read:

- General Plan Amendment to change the designation of the site from Limited ~~Industrial Manufacturing~~ to General Commercial;

RPDEIR Section III. Air Quality

14. Page III-58, Mitigation Measure B-2 is revised to read as follows:

Mitigation Measure B-2: The project applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel- powered equipment operating at the project site throughout the project construction. The project applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. These measures include the following:

- Use ~~late-model~~ heavy-duty diesel-powered equipment with cooled exhaust gas recirculation that meets 2010 model year United States Environmental Protection Agency NO_x standards at the project site, where commercially available (defined as a minimum of five vendors with such equipment being readily available). At a minimum, truck fleets used for material delivery and soil import/export shall use trucks that meet EPA 2007 model year NO_x emissions requirements.
- Apply NO_x control technologies, such as fuel injection timing retard for diesel engines and air-to-air cooling when such technologies are readily available.
- During construction, trucks and vehicles in loading and unloading queues should turn their engines off when not in use to reduce idling vehicle emissions. Truck and equipment shall be limited to five minutes or less.
- Construction activities should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions and keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Maintain records on fuel use, hours of operation, and periodic maintenance of all construction equipment.
- If a minimum of five union and five non-union vendors featuring such equipment are available, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following schedule:
 - Project start, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction

- equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Encourage construction contractors to apply for SCAQMD "SOON" funds.

15. Page III-60, Mitigation Measure B-5 is revised to read as follows:

Mitigation Measure B-5: The project applicant shall ensure that the construction contractor utilizes architectural coatings and solvents that comply with SCAQMD Section 1113 or, if feasible, that have a lower VOC content. Coatings used for the project must which contain a VOC rating of 75 grams/liter of VOC or less.

16. Page III-61, add the following text below Mitigation Measure B-9:

Mitigation Measure B-10: Consistent with the City's Green Building Code, require all lighting fixtures, including signage, to be energy efficient; require that new traffic signals have light-emitting diode (LED) bulbs; and emphasize the use of energy efficient compact fluorescent and/or LED light bulbs in light fixtures. Where feasible, use solar powered lighting.

Mitigation Measure B-11: To the extent it is feasible, utilize light colored paving and roofing materials.

Mitigation Measure B-12: To the extent it is feasible, utilize passive heating, natural cooling, solar hot water systems, and reduced pavement.

Mitigation Measure B-13: Provide a designated area for the parking of zero emission vehicles (ZEVs) at the project site.

Mitigation Measure B-14: The use of either 2010-compliant diesel trucks or alternatively fueled delivery trucks (e.g., food, retail, and vendor supply delivery trucks) at commercial/retail businesses located within the project shall be encouraged by the Applicant.

Mitigation Measure B-15: The Project shall use electric lawn mowers and leaf blowers, electric or alternatively fueled sweepers with HEPA filters, electric or alternatively fueled maintenance vehicles, and use water-based or low VOC cleaning products for maintenance of the buildings.

Draft EIR Section IV.D Hazards and Hazardous Materials

17. Page IV.D-13, add the following sentence to the end of the paragraph under the sub-head “(3) Lead-Based Paint”:

Additionally, in order to ensure that residual pesticides associated with past application of termiticides in buildings on-site are not present in levels of concern, Mitigation Measure D-8 is proposed.

18. Page IV.D-17, add the following text below Mitigation Measure D-7:

Mitigation Measure D-8: Prior to issuance of demolition permits, the Applicant shall submit verification to the City of Los Angeles Department of Building and Safety that a survey for the presence of organochlorine pesticides from termiticide applications has been conducted at all existing buildings located on the project site. If such residual pesticides are found, the Applicant shall follow all applicable investigation and mitigation protocols contained in the Department of Toxic Substances Control publication *Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers*, dated June 9, 2006, for proper removal and disposal of the residual pesticides.

Draft EIR Section IV.F Land Use

19. Page IV.F-6, the final paragraph is revised to read:

~~The Hollywood Community Plan is currently in the process of being updated by the City of Los Angeles.~~[†] The most recent recently updated version of the Community Plan, which was evaluated in Section VI (Land Use) of the RPDEIR, may be set aside as the result of the December 10, 2013

decision in *Fix the City v. City of Los Angeles* (Case No. BS138580). This analysis addresses the previous version of the Community Plan adopted in December 1988, which designates the project site for Limited Manufacturing use. The objectives of the ~~current~~ 1988 Hollywood Community Plan that are pertinent to the project area include the following:

¹—~~The Draft EIR for the Hollywood Community Plan Update is expected to be completed and released sometime in mid-September for public review and comment. Final adoption of the updated Hollywood Community Plan is still pending.~~

20. Page IV.F-7, the second sentence of the final paragraph is revised to read:

Prior to the recent Hollywood Community Plan update, the project site is ~~was~~ ~~currently~~ zoned [Q] M1-1VL-SN. As noted above, the revised zoning of the project site is addressed in Section VI (Land Use) of the RPDEIR; this discussion addresses the previous zoning due to the fact that the revised zoning may be set aside by court mandate.

RPDEIR Section VI. Land Use

21. Page VI-1, the first paragraph is revised to read:

Since the time the June 2008 Draft EIR was prepared, changes in the regulatory requirements and policies regarding land use have occurred, including the recently adopted update to the Hollywood Community Plan. The analysis below includes a revised analysis of project consistency with the ~~new~~ ~~updated~~ Community Plan, land use designation, and zoning requirements, as well as several other recently updated or adopted land use plans, and supplements Section IV.F, Land Use, of the June 2008 Draft EIR, which evaluates the 1988 version of the Community Plan and its related zoning.

22. Page VI-1, the first paragraph below the sub-heading “B. Updated Hollywood Community Plan” is revised to read:

An update to the Hollywood Community Plan was adopted on June 19, 2012. Ordinance No. 182173, which includes a General Plan Amendment and zone and height district changes for the Hollywood Community Plan area, went into effect on August 6, 2012. ~~Litigation challenging the update’s adoption is currently pending.~~ On December 10, 2013, Judge Allan Goodman issued his decision in *Fix the City v. City of Los Angeles* (Case No. BS138580), setting aside the Community Plan update, its underlying Environmental Impact Report, and the zoning actions adopted in connection with the Community Plan update. The court’s decision may result in the 1988 Community Plan and zoning designations analyzed in Section IV.F of the Draft EIR being reinstated as the currently relevant analysis of project land use impact.

Draft EIR Section IV.H.3 Public Services - Schools

23. Page IV.H-27, the last sentence of the first paragraph is revised to read:

The analysis is based on written correspondence with LAUSD, which is included as Appendix J to this Draft EIR.

Draft EIR Section IV.H.4 Public Services – Parks and Recreation

24. Page IV.H-46, the first sentence of the second paragraph under the “a. Existing Conditions” subheading is revised to read:

The project site is located in the Pacific Metro Region of the DRP’s jurisdiction.

25. Page IV.H-48, the final bullet point has been deleted in its entirety:

~~Pan Pacific Park and Recreation Center—This is an approximate 31.86-acre community park located at 7600 Beverly Blvd. This park features an auditorium, barbecue pits, baseball diamond, basketball courts, children’s play area, indoor gym, and picnic tables.~~

26. Page IV.H-50, the second paragraph under the sub-heading “(2) Local Level” is revised to read:

Within the City’s General Plan, the Public Recreation Plan (PRP) establishes policies and standards related to parks, recreation facilities, and open space areas in the City. The PRP provides Citywide goals, objectives, and recommendations concerning parks and recreation facilities. ~~In addition to the standards established in the PRP, park and~~ Common and private open space requirements for projects containing six or more residential units are set forth in LAMC Section 12.21.G. Requirements for the dedication of parkland (or the payment of in lieu fees) to meet the needs of new subdivisions, are also set forth in Sections 12.21 and 17.12 of the LAMC. Section 17.12 of the LAMC reflects the requirements of the State Quimby Act (discussed above). The following provides information regarding both the PRP and applicable LAMC standards and requirements.

27. Page IV.H-51, the first full paragraph is revised to read:

The PRP also states that the location and allocation of acreage for neighborhood and community park and recreational facilities should be determined on the basis of the service radius within residential areas throughout the City. The desired long-range standard for local parks is based on a minimum of two acres per 1,000 persons for neighborhood parks with a service radius of 0.5 mile, and a minimum two acres per 1,000 persons for community parks with a service radius of two miles. However, the PRP also notes that these long-range standards may not be reached during the life of the plan, and therefore, includes more attainable short- and intermediate-range standards of one acre per 1,000 persons within a one-mile service radius for neighborhood parks and one acre per 1,000 persons within a two mile service radius for community parks. Attaining the goals and ratios of the Public Recreation Plan for the creation of public parks reflects the City’s long-term objectives. The Public Recreation Plan acknowledges that the goals may not be met during the lifetime of the Public Recreation Plan and also that the City does not intend that the goals be exclusively funded or supplied through private project exactions. Rather, as stated at page 3 (of the PRP), the objectives of the Plan

are intended to be accomplished through a combination of “federal, state and private funds to implement acquisition and development of parks and recreational facilities.”

The PRP also establishes that no park or recreational facility shall be diminished in size or removed from any service radius unless the required acreage is replaced elsewhere within that same service radius, or the need for parks or recreational facilities is diminished due to population and/or land use changes.

28. Page IV.H-52, the first through third full paragraphs are revised to read:

Section 17.12 of the LAMC, authorized under the Quimby Act, which requires ~~developers~~ subdividers to set aside land for park and recreational purposes and/or pay fees for park improvements to meet the needs of the future residents of the subdivision, provides standards for parkland acreage requirements and identifies fees per unit. The area of land within a subdivision that is required to be dedicated for park and recreation uses is determined by the maximum density permitted by the zone within which the site is located. As the proposed project is requesting a zone change to C2, which allows residential development pursuant to the standards established for the R4 zone, it is permitted to be developed to a maximum density of over 100 dwelling units per acre. Thus, based on the provisions set forth in LAMC Section 17.12, 32 percent of the gross subdivision area would be required to be dedicated. Based on this formula and the gross site area of 6.67 acres, the project would be required to do one of the following: dedicate approximately 2.13 acres of park and recreation space; or pay the applicable in-lieu fees as calculated by the Director of City Planning functioning in the role as the Advisory Agency. Of the approximately 110,595 square feet of total usable open space, the project would provide approximately 71,295 square feet or 1.64 acres as common park and recreation space, which would not meet the 2.13 acre parkland dedication requirements of LAMC Section 17.12.

If the ~~developer~~ subdivider fails to meet the full dedication requirement, fees for park improvements may be paid to the DRP in lieu of the dedication of all or a portion of all of the land. The in-lieu fees are calculated per dwelling unit to be constructed based on the proposed zoning of the project. ~~Currently, the fee for the C2 zone is set at \$5,906 per dwelling unit constructed.~~

6-City of Los Angeles Quimby Form, http://plncts.lacity.org/Eforms/QuimbyFee/dsp_Quimby_Fee.cfm; as of June 10, 2008.

Section 17.12 of the LAMC allows recreation areas developed within a project site for use by the particular project’s residents to be credited against the project’s Quimby Act land dedication requirement. Recreational areas that qualify under this provision of Section 17.12 include, in part, swimming pools and spas (when the spas are an integral part of a pool complex) and children’s play areas with playground equipment comparable in type and quality to those found in City parks. Furthermore, the recreational areas proposed as part of a project must meet the following standards in order to be credited against the requirement for land dedication: (1) each facility is available for use

by all of the residents of a project; and (2) the area and the facilities satisfy the park and recreation needs of a project so as to reduce that project's need for public park and recreation facilities.

29. Page IV.H-54, the bottom (partial) paragraph is revised to read:

Based on the above, the approximately 71,295 square feet (1.64 acres) of common open space provided by the project would not meet the neighborhood and community parks standards set forth by the PRP. ~~Thus, impacts relative to the PRP would be significant prior to mitigation. As noted above, however, attaining the goals and ratios of the Public Recreation Plan for the creation of public parks reflects the City's long-term objectives. The Public Recreation Plan acknowledges that the goals may not be met during the lifetime of the Public Recreation Plan and also that the City does not intend that the goals be exclusively funded or supplied through private project exactions. The parkland dedication needs for residents of the new subdivision are satisfied through compliance with LAMC Section 17.12. Implementation of the mitigation measure below would ensure that the intent of the PRP's parkland standards would be met through the dedication of parkland, payment of in-lieu fees, provision of on-site recreational amenities and open space areas, or through a combination of these methods. Furthermore, implementation of the mitigation measure would ensure that the project would comply with the parks and recreational requirements set forth by the LAMC (discussed below).~~

30. Page IV.H-55, the first sentence of the last paragraph is revised to read:

As previously stated, Section 17.12 of the LAMC, the City's parkland dedication ordinance enacted under the Quimby Act, provides a formula for satisfying park and recreational ~~uses~~ needs of new subdivisions through parkland dedication and/or the payment of in-lieu fees, subject to the determination of the Department of City Planning/Advisory Agency.

31. Page IV.H-56, the bottom paragraph is revised to read:

In conclusion, the project would meet the requirements set forth in Section 12.21,G of the LAMC. ~~However~~In addition, the proposed project ~~is not anticipated to meet the parkland dedication requirements of~~ will comply with the City's Quimby Act requirements as set forth in Section 17.12 of the LAMC and the parkland provision goals set forth in the PRP. Thus, without incorporation of the mitigation measure set forth below, impacts on Compliance with Mitigation Measure H-9, which reflects the City's requirements and policies, will ensure that the parks and recreation impacts of the project would be less than significant.

32. Page IV.H-57, the first sentence under the sub-heading "4. Mitigation Measures" is revised to read:

The project, as proposed, would not meet the ~~standards of the PRP or the~~ parkland dedication requirements for Section 17.12 of the LAMC, enacted pursuant to Government Code Section 66477 (Quimby Act).

33. Page IV.H-58, the paragraph is revised to read:

Compliance with Mitigation Measure H-19, in addition to the project's provision of 71,295 square feet (1.64 acres) of common open space, would ensure that ~~the intent of the PRP's parkland standards would be met, and thus, impacts relative to the PRP would be less than significant. Furthermore, the mitigation measure would ensure that~~ the potential significant impacts to park and recreational facilities associated with the proposed project, based on the maximum requirements established under Section 17.12 of the LAMC, would be reduced to a less than significant level.

Draft EIR Section IV.H.5 Public Services – Libraries

34. Page IV.H-59, the second sentence of the first paragraph under the “a. Existing Conditions” subheading is revised to read:

The LAPL consists of the Central Library and 71 branch libraries, with a multimedia inventory of over 6.4~~3~~ million items and ~~2,000~~ 2,200 computer workstations with access to the Internet and electronic databases.

35. Page IV.H-62, the first paragraph is revised to read:

The LAPL Branch Facilities Plan (Facilities Plan) guides the construction, ~~maintenance, and organization~~ of public branch libraries and specifies standards ~~in defining geographic service areas and~~ for the size and features of branch facilities based on population served in each community. The Facilities Plan was revised and recently approved by the Board of Library Commissioners on February 8, 2007. The Facilities Plan also outlines the required facilities expansion needs of the libraries within the City. Under the 2007 Facilities Plan, the service population for branch libraries is defined according to the size of the facilities, as shown in Table IV.H-11 on page IV.H-63. The LAPL bases the service population for a branch upon census tracts that are assigned to that branch. ~~The Facilities Branch Plan is continually assessed and updated through annual and quarterly Library Bond Program Master Schedule reports.~~

36. Page IV.H-62, the third sentence of the second paragraph is revised to read:

Under Proposition 1, the Facilities Plan proposed obtaining new sites for building, renovating, and expanding libraries that are unable to serve the community sufficiently and/or were damaged by the ~~Sylmar~~ Whittier earthquake.

37. Page IV.H-62, the final sentence of the third paragraph is revised to read:

The original 32 projects have been completed and of the four newly added projects, ~~two~~ three projects are complete, and one is in construction, ~~and one is in the Bid & Award Phase~~ as of August 2008.

38. Page IV.H-62, the second sentence in the bottom (partial) paragraph is deleted as follows:

~~The LAPL also participates with other library systems in the “Library of California,” a network of public and private California libraries.~~

Draft EIR Section IV.I Transportation and Circulation

39. Page IV.I-16, the introductory portion of the second paragraph under the sub-heading “(2) Hollywood Community Plan” is revised to read:

The ~~most recent version of the~~ Community Plan was adopted in December 1988 by the City of Los Angeles, but ~~is currently in the process of being~~ was updated in 2012. The transportation implications of this update are addressed in the RPDEIR. This analysis addresses the 1988 version of the Community Plan. The Circulation section of the Hollywood Community Plan states the following with regard to transportation:

Draft EIR Section IV.J.2 Utilities and Service Systems – Solid Waste

40. Page IV.J-37, Mitigation Measure J-2 is revised to read:

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 shall be presented to the Department of Building and Safety prior to approval of the ~~Certificate of Occupancy~~ Demolition Permit for the proposed project.

RPDEIR Section IX. Alternatives

41. Page IX-1, the introductory portion of the bottom paragraph is revised to read:

In addition, a new alternative to the project is evaluated herein, supplementing the alternatives analysis originally provided in the June 2008 Draft EIR. This new alternative represents a potential development scenario consistent with the recently amended zoning designation for the project site ([Q]CM-2D-SN). Although the late 2013 court decision in *Fix the City v. City of Los Angeles* (Case No. BS138580) has at least temporarily set aside this amended zoning, analysis of this alternative is included herein for informational purposes in the event the amended zoning remains relevant. Analyses of each of the environmental issues addressed in the June 2008 Draft EIR are provided below for the following:

42. Page IX-8, the first paragraph under the sub-heading “D. Alternative E: Zoning Compliant Alternative” is revised to read:

As discussed in Section VI, Land Use, of this document, General Plan Amendment and zone and height district changes for the Hollywood Community Plan area went into effect on August 6, 2012 in conjunction with the Hollywood Community Plan update adopted on June 19, 2012. As a result, the land use designation of the project site was changed from “Limited Manufacturing” to “Commercial Manufacturing,” and the zoning designation was changed from [Q]M1-1VL-SN to [Q]CM-2D-SN. On December 10, 2013, Judge Allan Goodman issued his decision in *Fix the City v. City of Los Angeles* (Case No. BS138580), setting aside the Community Plan update, its underlying Environmental Impact Report, and the zoning actions adopted in connection with the Community

Plan update. The court's decision may result in the 1988 Community Plan and zoning designations analyzed in Section IV.F of the Draft EIR being reinstated as the currently relevant analysis of project land use impact. Nonetheless, as the June 2008 Draft EIR evaluated an alternative consistent with the then-current zoning (Alternative B), a new alternative consistent with the updated zoning for the site is evaluated herein. A summary of relevant zoning requirements is provided below, followed by a description of Alternative E, the Zoning Compliant Alternative.

43. Page IX-17, the first sentence is revised to read:

The Zoning Compliant Alternative would redevelop the site in accordance with the ~~existing~~ updated 2012 Commercial Manufacturing ([Q]CM-2D-SN) zoning for the site.

44. Page IX-19, the first sentence of the last paragraph (partial) is revised to read:

Overall, as this alternative would be consistent with the ~~existing~~ 2012 updated zoning and land use designations for the site as well as policies addressing the development of media-related lands within the General Plan Framework, Hollywood Community Plan, and ILUP, impacts associated with consistency with land use plans and policies would be considered less than the project's and less than significant.

This page left blank intentionally

V. SUPPLEMENTAL ANALYSIS OF PROJECT REVISIONS

A. INTRODUCTION

In response to public input received through the City's Neighborhood Council process subsequent to the circulation of the Recirculated Portions of the Draft EIR (RPDEIR), the Project Applicant has offered changes in the Project (hereinafter, the "Revised Project"). While the offered changes are in response to input received through the CEQA and public input process, Section 15088.5 requires that where changes are made to a project description, an analysis must be prepared to determine whether such changes would result in new significant environmental impacts which were not identified in the Draft EIR or a substantial increase in the severity of impacts previously identified in the Draft EIR. This section provides a description and analysis of the offered revisions pursuant to Section 15088.5 of the CEQA Guidelines.

B. DESCRIPTION OF PROJECT REVISIONS

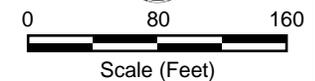
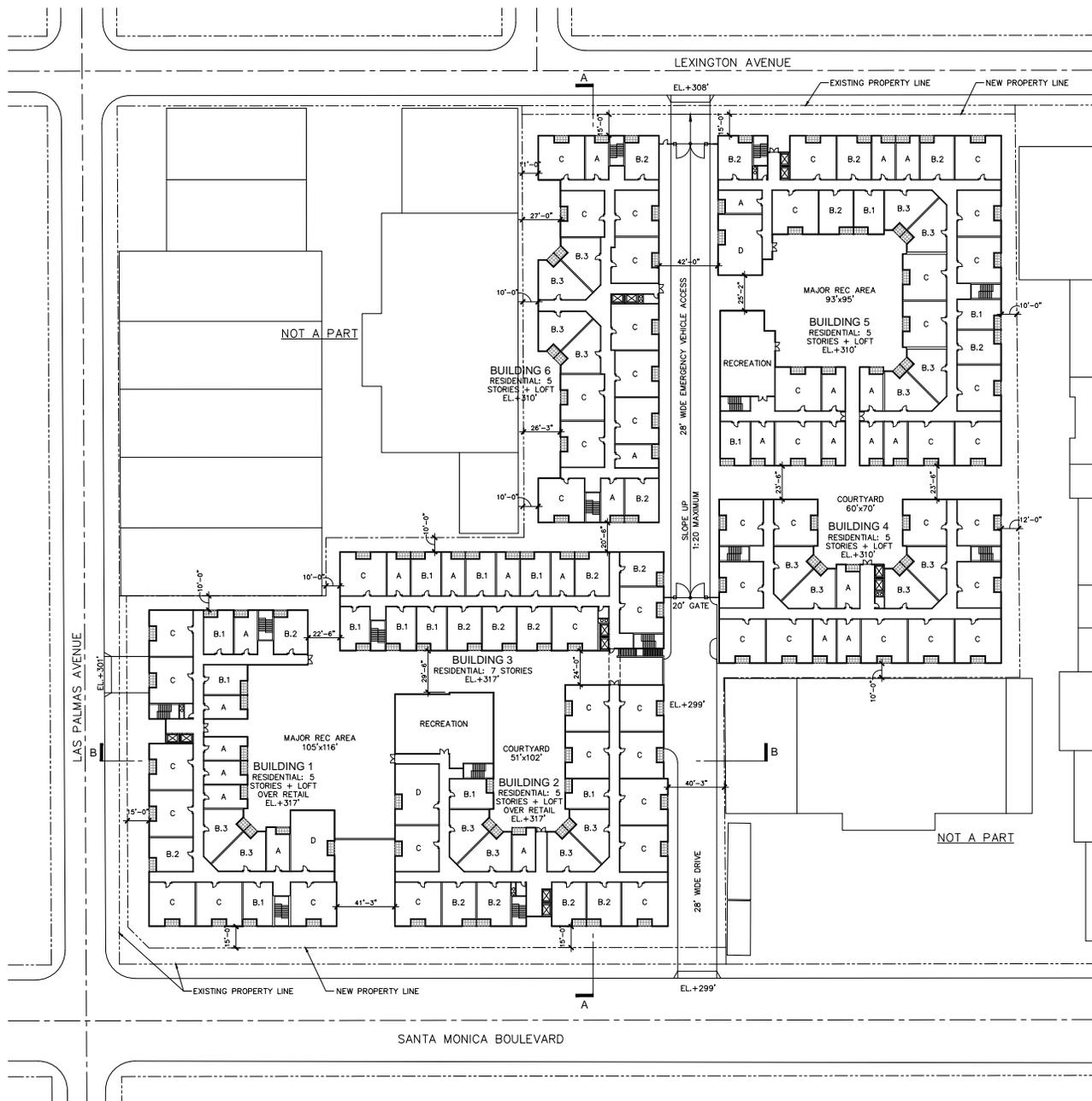
As analyzed in the Draft EIR (consisting of the 2008 Draft EIR and the 2013 RPDEIR), the Applicant's Project offered 786 residential condominium and/or apartment units, 12,700 square feet of community-serving retail, and 9,500 square feet of restaurant uses (hereinafter, the "Original Project"). Access to the Project would have been provided via two driveways: one on Las Palmas Avenue north of Santa Monica Boulevard and one on Lexington Avenue opposite June Street.

In response to public input received through the City's Neighborhood Council process, the Applicant has offered to reduce the Project to contain 695 residential units, 15,400 square feet of retail space, and 9,500 square feet of restaurant space. This constitutes a reduction of 91 residential units and an increase of 2,700 square feet of retail space as compared to the Original Project. Of the 695 units, 118 would be studio, 300 would be one-bedroom units, 258 would be two-bedroom units, and 19 would be three-bedroom units. In association with the reduction of 91 units, the proposed very-low income set aside has been reduced from 8% very low income to 5% of base density. Accordingly, 31 of the residential units are to be set aside for very low income households.

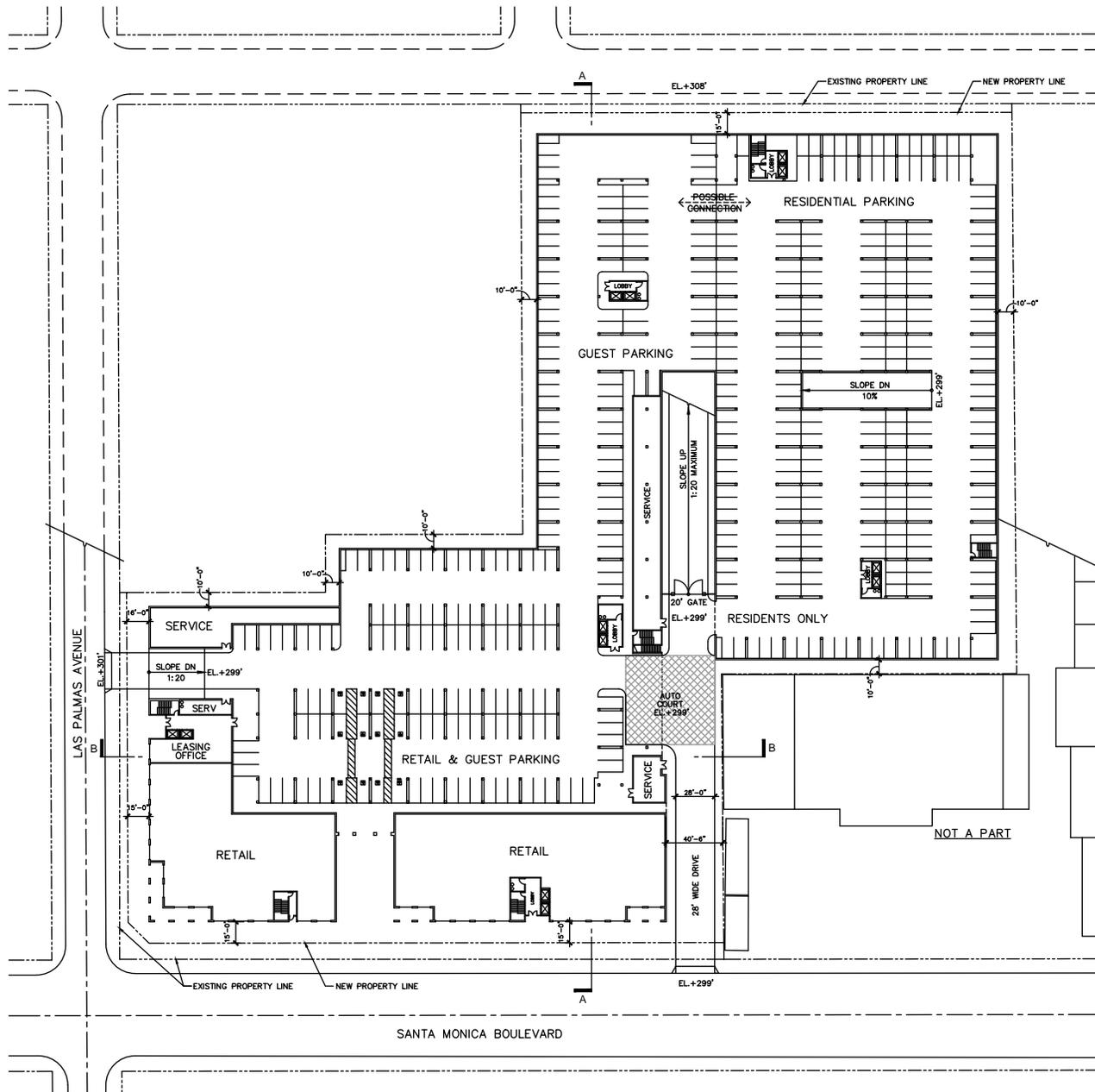
Other changes in response to community input include the elimination of the previously offered driveway on Lexington Avenue, and the provision of an alternate site entrance on Santa Monica Boulevard. Access from the Santa Monica Boulevard entrance would be restricted to right-in/right-out turns only. Because of the reductions in the Project, the number of parking spaces will be reduced from 1,612 to 1,391. All offered supergraphics would be eliminated from the Revised Project and setbacks along Las Palmas Avenue, Lexington Avenue, and Santa Monica Boulevard would be increased to 15 feet.

Parking for all uses would be accessible from both the western driveway entrance on Las Palmas Avenue and the southern driveway entrance on Santa Monica Boulevard. Parking for residents of the Project would be reserved and separate from the commercial and visitor parking area. Shared residential guest parking and commercial parking would be provided on the first parking level.

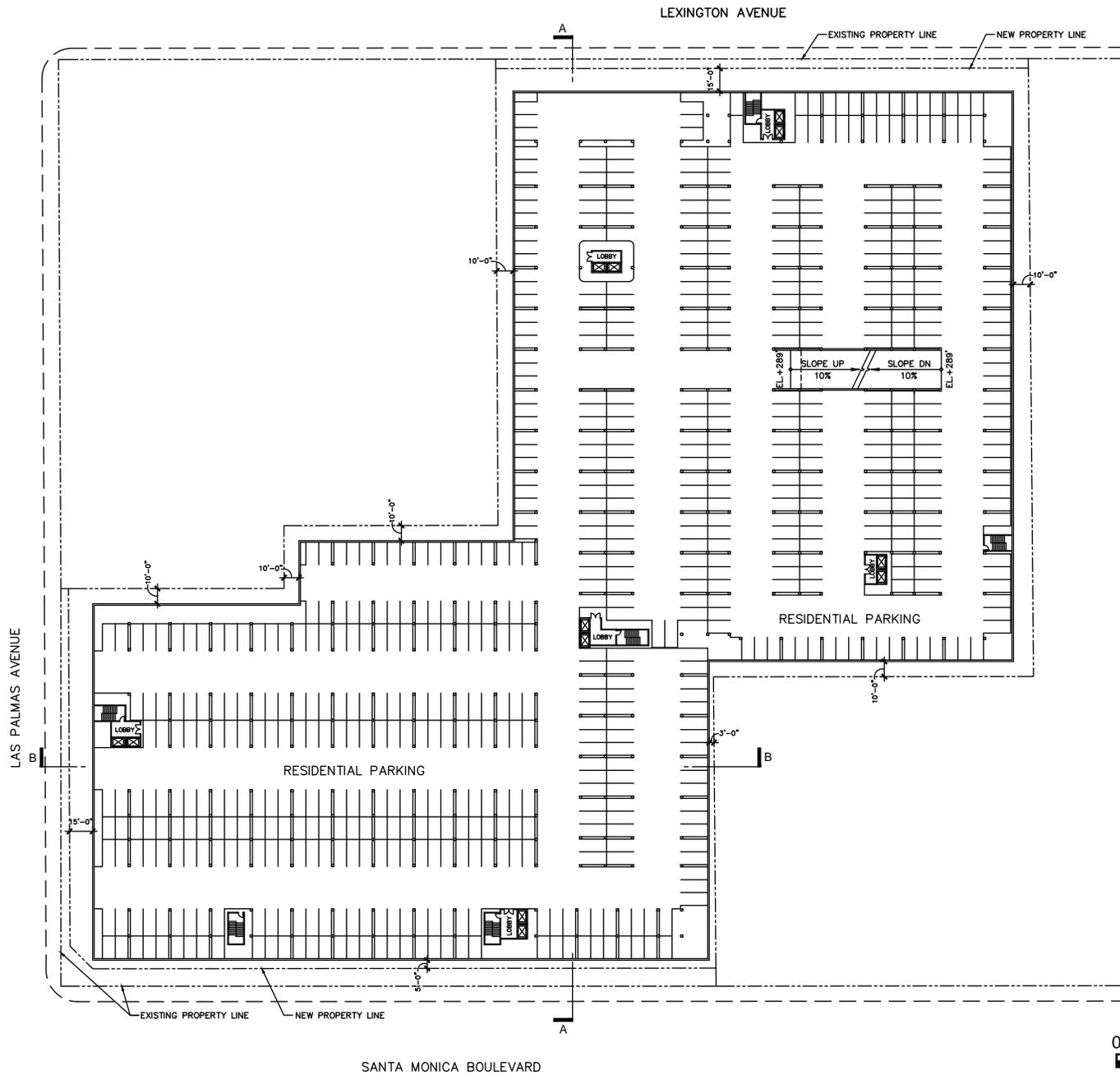
The Revised Project also increases open space by 12,906 square feet as compared to the Original Project, and includes 123,501 square feet of open space in the form of residential balconies and yards. The site plan, parking plan, elevations, and a conceptual perspective for the Revised Project are depicted in Figures FEIR-1 through FEIR-7. The site plan is generally consistent with the Original Project layout, except as discussed herein. In association with the changes in the Project, including the increase of open space, the height of the building in the center of the Project Site would be raised from five to seven stories over the parking podium, or a maximum of approximately 91 feet above the level of Santa Monica Boulevard, the lowest portion on the site.



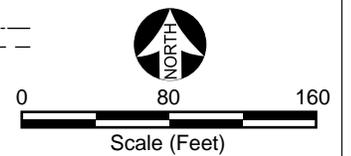
Source: Van Tilburg, Banvard & Soderbergh AIA, May 19, 2014.

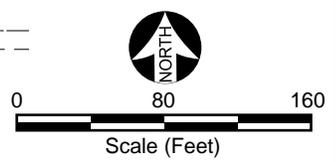
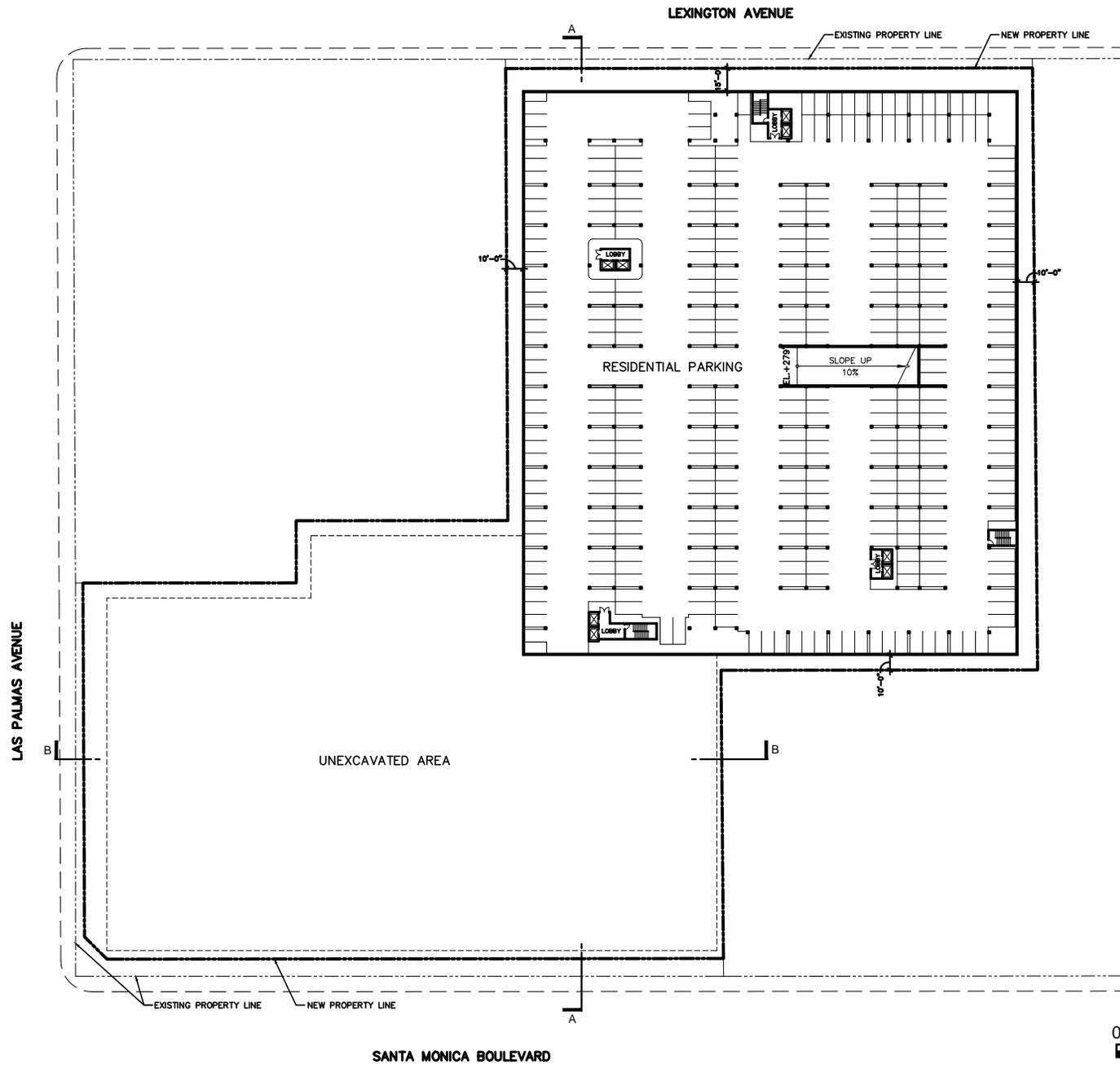


Source: Van Tilburg, Banvard & Soderbergh AIA, May 19, 2014.



Source: Van Tilburg, Banvard & Soderbergh AIA, May 19, 2014.



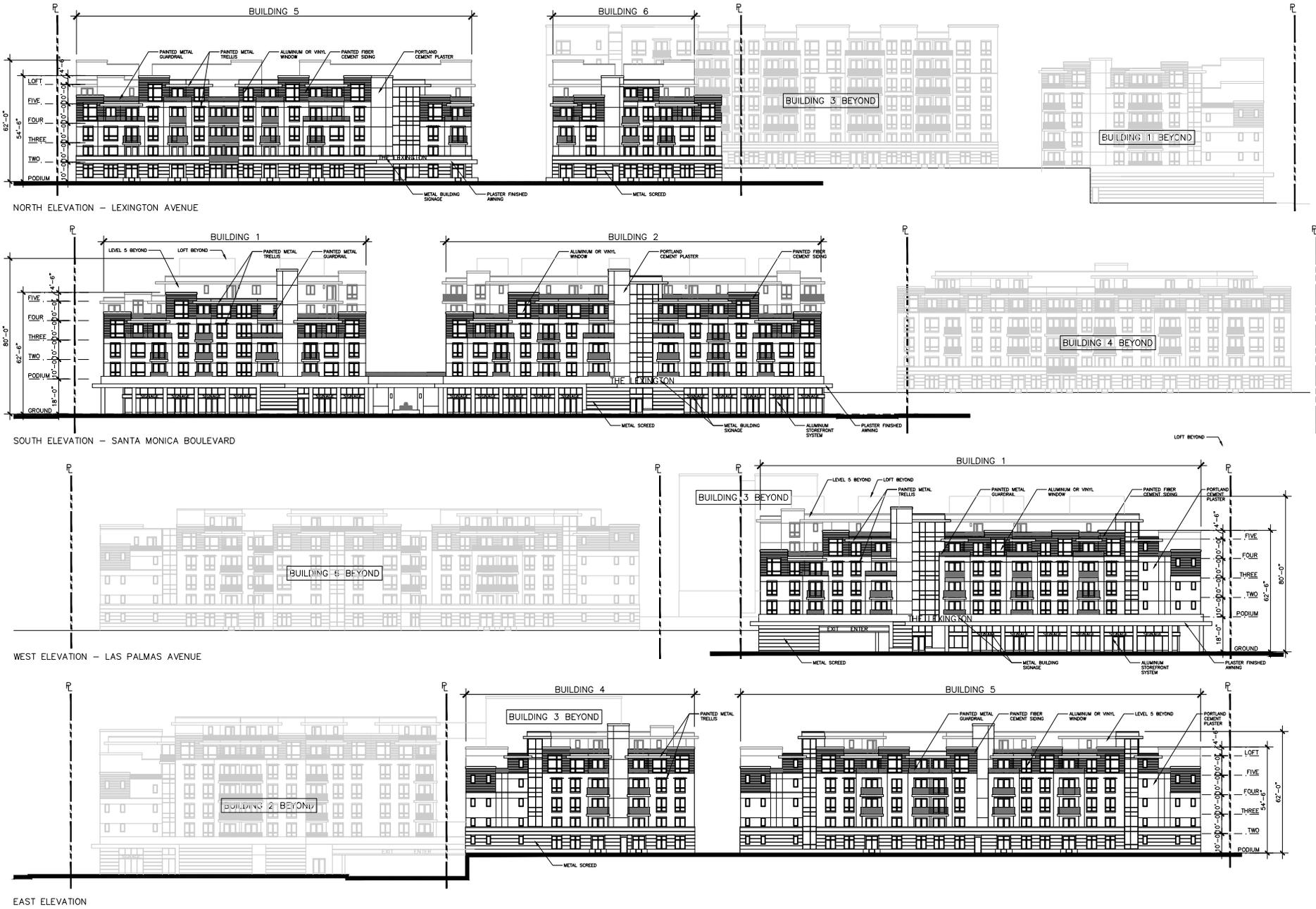


Source: Van Tilburg, Banvard & Soderbergh AIA, May 19, 2014.

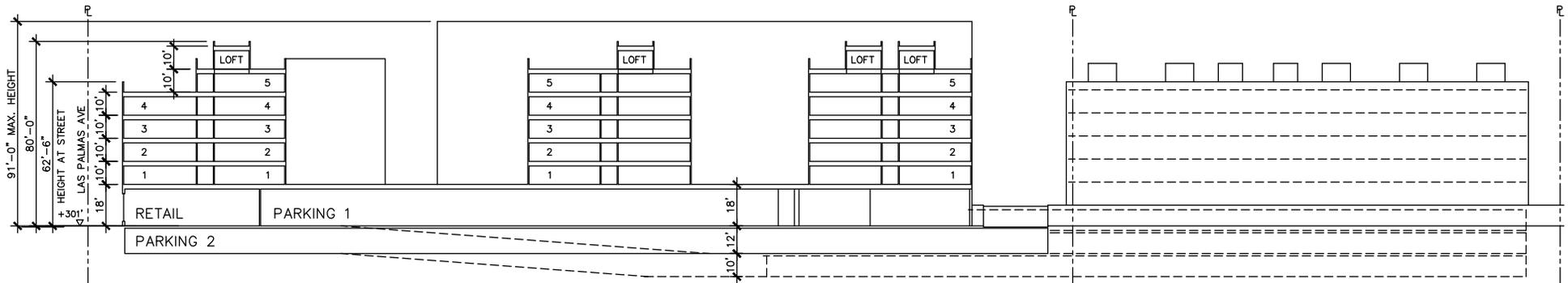


SANTA MONICA BOULEVARD AT LAS PALMAS AVENUE

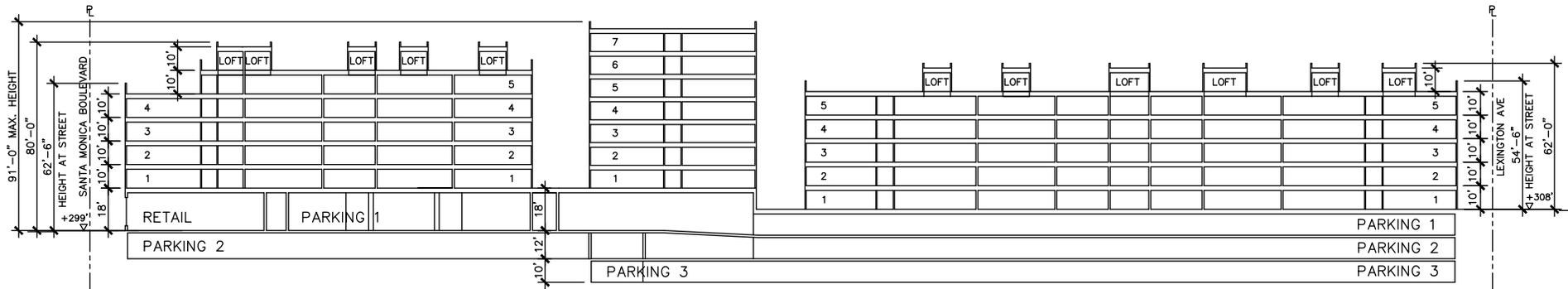
Source: Van Tilburg, Banvard & Soderbergh AIA, March 30, 2014.



Source: Van Tilburg, Banvard & Soderbergh AIA, May 19, 2014.



SECTION B-B (EAST-WEST)



SECTION A-A (NORTH-SOUTH)

Source: Van Tilburg, Banvard & Soderbergh AIA, May 19, 2014.

Overall, the Revised Project would reduce the number of units in the project by 12 percent from that offered in the Original Project.

C. ANALYSIS OF PROJECT REVISIONS PURSUANT TO SECTION 15088.5 OF THE CEQA GUIDELINES

CEQA Guidelines Section 15088.5(a) provides that when changes are made to a project description they should be analyzed by the lead agency to determine whether the changes constitute “significant new information.” CEQA Guidelines Section 15088.5(a) provides that “[n]ew information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” In the context of a change to a project description, significant new information includes information that: (1) a new significant environmental impact would result from the change in the project or from a new mitigation measure offered to be implemented; or (2) a substantial increase in the severity of an environmental impact would result from the change in the project unless mitigation measures are adopted that reduce the impact to a level of insignificance.

Recirculation of an EIR is not required where the changes do not constitute significant new information, but the lead agency’s decision not to recirculate must be supported by substantial evidence in the administrative record. [CEQA Guidelines Section 15088.5(e).]

As noted above, the reductions offered by the applicant occurred in response to public input received through the CEQA and Neighborhood Council process. Accordingly, with respect to CEQA Guidelines Section 15088.5(a), the Project revisions offered by the applicant have occurred because of the public’s meaningful opportunity to comment. The Central Hollywood Neighborhood Council, a certified Neighborhood Council of the City of Los Angeles, has endorsed the Revised Project.¹

The analysis contained in Section IV.D evaluates the project revisions offered by the Applicant to determine if (1) a new significant environmental impact would result from the change in the project or from a new mitigation measure offered to be implemented; or (2) a substantial increase in the severity of an environmental impact would result from the change in the project unless mitigation measures are adopted that reduce the impact to a level of insignificance. This supplementary analysis is also intended to provide documentation for the administrative record required by Section 15088.5.

Table FEIR-1, below, presents a summary of the analysis in Section IV.D. In summary, this analysis demonstrates that the reductions offered by the Applicant do not create either (1) a new significant environmental impact resulting from the change in the Project or from a new mitigation measure offered

¹ *Central Hollywood Neighborhood Council, letter from Scott Campbell, President, dated April 6, 2014 (note that this letter references the Original Project unit count even though it was the Revised Project that was being presented to the Council for review).*

to be implemented; or (2) a substantial increase in the severity of an environmental impact resulting from the change in the Project unless mitigation measures are adopted that reduce the impact to a level of insignificance. In addition, as discussed in Section IV.D, some of the potential impacts identified in the EIR will be reduced or eliminated as a result of the changes in the Revised Project.

**Table FEIR-1
Comparison of Original and Revised Project Impacts**

Impact Area	Original Project Impact	Revised Project Impact	Change in Project Impact
Agricultural Resources	No Impact	No Impact	No Change
Biological Resources	Less than Significant	Less than Significant	No Change
Geology & Soils	Less than Significant	Less than Significant	No Change
Mineral Resources	No Impact	No Impact	No Change
Population & Housing	Less than Significant	Less than Significant	No Change to Impact Conclusion; Reduction in Future Residents; Small Increase in Future Employees at Site
Cultural Resources: <i>Archaeological</i>	Less than Significant	Less than Significant	No Change
Cultural Resources: <i>Paleontological</i>	Less than Significant	Less than Significant	No Change
Aesthetics	Less than Significant with Mitigation	Less than Significant with Mitigation	No Change to Impact Conclusion; Minor Differences in Impacts to Views and Shade/Shadow

Impact Area	Original Project Impact	Revised Project Impact	Change in Project Impact
Air Quality	<p><u>Construction</u>: Short-Term Significant and Unavoidable</p> <p><u>Operation</u>: Less than Significant (but Significant and Unavoidable for Concurrent Construction/Operation Period)</p>	<p><u>Construction</u>: Short-Term Significant and Unavoidable</p> <p><u>Operation</u>: Less than Significant (but Significant and Unavoidable for Concurrent Construction/Operation Period)</p>	<p><u>Construction</u>: No Change to Impact Conclusion; Reduced Construction Period Results in Reduced Air Emissions</p> <p><u>Operation</u>: No Change to Impact Conclusion; Reduced Project Traffic Results in Reduced Mobile Source Emissions</p>
Greenhouse Gas Emissions	Less than Significant	Less than Significant	No Change to Impact Conclusion; Reduced Construction, Energy Use, and Project Traffic Results in Reduced GHG Emissions
Cultural Resources: Historical	Less than Significant	Less than Significant	No Change
Hazards & Hazardous Materials	Less than Significant with Mitigation	Less than Significant with Mitigation	No Change
Hydrology & Water Quality	Less than Significant	Less than Significant	No Change
Land Use & Planning	Significant and Unavoidable	Significant and Unavoidable	No Change
Noise	<p><u>Construction</u>: Short-Term Significant and Unavoidable</p> <p><u>Operation</u>: Less than Significant with Mitigation</p>	<p><u>Construction</u>: Short-Term Significant and Unavoidable</p> <p><u>Operation</u>: Less than Significant with Mitigation</p>	<p><u>Construction</u>: No Change to Impact Conclusion; Reduced Construction Results in Reduced Noise</p> <p><u>Operation</u>: No Change to Impact Conclusion; Reduced Project Traffic Results in Reduced Mobile Source Noise</p>

Impact Area	Original Project Impact	Revised Project Impact	Change in Project Impact
Public Services			
<i>Fire Protection</i>	Less than Significant	Less than Significant	No Change to Impact Conclusion; Reduced Project Population Results in Reduced Demand for Services
<i>Police Protection</i>	Less than Significant	Less than Significant	No Change to Impact Conclusion; Reduced Project Population Results in Reduced Demand for Services
<i>Schools</i>	Less than Significant with Mitigation	Less than Significant with Mitigation	No Change to Impact Conclusion; Reduced Project Population Results in Reduced School Student Generation
<i>Parks & Recreation</i>	Less than Significant with Mitigation	Less than Significant with Mitigation	No Change to Impact Conclusion; Reduced Project Population and Increased On-site Open Space Results in Reduced Demand for Services
<i>Libraries</i>	Less than Significant	Less than Significant	No Change to Impact Conclusion; Reduced Project Population Results in Reduced Demand for Services
Transportation/Traffic	<u>Construction</u> : Short-Term Significant and Unavoidable <u>Operation</u> : Significant and Unavoidable	<u>Construction</u> : Short-Term Significant and Unavoidable <u>Operation</u> : Significant and Unavoidable	<u>Construction</u> : No Change <u>Operation</u> : No Change to Impact Conclusion; Reduced Project Traffic Results in Elimination of One Significant Street Segment Impact

Impact Area	Original Project Impact	Revised Project Impact	Change in Project Impact
Utilities & Service Systems			
<i>Water/Wastewater</i>	Less than Significant with Mitigation	Less than Significant with Mitigation	No Change to Impact Conclusion; Reduced Project Population Results in Reduced Demand for Services
<i>Solid Waste</i>	Less than Significant with Mitigation	Less than Significant with Mitigation	No Change to Impact Conclusion; Reduced Project Population Results in Reduced Demand for Services

Based on this supplementary analysis, it is concluded that the reductions in the Project offered by the Applicant in response to public input received through the CEQA and Neighborhood Council process do not constitute “significant new information” as defined by Section 15088.5 and accordingly the reductions in the Project offered by the Applicant do not require recirculation of the EIR.

D. ENVIRONMENTAL IMPACT ANALYSIS OF THE REVISED PROJECT

The following analysis reviews each section of the environmental impact analysis of the Draft EIR/ RPDEIR with respect to the revisions offered by the Applicant and identifies whether a new significant environmental impact would result from the changes offered in the Project, whether a substantial increase in the severity of a previously identified environmental impact would result from the changes offered in the Project, and whether any new mitigation measures are necessary as a result of the changes offered in the Project. For each impact category, the same mitigation measures identified in Section VI (Mitigation Monitoring Plan) of this Final EIR would continue to be required for the Revised Project, unless specifically stated otherwise. Similarly, the same Project Design Features and regulatory compliance measures identified in the Draft EIR/ RPDEIR and this Final EIR for the Original Project will continue to apply to the Revised Project, unless specifically stated otherwise.

Impacts Found to be Less Than Significant

The following discussion addresses those topical areas for which the Initial Study determined there was no substantial evidence that the Project would cause significant environmental effects: Agricultural/Forestry Resources, Biological Resources, Geology/Soils, Mineral Resources, Population/Housing, and Cultural Resources (Archeological/Paleontological Resources).

Agricultural and Forestry Resources

As the site does not contain any agricultural or forest resources, the changes in the Project offered by the Applicant would not result in any agricultural or forest resource impacts.

Biological Resources

As the site does not contain any endangered or threatened species, riparian habitat, federally protected wetlands (under Section 404 of the Clean Water Act), established native resident or wildlife corridors, City of Los Angeles protected trees, or sensitive natural communities and is not located in or adjacent to a Significant Ecological Area or within an area covered by a Habitat Conservation Plan, Natural Community Conservation Plan, or any other local, regional, or state habitat conservation plan, the changes in the Project offered by the Applicant would not result in any new impact to biological resources either on-site or within the vicinity of the project site.

Geology and Soils

The project site is not located within an Alquist-Priolo Fault Zone or a City-designated Fault Rupture Zone. The closest potentially active fault to the site is the Hollywood Fault, with the closest surface fault zone located approximately 2 kilometers from the project site. Byer Geotechnical, Inc. undertook a supplemental geotechnical investigation in July 2014 for the Revised Project (see Appendix F to this Final EIR). This supplemental investigation confirmed the suitability of the site's soils and geologic composition for the Revised Project and presents a series of recommendations to be implemented during project construction.

Consistent with the discussion in the Draft EIR (see page VI-14), construction of the Revised Project would occur in accordance with City Building Code Chapter IX, which requires necessary permits, plans, plan checks, and inspections to reduce the effects of sedimentation and erosion. The project would be required to implement an erosion control plan, as well as Storm Water Pollution Prevention Plan (SWPPP) approved by the City of Los Angeles Department of Building and Safety. In accordance with these requirements, Best Management Practices (BMPs) would be implemented to reduce soil erosion to the maximum extent possible. During operation of the Revised Project, the potential for soil erosion to occur within the project site would be limited due to the limited amount of pervious surfaces that exists today and the nominal change in pervious areas subsequent to development of the project.

As discussed in the Draft EIR and the supplemental geotechnical investigation, the site does not exhibit characteristics that would result in the potential for geotechnical hazards. Temporary shoring is recommended to facilitate the construction of the subterranean parking levels and to avoid unsupporting off-site properties and improvements. Specific recommendations regarding this temporary shoring are presented in the supplemental geotechnical report. Additionally, it is expected that groundwater will be encountered in the shoring-pile excavations as well as during the excavation of the lowest portion of the subterranean parking levels. A temporary dewatering system is recommended to keep the groundwater level at least 10 feet below the lowest parking level and facilitate construction of the foundation system.

Specific recommendations regarding this dewatering system are presented in the supplemental geotechnical report.

As with the Original Project, the Revised Project would comply with UBC and LAMC requirements as well as the recommendations set forth in the supplemental geotechnical report. For the foregoing reasons, it is concluded that significant new geology and soils impacts would not result from the changes offered in the project, and new mitigation measures are not necessary with respect to geology and soils as a result of changes offered in the project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures VI(a)-1 and VI(a)-2) will be required for the Revised Project.

Mineral Resources

As the site does not contain any known mineral resources, the changes in the Project offered by the Applicant would not result in any mineral resource impacts.

Population and Housing

The Revised Project would reduce the number of offered residential units from 786 to 695, a reduction of 91 units. Thirty-one of the residential units are to be set aside for very low income households. The Revised Project would increase the amount of retail space from 12,700 to 15,400 square feet, an increase of 2,700 square feet. The same amount of restaurant space (9,500 square feet) is offered in both versions of the project.

According to 2010 Census data, the Hollywood Community Plan area has a population of 198,228 persons with 94,846 housing units available within the community. According to information collected from the 2010 U.S. Census, the estimated household size for owner-occupied housing units in the Hollywood Community Plan area is 2.09 persons per household. Based on this estimated household size, the 695 units offered by the project would generate approximately 1,453 residents at full occupancy, or approximately 316 fewer residents than the Original Project. The Revised Project would therefore be expected to contribute 0.7 percent population growth within the Community Plan area (assuming zero relocation from elsewhere within the Plan area). As with the Original Project, this amount of growth would constitute a less than significant impact.

The retail/restaurant component of the Revised Project would generate a total of approximately 49 employees on-site, an increase of approximately five employees from the Original Project. Due to the nature of the proposed community-serving uses, it is expected that project employees would be primarily comprised of local area residents. Thus, any residential growth due to new employees relocating to the project area would be minimal.

For the foregoing reasons, it is concluded that significant new population and housing impacts would not result from the changes offered in the project, and new mitigation measures are not necessary with respect to population and housing as a result of changes offered in the project.

Cultural Resources (Archaeological/Paleontological)

The project site does not contain any known archaeological or paleontological resources. The Revised Project would not disturb a greater footprint than the Original Project and thus would not increase the potential impact to previously unknown cultural resources that may be present beneath the site. Therefore, the changes in the Project offered by the Applicant would not result in any new impact to archaeological or paleontological resources either on-site or within the vicinity of the project site and new mitigation measures are not necessary with respect to cultural resources as a result of changes offered in the project. The same mitigation measure identified in Section VI of this Final EIR (Mitigation Measure V(c)-1) will be required for the Revised Project.

Impacts Analyzed in the Draft EIR

The following discussion addresses those issues for which a detailed environmental analysis was presented in the Draft EIR and/or RPDEIR: Aesthetics, Air Quality, Greenhouse Gas Emissions, Cultural Resources (Historic Resources), Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Public Services, Transportation/Traffic, Utilities/Service Systems, and General Impact Categories.

Aesthetics

The Revised Project proposes fewer total units than the Original Project as well as a small increase in the amount of retail space to be developed. The Project access plan has also been revised such that there would no longer be a driveway on Lexington Avenue. Instead, the Revised Project would provide an alternate site entrance on Santa Monica Boulevard instead of on Lexington Avenue directly south of North June Street. Access from the Santa Monica Boulevard entrance would be restricted to right-in/right-out turns only. All previously proposed supergraphics would be eliminated from the Revised Project and setbacks along Las Palmas Avenue, Lexington Avenue, and Santa Monica Boulevard would be increased to 15 feet.

The site plan, parking plan, elevations, and a conceptual perspective for the Revised Project are depicted in Figures FEIR-1 through FEIR-7. The overall site plan is largely consistent with the Original Project layout and the conceptual elevations and perspectives for the Revised Project are generally the same as for the Original Project. The major difference in the potential visual impact of the two versions of the Project is that, because of changes made in the Project (including the increase in open space) the height of the building in the center of the Revised Project (Building 3) would be raised from five to seven stories above the parking podium, or from 65 feet to a maximum of approximately 91 feet above the level of Santa Monica Boulevard, the lowest portion on the site.

The additional 26 feet of height being added to Building 3 would not be noticeable from most locations surrounding the Project due to the intervening presence of Buildings 1, 2, 4, 5, and 6, as well as the existing structures positioned on the northwest portion of the block, adjacent to the corner of Las Palmas Avenue and Lexington Avenue. Elimination of the supergraphics would eliminate supergraphic signage

as a feature of the Project, but would not reduce the visual quality of the Project or impact views. Thus, the overall impact of the Revised Project on visual quality and views would be approximately the same as the Original Project.

Impacts associated with artificial light and glare would be approximately the same with the Revised Project as with the Original Project. The proposed lighting scheme and building materials would be substantially the same under both versions of the Project. Similarly, shade/shadow impacts of the Revised Project would be slightly greater with the increased Building 3 height, but would not create any new significant shade/shadow impacts during the winter solstice period (the time of greatest annual shadow extent) at properties on the north side of Lexington Avenue.

Accordingly, it is concluded that significant new aesthetic impacts would not result from the changes offered in the Revised Project, and new mitigation measures are not necessary with respect to aesthetics as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures A-1 through A-6) will be required for the Revised Project.

Air Quality

Construction-Related Impacts

Construction of the Revised Project would generate approximately the same level of air emissions as would construction of the Original Project. The evaluation of construction emissions for a construction period from 2013 through 2017 utilizes emission factors that are generally the same or higher than those that will apply for a later construction period. Thus, with the later construction period that will be associated with the Revised Project, as well as the smaller number of residential units to be built, overall construction emissions could be reduced slightly as compared to the Original Project. The same construction phasing would be used for both the Original and Revised Projects. As with the Original Project, implementation of mitigation measures would reduce the Revised Project's construction-related regional and localized air quality emissions for all pollutants. However, the Project would remain in exceedance of the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds for NO_x during the most intense construction period. As such, project construction would continue to result in a significant regional impact even with incorporation of all feasible mitigation measures. Localized impacts would remain less than significant. Cumulative impacts associated with construction of the Revised Project would also remain significant.

Accordingly, it is concluded that no significant new construction-related air quality impacts would result from the changes offered in the Project. In addition, construction-related air pollutant emissions would not be increased as a result of the Revised Project. Finally, no new mitigation measures are necessary with respect to construction-related air quality impacts as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures B-1 through B-15) will be required for the Revised Project.

Operational Impacts

As with the Original Project, the operational air emissions associated with the Revised Project would not exceed any of the established SCAQMD threshold levels for any criteria pollutants. Under the Revised Project, project-generated traffic would be reduced in comparison to the Original Project by 518 daily vehicle trips, resulting in fewer mobile vehicle emissions associated with the Project. Additionally, the reduction in the number of residential units would result in less Project energy consumption and on-site emissions. Consequently, total operational air quality emissions would be reduced relative to the Original Project. Like the Original Project, the Revised Project is consistent with and would further the policies of the Air Quality Management Plan (AQMP). Anticipated operational air emissions associated with the Revised Project prior to the implementation of mitigation measures are presented in Table FEIR-2.

**Table FEIR-2
Unmitigated Operational Air Emissions – Revised Project**

Regional Emissions	Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	10	2	41	<1	5	1
Energy Sources	<1	2	1	<1	<1	<1
Mobile Sources	24	72	296	1	47	13
Total Operations	34	76	338	1	53	15
Existing Operations	21	49	203	<1	31	9
Net Operations	-13	-27	-135	-1	-22	-6
SCAQMD Threshold	55	55	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No
Localized Emissions	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Project On-Site Emissions	10	4	42	<1	3	<2
Existing On-Site Emissions	-3	<1	<1	<1	<1	<1
Net Operations	7	3	42	<1	3	<2
SCAQMD Threshold	--	161	1,861	--	4	2
Exceed Threshold?	No	No	No	No	No	No

Although the Revised Project would incorporate numerous design features to reduce construction and operational emissions, as with the Original Project, regional concurrent construction and operational VOC emissions would exceed the regional operational threshold and NO_x would exceed both construction and operational thresholds. Localized impacts would remain less than significant and less than with the Original Project.

Accordingly, it is concluded that significant new operational air quality impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to operational air quality impacts as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures B-1 through B-15) will be required for the Revised Project.

Greenhouse Gas Emissions

Compared to the Original Project, the Revised Project would involve the construction of fewer residential units and a slightly greater amount of retail space. Construction of the Revised Project would generate approximately the same level of greenhouse gas (GHG) emissions as would construction of the Original Project, as it would require an equivalent amount of demolition work, grading, and envelope of construction.

The Revised Project is expected to generate 518 fewer daily vehicle trips when compared to the Original Project. Motor vehicle trips are the primary source of daily operational GHG emissions associated with the Project. Because the Revised Project would generate fewer vehicle trips than the Original Project, it would also generate fewer average daily GHG emissions. Furthermore, as the Revised Project would include fewer residential units, it would also result in reduced operational GHG emissions from on-site sources and energy consumption. Anticipated GHG emissions associated with the Revised Project are presented in Table FEIR-3.

Table FEIR-3
Estimated Annual Greenhouse Gas Emissions – Revised Project (in CO₂e)¹

Scenario and Source	Business As Usual Scenario	As Proposed Scenario ²	Reduction from Business As Usual Scenario	Change from Business as Usual Scenario
Area Sources	234	234	0	0%
Energy Sources ³	2,245	2,104	-141	-6.7%
Mobile Sources	11,862	9,869	-1,993	-20.2%
Waste Sources	203	203	0	0%
Water Sources	722	602	-120	0%
Construction ⁴	162	162	0	0%
Total Emissions	15,195	12,940	-2,255	-14.8%

¹ Metric tons per year.

² To ensure a conservative analysis that focuses on the Project's gross impact on climate change, the "As Proposed" scenario does not discount emissions from existing development on the project site.

³ Daily construction emissions amortized over 30-year period pursuant to SCAQMD guidance.

⁴ Energy emissions are reduced based on compliance with LAMC Ordinance 181480, which reduces energy use by at least 15% below Title 24. Water emissions are reduced based on compliance with LAMC, which reduces water use by 20% or more.

As with the Original Project, the Revised Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Thus, the changes in the Project offered by the Applicant do not raise new GHG issues.

Accordingly, it is concluded that significant new GHG impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to GHG emissions as a result of changes offered in the Project. The same regulatory compliance measures and project design features

identified in the Draft EIR/ RPDEIR and in this Final EIR would also be implemented for the Revised Project.

Cultural Resources (Historical)

The project site does not contain any historic resources. The Revised Project would not disturb a greater footprint than the Original Project. Therefore, the changes in the Project offered by the Applicant would not result in any new impact to historic resources and new mitigation measures are not necessary with respect to cultural resources as a result of changes offered in the project.

Hazards and Hazardous Materials

The changes to the Project offered by the Applicant reduce the amount of offered development, but do not alter the site plan in any way that would affect the hazards and hazardous materials analysis of the Final EIR. The Revised Project follows the same general development footprint as the Original Project, would comply with all applicable regulations regarding the handling and regulation of hazardous materials, and would comply with the City's Methane Ordinance.

Accordingly, it is concluded that significant new hazards and hazardous materials impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to hazards and hazardous materials as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures D-1 through D-8) will be required for the Revised Project.

Hydrology and Water Quality

The changes to the Project offered by the Applicant reduce the amount of proposed development, but do not alter the site plan or construction method in any way that would significantly affect the hydrology and water quality analysis of the Draft EIR/ RPDEIR and this Final EIR. The Revised Project would generate approximately the same volume of stormwater runoff across the site as the Original Project during both construction and operation. The Revised Project would continue to comply with applicable water quality regulations (including the Los Angeles County MS4 Permit and current Standard Urban Stormwater Mitigation Plan [SUSMP] requirements), as well as all applicable Best Management Practices (BMPs) in accordance with the Stormwater Pollution Prevention Plan (SWPPP).

Accordingly, it is concluded that significant new hydrology and water quality impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to hydrology and water quality as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures E-1 through E-7) will be required for the Revised Project.

Land Use and Planning

The Revised Project proposes the same land uses on the Project Site within the same general development footprint, only at a reduced density. The overall number of residential units would be reduced from 786 to 695. Of these, 31 would be set aside for very low-income households. The amount of retail floor area has been increased from 12,700 to 15,400 square feet. The amount of restaurant floor space would remain the same at 9,500 square feet. The floor-area ratio (FAR) being requested for the Revised Project would be increased to 3.5:1 as compared to the 3.11:1 of the Original Project. No new or significantly increased environmental impacts have been identified as a result of this FAR increase. The Revised Project would remain below the maximum FAR of 6:1 allowed pursuant to the LAMC for Height District 2 and below the proposed 2D limitation of 3.5:1. A total of 1,202 parking spaces would be required by LAMC for the Revised Project. The Revised Project would provide a total of 1,391 parking spaces in three subterranean levels on-site, resulting in a surplus of 189 spaces over the LAMC's Code requirement for parking (although the Applicant continues to request a reduction from the Advisory Agency condominium parking policy). The same General Plan Amendment and Zone Change that was evaluated in the 2008 Draft EIR is proposed for the Revised Project. The Revised Project would increase the amount of open space being proposed to 123,501 square feet, representing an increase in comparison to the Original Project. In association with the Revised Project elimination of 91 units, the proposed percentage share of very low income base density set aside has been reduced from 8% to 5% (31 units). No new or significantly increased environmental impacts have been identified as a result of the reduction in very low income units.

As a result of the City's rescinding the Hollywood Community Plan Update and associated zoning actions, the Project site is again designated as Limited Manufacturing by the City's General Plan and zoned [Q] M1-1VL-SN. The consistency of the Original Project with such zoning was analyzed in the Draft EIR and the reductions associated with the Revised Project do not result in any land use planning conflicts not previously analyzed in the Draft EIR. As discussed in the Draft EIR, the Revised Project, like the Original Project, is analyzed to result in potential land use policy conflicts with existing or previously proposed policies. No feasible mitigation measures are available which could reduce such potential impacts to a less than significant level.

Accordingly, the changes to the Project do not affect the Draft EIR's analysis of the Project's land use compatibility with existing uses in the vicinity of the site, or the consistency of the Project with land use plans, policies, and regulations. It is therefore concluded that significant new land use and planning impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to land use and planning as a result of changes offered in the Project. The same mitigation measure identified in Section VI of this Final EIR (Mitigation Measure F-1) will be required for the Revised Project.

Noise

Construction Noise

The Revised Project reduces the number of units proposed, but would utilize a similar mix of construction equipment. Overall, slightly less construction would take place and construction-related noise would be slightly reduced in comparison to the Original Project, but the reductions offered would not reduce temporary construction noise impacts to a less than significant level. As with the Original Project, temporary construction noise impacts for the Revised Project would be significant and unavoidable.

Accordingly, it is concluded that no significant new construction-related noise impacts would result from the changes offered in the Project. In addition, construction-related noise would not be increased as a result of the Revised Project. Finally, no new mitigation measures are necessary with respect to construction-related noise impacts as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures G-1 through G-7) will be required for the Revised Project.

Operational Noise

The Revised Project is expected to generate 518 fewer average daily vehicle trips compared to the Original Project. Additionally, Project traffic would no longer be able to access the site via Lexington Avenue but would instead do so from Santa Monica Boulevard. Thus, the Revised Project would reduce off-site mobile source noise as compared to the Original Project and would remove mobile noise sources from a residential street. No new on- or off-site operational noise sources would be introduced as a result of the changes offered in the Project, and new mitigation measures are not necessary. As with the Original Project, operational noise impacts for the Revised Project would be less than significant.

Accordingly, it is concluded that significant new operational noise impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to noise impacts as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures G-1 through G-7) will be required for the Revised Project.

Public Services

Fire Protection

The Revised Project proposes fewer overall units. Construction of the Revised Project would follow the same general progression as the Original Project. Development under the Revised Project would follow the same general development footprint and would not change the location of the Project. Because the overall number of residents estimated in the project would be decreased by 316 persons, the Revised Project would be expected to result in a proportional reduction in demand for fire and emergency services. Paramedic budget staffing and service level decisions are made by the Los Angeles Fire Department (LAFD) and City Council and reflect the needs of the demographic spectrum in an area.

Vehicular access to the Revised Project from Lexington Avenue would be eliminated and replaced with access directly from Santa Monica Boulevard. The access driveway from Las Palmas Avenue would remain. Accordingly, it is concluded that significant new fire protection impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to fire protection impacts as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures H-1 through H-3) will be required for the Revised Project.

Police Protection

Though fewer overall units are proposed, construction of the Revised Project would follow the same general progression as the Original Project. Because the overall number of residents estimated in the Project would be decreased by 316 persons, the Revised Project would be expected to result in a proportional reduction in demand for police services. Although public access to the Revised Project would be permitted, security would continue to be provided at Project entrances, and the Revised Project would continue to have 24-hour security. Accordingly, it is concluded that significant new police protection impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to police protection impacts as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures H-4 through H-6) will be required for the Revised Project.

Schools

Though fewer overall units are proposed, construction of the Revised Project would follow the same general progression as the Original Project and impacts on nearby schools due to project construction activities would be the same. The changes offered by the Applicant in the Project would reduce its estimated student generation from 135 elementary school students, 75 middle school students, and 68 high school students for the Original Project (a total of 278 students) to approximately 120 elementary school students, 67 middle school students, and 60 high school students for the Revised Project (a total of 247 students), representing a total reduction of 31 students. As is the case with the Original Project, with the addition of these students to existing school enrollments, both Vine Elementary School and Hollywood Senior High School would be significantly impacted due to project build-out as a result of projected enrollment exceeding available student capacities, albeit to a somewhat lesser degree. However, as with the Original Project, pursuant to Section 65995 of the California Government Code, with the payment of developer impact fees in accordance with SB 50, project-related impacts on LAUSD school facilities (Vine Elementary School and Hollywood Senior High School) would be reduced to a less than significant level. Compliance with SB 50 is considered full and complete mitigation.

Accordingly, it is concluded that significant new school impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to school impacts as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures H-7 through H-18) will be required for the Revised Project.

Parks and Recreation

The Original Project proposed approximately 110,595 square feet (or 2.54 acres) of on-site open space. The Revised Project would reduce the estimated population of the site by 316 persons while increasing the amount of open space to approximately 123,501 square feet (or 2.84 acres). Of this 123,501 square feet of total open space, approximately 88,751 square feet (or 2.04 acres) would consist of common open space. Because the overall number of residents in the Revised Project would be decreased by 316 persons, the Revised Project would be expected to result in a proportional reduction in demand for off-site parks and recreation facilities. Based on the estimated 1,453 future residents of the Revised Project, the Project would require approximately 2.9 acres of neighborhood parkland within a 0.5-mile radius in order to meet the Public Recreation Plan (PRP) long-range standard and approximately 1.5 acres within a one-mile radius to meet the PRP's short- and intermediate-range standard. As is noted in this Final EIR (see Section IV), attaining the goals and ratios of the Public Recreation Plan for the creation of public parks reflects the City's long-term objectives. The Public Recreation Plan acknowledges that the goals may not be met during the lifetime of the Public Recreation Plan and also that the City does not intend that the goals be exclusively funded or supplied through private project exactions.

The parkland dedication needs for residents of the Project are satisfied through compliance with LAMC Section 17.12. Under LAMC Section 17.12, the Revised Project would be required to dedicate 93,075 square feet (2.14 acres) of park/open space, or approximately 0.10 acre more than would be provided in the Revised Project. As with the Original Project, the Revised Project will comply with the Quimby Act requirements as set forth in Section 17.12 of the LAMC to reduce this impact to a less than significant level.

Accordingly, it is concluded that significant new parks and recreation impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to parks and recreation impacts as a result of changes offered in the Project. The same mitigation measure identified in Section VI of this Final EIR (Mitigation Measure H-19) will be required for the Revised Project.

Libraries

The Revised Project would reduce the residential population of the project by 316 persons. As a result, project library service demands would be reduced relative to the Original Project. As disclosed in the Final EIR, library service demands associated with the Original Project were concluded to produce a less than significant impact. Accordingly, it is concluded that significant new library impacts would not result from the changes offered in the Project, and that new mitigation measures are not necessary with respect to library impacts as a result of changes offered in the Project.

Transportation and Traffic

Fehr & Peers has prepared a technical memorandum (dated June 4, 2014) to analyze the changes in potential traffic and circulation impacts resulting from the Revised Project. This technical memorandum (hereinafter, Traffic Study Addendum) is included in its entirety as Appendix G to this Final EIR. The

Traffic Study Addendum evaluates potential Project-related impacts at the same 27 study intersections that were studied in the 2008 Traffic Study and validated in the April 2013 Memorandum (for the RPDEIR) and employs the same study methodology as the 2008 Traffic Study, with the following exceptions:

- Based on new direction from the Los Angeles Department of Transportation (LADOT) since the time of the 2008 Traffic Study, the analysis of unsignalized intersections is no longer required. Therefore, the following unsignalized intersections were not evaluated for significant impacts and have not been included in this analysis:
 12. Seward Street/Santa Monica Boulevard
 21. Las Palmas Avenue/Fountain Avenue □
 23. Las Palmas Avenue/Lexington Avenue
 24. June Street/Lexington Avenue
 25. Seward Street/Lexington Avenue □
 26. Wilcox Avenue/Lexington Avenue
 27. Cahuenga Boulevard/Lexington Avenue
- Consistent with current LADOT guidelines, a signal warrant analysis was conducted at the intersection of June Street and Lexington Avenue in the April 2013 Memorandum for the Original Project, since it would have been an access point for the project. With the Revised Project's driveway on Santa Monica Boulevard instead of Lexington Avenue, a signal warrant was not conducted for June Street and Lexington Avenue, as this is no longer an access point for the proposed project.

Construction

Construction activities associated with the Revised Project are assumed to be comparable to those that would be required for the Original Project. Due to the fewer number of residential units to be built under the Revised Project, it is assumed that the duration of construction would be slightly shorter than that required for the Original Project. However, the daily level of construction traffic accessing the site would be similar. As with the Original Project, the Revised Project's impacts related to construction traffic and parking would also be significant and unavoidable, albeit temporary.

Operation

Table 2 in Appendix G provides a summary of the Original Project trip generation estimates and Table 3 in Appendix G provides a summary of the Revised Project trip generation estimates. The Revised Project

is projected to produce 1,420 net daily vehicle trips external to the project site, including 289 AM peak hour trips and 261 PM peak hour trips. This constitutes a reduction of about 518 daily, 20 AM peak hour, and 30 PM peak hour trips from the trip generation estimate for the Original Project. Revised Project only traffic volumes are shown in Figures 4A and 4B in Appendix G.

Project only traffic was added to existing volumes to calculate “Existing plus Project” traffic volumes, which are shown in Figures 5A and 5B of Appendix G. “Existing plus Project” traffic volumes were used to calculate intersection volume of capacity ratios and level of service. The results of the analysis of “Existing plus Project” weekday morning and afternoon peak hour conditions at the 20 signalized study intersections for both project descriptions are summarized in Table 1 of Appendix G.

Project only traffic was also added to cumulative base volumes validated in the April 2013 Memorandum to calculate “Cumulative plus Project” traffic volumes, which are shown in Figures 6A and 6B of Appendix G. “Cumulative plus Project” traffic volumes were used to calculate intersection volume of capacity ratios and level of service. The results of the analysis of “Cumulative plus Project” weekday morning and afternoon peak hour conditions at the 20 signalized study intersections are summarized in Table 4 in Appendix G. Details of the methodologies utilized to calculate the significance of Project traffic impacts in both the Cities of Los Angeles and West Hollywood are presented in Appendix G.

Existing Plus Project

The “Existing plus Project” peak hour level of service results were compared to existing level of service results to identify significant traffic impacts at study locations generated by the Revised Project. Under the Original Project scenario evaluated in the RPDEIR and April 2013 Memorandum, none of the 20 signalized study intersections were determined to be significantly impacted. Under the Revised Project “Existing plus Project” scenario, none of the study intersections were determined to be significantly impacted by the project during the AM and PM peak hours as well. Therefore, no new significantly impacted and previously unidentified intersections would result from development of the Revised Project in place of the Original Project.

An analysis of the Original Project’s potential impact on neighborhood streets was conducted at the eight street segments analyzed in the 2008 Traffic Study and the April 2013 Memorandum. The Original Project’s potential impact on neighborhood streets under “Existing plus Project” conditions as evaluated in the RPDEIR and April 2013 Memorandum is shown in Table 5 of Appendix G. Using the criteria for significant impacts provided in LADOT’s *Traffic Study Policies and Procedures*, under “Existing plus Project” conditions, the Original Project would result in a significant and unavoidable impact at the following four analyzed street segments:

- Las Palmas Avenue south of Fountain Avenue
- June Street south of Fountain Avenue
- Lexington Avenue east of Seward Street
- Lexington Avenue west of June Street

An analysis of the Revised Project's potential impact on neighborhood streets under "Existing plus Project" conditions is shown in Table 6 of Appendix G. With the Revised Project featuring 695 residential units and an entrance on Santa Monica Boulevard instead of Lexington Avenue, the Revised Project would result in a significant and unavoidable impact at the following two analyzed street segments:

- Las Palmas Avenue south of Fountain Avenue
- Lexington Avenue west of June Street

Therefore, significant neighborhood impacts at two locations would be eliminated (Lexington Avenue east of Seward Street and June Street south of Fountain Avenue) with the Revised Project.

Cumulative Plus Project

The "Cumulative plus Project" peak hour level of service results were compared to cumulative base level of service results to identify significant traffic impacts at study locations generated by the Project. In the Draft EIR/2008 Traffic Study and the RPDEIR/April 2013 Memorandum, seven of the 20 signalized study intersections were determined to be significantly impacted by the Original Project under the future scenario. With the revised project description featuring 695 residential units and an entrance on Santa Monica Boulevard instead of Lexington Avenue, the same seven significantly impacted intersections identified in the 2008 Traffic Study and the April 2013 Memorandum would continue to be impacted by the Revised Project during the AM and PM peak hours, although the magnitude of the volume-to-capacity (V/C) ratio increase would be reduced for most locations. No additional significantly impacted intersections would occur with development of the Revised Project as compared to the Original Project.

An analysis of the Revised Project's potential impact on neighborhood streets for the "Cumulative plus Project" conditions was conducted at the eight street segments analyzed for the Original Project in the 2008 Traffic Study and the April 2013 Memorandum, shown in Table 7 of Appendix G. Using the criteria for significant impact provided in LADOT's *Traffic Study Policies and Procedures*, under "Cumulative plus Project" conditions, the Revised Project would result in a significant and unavoidable impact at the following two analyzed street segments:

- Las Palmas Avenue south of Fountain Avenue
- Lexington Avenue west of June Street

The Revised Project would eliminate one neighborhood street significant impact (June Street south of Fountain Avenue) of the Original Project, but the remaining two street segment impacts would be considered significant and unavoidable for both the Original and Revised Projects.

Congestion Management Program (CMP)

With the Revised Project including 695 residential units, the Project would continue to be expected to add more than 50 vehicles per hour (vph) to the following Congestion Management Program (CMP) arterial monitoring intersections:

- Highland Avenue/Santa Monica Boulevard – The Revised Project is expected to add approximately 69 trips in the AM peak hour and 57 trips in the PM peak hour.
- Western Avenue/Santa Monica Boulevard – The Revised Project is expected to add approximately 77 trips in the AM peak hour and 69 trips in the PM peak hour.

As shown in Tables 1 and 4 in Appendix G, neither the Original Project nor the Revised Project would increase the V/C ratio by two percent or more at either of these intersections under the “Existing plus Project” conditions and “Cumulative plus Project” conditions and would therefore not result in a significant impact according to CMP criteria.

The 2008 Traffic Study determined that the Original Project would not be expected to add more than 150 vph to the nearest mainline freeway monitoring location during either peak hour. Because this trip total did not exceed the analysis thresholds, CMP freeway analysis was not required. Since the Revised Project would generate fewer trips than the Original Project, the Revised Project would also not be expected to add more than 150 vph to the nearest mainline freeway monitoring location. Thus, CMP freeway analysis is not required.

Public Transit Utilization

As the Revised Project would generate fewer vehicle trips than the Original Project, the Revised Project is forecast to also generate fewer new transit riders. Thus, as was the case with the Original Project, the Revised Project would not result in significant transit impacts.

Summary Conclusion

Based on the analysis provided in the Traffic Study Addendum (see Appendix G) and summarized herein, it is concluded that new significant traffic and circulation impacts would not result from the changes in the Project offered by the Applicant. Additionally, there will not be an increase in the severity of any of the significant traffic and circulation impacts identified for the Original Project in the Draft EIR/2008 Traffic Study and RPDEIR/April 2013 Memorandum, and the significant traffic impacts of the Revised Project will be reduced from the impacts of the Original Project. Temporary construction traffic and parking impacts would remain significant and unavoidable with the Revised Project, as would impacts at two neighborhood street segments under the “Cumulative plus Project” scenario. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures I-1 and I-4 through I-14) will be required for the Revised Project.

Utilities and Service Systems

Water/Wastewater

The Revised Project will reduce water consumption and wastewater generation as compared to the Original Project due to the reduction in the number of residential units being proposed from 786 to 695. The Water Supply Assessment (WSA) for the Original Project concluded that the water demand generated by the Original Project falls within the available and projected water supplies for normal, single-dry, and multiple-dry years through 2025, and within the water demand growth projected in the Los Angeles Department of Water and Power (LADWP)'s Urban Water Management Plan. Although the Revised Project would increase the amount of retail floor area on-site, this increase would result in an estimate water demand increase of 214 gallons per day over the demand level associated with the retail floor area of the Original Project. This small increase would be more than compensated for by the subtraction of 91 residential units and the associated water demand from the Project. The Revised Project would have a projected water demand of approximately 127,586 gallons per day, a reduction of approximately 15,096 gallons per day compared to the Original Project. Accordingly, it is concluded that significant new water utility impacts would not result from the changes offered in the Project, and that new mitigation measures are not necessary with respect to water utility impacts as a result of changes offered in the Project. The same mitigation measure identified in Section VI of this Final EIR (Mitigation Measure J-1) will be required for the Revised Project.

Solid Waste

The Revised Project would entail the same demolition activities as the Original Project, but slightly less construction would occur. Thus, the Revised Project is expected to generate slightly less construction-related solid waste than the Original Project. The Revised Project would reduce the amount of operational solid waste produced on-site (903 tons/year as compared to 1,075 tons/year with the Original Project) due to the reduction in the number of residential units being proposed. Accordingly, it is concluded that significant new solid waste impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to solid waste impacts as a result of changes offered in the Project. The same mitigation measures identified in Section VI of this Final EIR (Mitigation Measures J-2 through J-4) will be required for the Revised Project.

General Impact Categories

Summary of Significant Unavoidable Impacts

The revisions offered by the Applicant reduce some of the impacts of the Project that were determined to be significant and unavoidable for the Original Project. Construction-related noise impacts, identified as significant and unavoidable in this Final EIR, would be slightly reduced but would remain significant and unavoidable. Construction-related air quality impacts would be slightly reduced but would remain significant and unavoidable. Significant traffic impacts at one neighborhood street segment would be

reduced to a less than significant level with the Revised Project, although two other neighborhood street segments would continue to be significantly impacted.

Significant Irreversible Environmental Changes

The revisions offered by the Applicant would reduce the amount of development proposed but would not affect the Final EIR's analysis of the significant irreversible environmental changes of the Project.

Growth Inducing Impacts

The revisions offered by the Applicant would reduce the amount of development proposed but would not affect the Final EIR's analysis of the growth inducing impacts of the Project.

Cumulative Impacts

The revisions offered by the Applicant reduce the impacts of the Project. In no case do the reductions offered by the Applicant introduce a new impact or increase the severity of a previously identified impact. The revisions offered by the Applicant do not affect the cumulative project analysis of the Final EIR and they do not increase the Project's incremental contribution towards cumulative impacts identified in the Final EIR. Accordingly, it is concluded that significant new cumulative environmental impacts would not result from the changes offered in the Project, and new mitigation measures are not necessary with respect to cumulative impacts as a result of changes offered in the Project.

VI. MITIGATION MONITORING PROGRAM

A. INTRODUCTION

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:

15097. MITIGATION MONITORING OR REPORTING.

(a) This section applies when a public agency has made the findings required under paragraph (1) of subdivision (a) of Section 15091 relative to an EIR or adopted a mitigated negative declaration in conjunction with approving a project. In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The City of Los Angeles is the Lead Agency for the Project. Any agency listed below is assumed to be within the City of Los Angeles, unless its jurisdiction is listed separately.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. This Mitigation Monitoring Program (MMP) is designed to monitor implementation of the mitigation measures identified for the 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 and Final EIR, with an accompanying identification of the following:

- Monitoring Phase, the phase of the Project during which the mitigation measure shall be monitored;
 - Pre-Construction, including the design phase
 - Construction
 - Pre-Occupancy (prior to issuance of a Certificate of Occupancy)
 - 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.
- Monitoring Frequency, the frequency at which the mitigation measure shall be monitored.
- Action(s) Indicating Compliance, the action(s) of which the Enforcement or Monitoring Agency indicates that compliance with the identified mitigation measure has been implemented.

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.

Program Modification

After review and approval of the MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made by the Applicant or its successor(s) subject to approval by the City of Los Angeles. This flexibility is necessary due to the nature of the MMP, and the need to protect the environment with a workable program. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

B. MITIGATION MONITORING AND REPORTING PROGRAM

Draft EIR Section IV.A Aesthetics

Mitigation Measure A-1: Temporary fencing with screening material shall be used to buffer views of construction equipment and materials, when feasible.

Monitoring Phase:	Pre-Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once, for each phase of construction
Action Indicating Compliance:	Compliance report submitted by contractor prior to start of construction

Mitigation Measure A-2: The Applicant shall prepare a street tree plan to be reviewed and approved by the City's Department of Public Works, Urban Forestry. All plantings in the public right-of-way shall be installed in accordance with the approved street tree plan.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Department of Public Works, Urban Forestry
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan approval

Mitigation Measure A-3: All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the City of Los Angeles Department of Planning.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Department of City Planning
Monitoring Agency:	Department of City Planning
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan approval

Mitigation Measure A-4: All new street and pedestrian lighting within the public right-of-way shall be approved by the Bureau of Street Lighting and shall be tested in accordance with the requirements of the Bureau of Street Lighting.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Bureau of Street Lighting
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once

Action Indicating Compliance: Plan approval; Field inspection sign-off

Mitigation Measure A-5: All new street and pedestrian lighting shall be shielded and directed away from any light-sensitive offsite uses.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once

Action Indicating Compliance: Field inspection sign-off

Mitigation Measure A-6: Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once

Action Indicating Compliance: Field inspection sign-off

RPDEIR Section III Air Quality

Mitigation Measure B-1: General contractors shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403 which include:

- The contractor shall keep the construction area sufficiently damped to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- All clearing, grading, earthmoving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- Install wheel washers for all exiting trucks or wash off the tires or tracks of all trucks and equipment leaving the site.
- Sweep daily all paved parking and staging areas.
- 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.
- Replace ground cover in disturbed areas as quickly as possible. Areas to remain uncovered for an extended period are to be hydro-seeded with indigenous wild flower seeds.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly, during the time the listed equipment will be used
Action Indicating Compliance:	Compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure B-2: The project applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site throughout the project construction. The project applicant shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. These measures include the following:

- Use heavy-duty diesel-powered equipment with cooled exhaust gas recirculation that meets 2010 model year United States Environmental Protection Agency NOX standards at the project site, where commercially available (defined as a minimum of five vendors with such equipment being

readily available). At a minimum, truck fleets used for material delivery and soil import/export shall use trucks that meet EPA 2007 model year NOX emissions requirements.

- Apply NOX control technologies, such as fuel injection timing retard for diesel engines and air-to-air cooling when such technologies are readily available.
- During construction, trucks and vehicles in loading and unloading queues should turn their engines off when not in use to reduce idling vehicle emissions. Truck and equipment shall be limited to five minutes or less.
- Construction activities should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions and keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Maintain records on fuel use, hours of operation, and periodic maintenance of all construction equipment.
- If a minimum of five union and five non-union vendors featuring such equipment are available, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following schedule:
 - Project start, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- Encourage construction contractors to apply for SCAQMD “SOON” funds.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly, during the time the listed equipment will be used
Action Indicating Compliance:	Compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure B-3: The project applicant shall implement measures to reduce emissions of pollutants generated from haul routes and construction traffic to include the following:

- Configure construction parking to minimize traffic interference.
- Provide temporary traffic control during all phases of construction activities to improve traffic flow on public roadways (e.g., flag person).
- Schedule construction activities that affect traffic flow on public roadways to off-peak hours.
- Re-route construction trucks off congested streets
- Consolidate truck deliveries.
- Utilize proper planning to reduce re-work and multiple handling of earth materials.
- Select equipment that is properly sized to minimize trips/use.
- Maximize off-site construction (i.e., prefabricating and pre-painting)

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly, during the time the listed equipment will be used

Action Indicating Compliance: Compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure B-4: Electricity rather than temporary diesel- or gasoline-powered generators shall be used unless electricity use is unavailable.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly, during the time the listed equipment will be used

Action Indicating Compliance: Compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure B-5: The project applicant shall ensure that the construction contractor utilizes architectural coatings and solvents that comply with SCAQMD Section 1113 or, if feasible, that have a lower VOC content. Coatings used for the project must contain a VOC rating of 75 grams/liter of VOC or less.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly, during the time the listed materials will be used

Action Indicating Compliance: Compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure B-6: The Applicant shall schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods.

Monitoring Phase: Construction

Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly, during the period over which the deliveries will occur
Action Indicating Compliance:	Compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure B-7: Fundamental Building Systems Commissioning — verify building systems are designed, installed and calibrated to operate as intended. Commissioning process activities shall be completed for the following energy-related systems: Heating, ventilating, air conditioning, and refrigeration (HVAC&R) systems (mechanical and passive) and associated controls, lighting and daylighting controls, domestic hot water systems, and any renewable energy systems (wind, solar, etc.):

- Designate an individual as the Commissioning Authority (CxA) to lead, review and oversee the completion of the commissioning process activities.
- The Owner shall document the Owner’s Project Requirements (OPR). The design team shall develop the Basis of Design (BOD). The CxA shall review these documents for clarity and completeness. The Owner and design team shall be responsible for updates to their respective documents.
- Develop and incorporate commissioning requirements into the construction documents.
- Develop and implement a commissioning plan.
- Verify the installation and performance of the systems to be commissioned.
- Complete a summary commissioning report.

The commissioning report shall be submitted to the Department of Building and Safety prior to the issuance of the building permit.

Monitoring Phase:	Pre Construction (Design Phase); Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety

Monitoring Frequency: Upon submittal of commissioning report to Department of Building and Safety; field inspection by Department of Building and Safety

Action Indicating Compliance: Approval of commissioning report by Department of Building and Safety; field inspection sign-off by Department of Building and Safety

Mitigation Measure B-8: Demonstrate a 15 percentage increase in the proposed building performance rating compared to the baseline building performance rating required by the current Title 24 standards. The increase in energy efficiency shall be verified in the commissioning report.

Monitoring Phase: Pre Construction (Design Phase); Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Upon submittal of commissioning report to Department of Building and Safety

Action Indicating Compliance: Approval of commissioning report by Department of Building and Safety

Mitigation Measure B-9: The project shall incorporate tank-less (on demand) water heaters into the residential units. The instillation of tank-less water shall be verified by the Department of Building and Safety prior to issuance of Certificate of Occupancy.

Monitoring Phase: Pre Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once

Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety

Mitigation Measure B-10: Consistent with the City’s Green Building Code, require all lighting fixtures, including signage, to be energy efficient; require that new traffic signals have light-emitting diode (LED) bulbs; and emphasize the use of energy efficient compact fluorescent and/or LED light bulbs in light fixtures. Where feasible, use solar powered lighting.

Monitoring Phase:	Pre Construction (Design Phase); Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Upon submittal of commissioning report to Department of Building and Safety; field inspection by Department of Building and Safety
Action Indicating Compliance:	Approval of commissioning report by Department of Building and Safety; field inspection sign-off by Department of Building and Safety

Mitigation Measure B-11: To the extent it is feasible, utilize light colored paving and roofing materials.

Monitoring Phase:	Pre Construction (Design Phase); Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Plan review; field inspection by Department of Building and Safety
Action Indicating Compliance:	Plan approval; field inspection sign-off by Department of Building and Safety

Mitigation Measure B-12: To the extent it is feasible, utilize passive heating, natural cooling, solar hot water systems, and reduced pavement.

Monitoring Phase:	Pre Construction (Design Phase); Construction
Enforcement Agency:	Department of Building and Safety

Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Plan review/submittal of commissioning report to Department of Building and Safety; field inspection by Department of Building and Safety
Action Indicating Compliance:	Plan/commissioning report approval by Department of Building and Safety; field inspection sign-off by Department of Building and Safety

Mitigation Measure B-13: Provide a designated area for the parking of zero emission vehicles (ZEVs) at the project site.

Monitoring Phase:	Pre Construction (Design Phase); Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Plan review; field inspection by Department of Building and Safety
Action Indicating Compliance:	Plan approval; field inspection sign-off by Department of Building and Safety

Mitigation Measure B-14: The use of either 2010-compliant diesel trucks or alternatively fueled delivery trucks (e.g., food, retail, and vendor supply delivery trucks) at commercial/retail businesses located within the project shall be encouraged by the Applicant.

Monitoring Phase:	Occupancy
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Annual
Action Indicating Compliance:	Annual compliance report submitted by building management to Department of Building and Safety

Mitigation Measure B-15: The Project shall use electric lawn mowers and leaf blowers, electric or alternatively fueled sweepers with HEPA filters, electric or alternatively fueled maintenance vehicles, and use water-based or low VOC cleaning products for maintenance of the buildings.

Monitoring Phase:	Occupancy
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Annual
Action Indicating Compliance:	Annual compliance report submitted by building management to Department of Building and Safety

Draft EIR Section IV.D Hazards and Hazardous Materials

Mitigation Measure D-1: If vapor extraction or excavation activities are performed during soil remediation, such activities shall be performed in compliance with all applicable regulations, including SCAQMD rules and Cal-OSHA.

Monitoring Phase:	Pre-Construction; Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once during each subject activity
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety

Mitigation Measure D-2: A qualified environmental consultant shall monitor the site during removal of slabs/pavement and substructures to observe for evidence of any USTs, toxic materials, contaminated soils, or contaminated groundwater. Observations shall include the use of a photo-ionization detector calibrated to detect perchloroethylene (PCE) in addition to visual and olfactory observations of the soil. If contamination is discovered, grading within such area shall be temporarily halted and redirected around the area until the appropriate evaluation and follow-up measures are implemented so as to render the area

suitable for grading activities to resume. The potentially contaminated area shall be evaluated to determine the nature and extent of contamination, if any. Any contamination above regulatory limits shall be excavated/disposed of, treated in-situ (in place), or otherwise managed in accordance with applicable regulatory requirements. Contaminated soils shall be remediated to the satisfaction of the DTSC, and written confirmation of completion of the soils remediation to the agency's satisfaction shall be submitted to the City of Los Angeles Department of Building and Safety prior to issuance of a certificate of occupancy.

Monitoring Phase:	Pre-Construction; Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	California Department of Toxic Substances Control; Department of Building and Safety
Monitoring Frequency:	Once during each subject activity
Action Indicating Compliance:	Field inspection sign-off; acceptance of monitoring and soils remediation report by Department of Building and Safety

Mitigation Measure D-3: Prior to issuance of demolition permits, the Applicant shall submit verification to the City of Los Angeles Department of Building and Safety that an asbestos survey has been conducted at all existing buildings located on the project site. If asbestos is found, the Applicant shall follow all procedural requirements and regulations of South Coast Air Quality Management District Rule 1403.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan approval and issuance of demolition permit

Mitigation Measure D-4: Prior to issuance of demolition permits, the Applicant shall submit verification to the City of Los Angeles Department of Building and Safety that a lead-based paint survey has been conducted at all existing buildings located on the project site. If lead-based paint is found, the Applicant

shall follow all procedural requirements and regulations, including California Code of Regulations, Title 8, Section 1532.1, for proper removal and disposal of the lead based paint.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan approval and issuance of demolition permit

Mitigation Measure D-5: During subsurface excavation activities, including borings, trenching, and grading, Cal-OSHA worker safety measures shall be implemented as required to preclude an exposure to unsafe levels of soil gases, including but not limited to methane.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety

Mitigation Measure D-6: Testing for methane gases shall be conducted prior to issuance of building permit pursuant to the City of Los Angeles Department of Building and Safety requirements. If necessary, a methane control system, such as an impermeable membrane and passive subslab venting and detection system, shall be incorporated into the design of the buildings pursuant to the City of Los Angeles Department of Building and Safety requirements.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once

Action Indicating Compliance: Issuance of building permit

Mitigation Measure D-7: If construction dewatering is necessary, prior to issuance of a grading permit for activities involving construction dewatering, evidence shall be provided to the City of Los Angeles Department of Building and Safety that a valid National Pollutant Discharge Elimination System (NPDES) or Industrial Waste Discharge Permit is in place. The NPDES or Industrial Waste Discharge Permit shall include provision for evaluating the groundwater for potential contamination and, if necessary, the need for treatment of dewatering discharge. If contaminated groundwater is discovered on-site, treatment and discharge of the contaminated groundwater shall be conducted in compliance with applicable regulatory requirements including LARWQCB standards.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once

Action Indicating Compliance: Issuance of grading permit

Mitigation Measure D-8: Prior to issuance of demolition permits, the Applicant shall submit verification to the City of Los Angeles Department of Building and Safety that a survey for the presence of organochlorine pesticides from termiticide applications has been conducted at all existing buildings located on the project site. If such residual pesticides are found, the Applicant shall follow all applicable investigation and mitigation protocols contained in the Department of Toxic Substances Control publication *Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers*, dated June 9, 2006, for proper removal and disposal of the residual pesticides.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once

Action Indicating Compliance: Plan approval and issuance of demolition permit

Draft EIR Section IV.E Hydrology and Water Quality

Mitigation Measure E-1: All wastes from construction of the project shall be disposed of properly. Appropriately labeled recycling bins shall be used to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Quarterly compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure E-2: Leaks, drips, and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Quarterly compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure E-3: Material spills shall not be hosed down at the pavement. Dry cleanup methods shall be used wherever possible.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Quarterly compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure E-4: Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or cover with tarps or plastic sheeting.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety

Mitigation Measure E-5: Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety

Mitigation Measure E-6: All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Quarterly compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure E-7: The project shall prepare a Standard Urban Stormwater Mitigation Plan (SUSMP), which shall meet the most recent requirements of the Los Angeles Regional Water Quality Control Board. The SUSMP shall outline specific Best Management Practices to be implemented on the site.

Monitoring Phase:	Pre-Construction (Design Phase); Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Plan Approval; Quarterly compliance report submitted by contractor to Department of Building and Safety

Draft EIR Section IV.F Land Use and Planning

Mitigation Measure F-1: Project plans shall be submitted to the Department of City Planning's Urban Design Studio for review and compliance with the Walkability Checklist prior to submittal for plan check. A provision of the Checklist is that along long blocks, passageways or paseos should be incorporated into midblock developments which facilitate pedestrian movement through the depth of the block to the front of the parallel block. During daytime hours, public pedestrian access shall be allowed through the mid-block in the emergency access lane.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Department of City Planning
Monitoring Agency:	Department of City Planning
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan Approval

Draft EIR Section IV.G Noise

Mitigation Measure G-1: The project shall comply with the City of Los Angeles Noise Ordinance no. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety and Los Angeles Police Department
Monitoring Agency:	Department of Building and Safety and Los Angeles Police Department
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety; Quarterly compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure G-2: Exterior noise generating construction activities shall be limited to Monday through Friday from 7:00 A.M. to 6:00 P.M., and from 8:00 A.M. to 6:00 P.M. on Saturdays.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety and Los Angeles Police Department
Monitoring Agency:	Department of Building and Safety and Los Angeles Police Department

Monitoring Frequency: Quarterly

Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety;
Quarterly compliance report submitted by contractor to
Department of Building and Safety

Mitigation Measure G-3: To the extent feasible, construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes significantly high noise levels.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety;
Quarterly compliance report submitted by contractor to
Department of Building and Safety

Mitigation Measure G-4: Effective temporary noise barriers, when they are feasible, shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptors.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety;
Quarterly compliance report submitted by contractor to
Department of Building and Safety

Mitigation Measure G-5: Noise-generating construction equipment operated at the project site shall be equipped with effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety; Quarterly compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure G-6: The project shall comply with the Noise Insulation Standards of Title 24 of the California Code of Regulations, which ensure an acceptable interior noise environment.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan Approval

Mitigation Measure G-7: Construct all exterior walls including exterior windows of the proposed residential units with construction assemblies having a minimum STC 30 (Sound Transmission Class) for units facing north (i.e. Lexington Avenue), a minimum STC 35 for units facing south, east and west (i.e. Las Palmas Avenue and Santa Monica Boulevard), as required to meet the 45 dBA (CNEL) at the interior of the residential units.

Monitoring Phase:	Pre-Construction (Design Phase); Construction
Enforcement Agency:	Department of Building and Safety

Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once during each phase
Action Indicating Compliance:	Plan Approval; Field inspection sign-off by Department of Building and Safety

Draft EIR Section IV.H.1 Public Services – Fire Protection

Mitigation Measure H-1: Project building plans including a plot plan shall be submitted for approval by the Los Angeles Fire Department either prior to the recordation of the final map or the approval of a building permit.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Los Angeles Fire Department
Monitoring Agency:	Department of Building and Safety; Los Angeles Fire Department
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan Approval showing LAFD signoff

Mitigation Measure H-2: The Applicant shall consult with the Los Angeles Fire Department and incorporate fire prevention and suppression features appropriate to the design of the project.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Los Angeles Fire Department
Monitoring Agency:	Department of Building and Safety; Los Angeles Fire Department
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan Approval showing LAFD signoff

Mitigation Measure H-3: The project shall comply with all applicable State and local Codes and Ordinances 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, unless otherwise approved.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Los Angeles Fire Department
Monitoring Agency:	Department of Building and Safety; Los Angeles Fire Department
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan Approval showing LAFD signoff

Draft EIR Section IV.H.2 Public Services – Police Protection

Mitigation Measure H-4: The Applicant shall consult with the Los Angeles Police Department Crime Prevention Unit regarding crime prevention features appropriate for the design of the project.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Los Angeles Police Department
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan Approval

Mitigation Measure H-5: Entryways, elevators, lobbies, and parking areas shall be well illuminated and designed to eliminate areas of concealment.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Los Angeles Police Department
Monitoring Frequency:	Once

Action Indicating Compliance: Plan Approval

Mitigation Measure H-6: Upon project completion, the Applicant shall provide the Hollywood Division Commanding Officer with a diagram of each portion of the property, including access routes and provide additional information that might facilitate police response.

Monitoring Phase: Pre-Construction (Design Phase)

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Los Angeles Police Department

Monitoring Frequency: Once

Action Indicating Compliance: Plan Approval

Draft EIR Section IV.H.3 Public Services – Schools

Mitigation Measure H-7: Prior to construction, the Applicant is required to contact the LAUSD Transportation Branch regarding potential impact to school bus routes.

Monitoring Phase: Pre-Construction (Design Phase)

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Los Angeles Unified School District

Monitoring Frequency: Once

Action Indicating Compliance: Plan Approval

Mitigation Measure H-8: Maintain unrestricted access for school buses during construction.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Quarterly compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure H-9: Comply with provision of the California Vehicle Code by requiring construction vehicles to stop when encountering school buses using red flashing lights.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-10: Do not endanger passenger safety or delay student drop-off or pick-up due to changes in traffic patterns, lane adjustments, altered bus stops, or traffic lights.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-11: Maintain safe and convenient pedestrian routes to LAUSD schools.

Monitoring Phase: Construction

Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-12: Maintain on-going communication with school administration at affected schools, providing sufficient notice to forewarn students and parents/guardians when existing pedestrian and vehicle routes to school may be impacted.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Los Angeles Unified School District
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-13: Install appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety and Department of Transportation
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly

Action Indicating Compliance: Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-14: Do not haul past affected school sites, except when school is not in session. If that is infeasible, do not haul during school arrival or dismissal times.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-15: No staging or parking of construction-related vehicles, including worker-transport vehicles, adjacent to school sites.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly

Action Indicating Compliance: Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-16: Provide crossing guards when safety of student may be compromised by construction-related activities at impacted school crossings.

Monitoring Phase: Construction

Enforcement Agency:	Department of Building and Safety and Los Angeles Unified School District
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-17: Install barriers and/or fencing to secure construction equipment and site to prevent trespassing, vandalism, and attractive nuisances.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Mitigation Measure H-18: Provide security patrols to minimize trespassing, vandalism, and short-cut attractions.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Quarterly compliance report submitted by contractor to Department of Building and Safety; Field inspection sign-off by Department of Building and Safety

Draft EIR Section IV.H.4 Public Services – Parks and Recreation

Mitigation Measure H-19: In consultation with the City of Los Angeles Department of Recreation and Parks, the Applicant shall do one or more of the following: (1) dedicate additional parkland to meet the requirements of Section 17.12 of the LAMC; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide on-site improvements equivalent in value to said in lieu fees.

Monitoring Phase:	Pre-Construction (Design Phase)
Enforcement Agency:	Department of Recreation and Parks
Monitoring Agency:	Department of Recreation and Parks
Monitoring Frequency:	Once
Action Indicating Compliance:	Approval and recordation of final map

Draft EIR Section IV.I and RPDEIR Section VII Transportation and Circulation

Mitigation Measure I-1: Prior to the start of construction, the project Applicant shall devise a Construction Staging and Traffic Management Plan to be implemented during construction of the proposed project. The Construction Staging and Traffic Management Plan shall identify all traffic control measures (including the use of flag persons and appropriate detour signage) to be implemented by the construction contractor through the duration of demolition and construction activities associated with the proposed project. The Construction Staging and Traffic Management Plan shall be subject to final approval by LADOT.

Monitoring Phase:	Pre-Construction; Construction
Enforcement Agency:	Department of Transportation
Monitoring Agency:	Department of Transportation
Monitoring Frequency:	Once
Action Indicating Compliance:	Approval of Construction Staging and Traffic Management Plan

Mitigation Measure I-4: Transportation Demand Management Program. A preliminary TDM program shall be prepared and provided to LADOT for review prior to the issuance of the first building permit for the project, and a final TDM program approved by LADOT shall be required prior to the issuance of the first certificate of occupancy for the project. The TDM program shall include, but not be limited to, the following strategies:

- Site Design - The proposed project shall be designed to maximize connectivity and enhance pedestrian, bicycle, and transit amenities to encourage walking, biking, and transit. Amenities would include:
 - Wide sidewalks along both Santa Monica Boulevard (consistent with the current Hollywood Community Plan designation for Santa Monica Boulevard) and Las Palmas Avenue;
 - Street trees, street furniture such as benches, and landscaped pathways between buildings;
 - Improved pedestrian lighting;
 - Decorative awnings and street lamps within the retail areas of the Project Site; and
 - Improved bus shelters, lighting, and landscaping.
- Flexible/Alternative Work Programs - The project shall include business services to facilitate work-at-home arrangements for project residents. Additionally, non-residential uses shall include opportunities for flexible/alternative work schedules and telecommuting programs, as appropriate.
- Unbundled Parking - Unbundled parking typically separates the cost of purchasing or renting parking spaces from the cost of the purchasing or renting a dwelling unit. Saving money on a dwelling unit by forgoing a parking space acts as an incentive that minimizes auto ownership. Similarly, paying for parking (by purchasing or leasing a space) acts as a disincentive that discourages auto ownership and trip-making. Accordingly, all project leases/sales shall include parking as an option only.
- Parking Cash Out - California's parking cash out program was enacted as State law in 1992. This law applies to employers of 50 persons or more and who do not own the parking spaces they provide to employees. Accordingly, commuters who are offered subsidized or no cost parking shall be offered the cash equivalent paid by their employer (e.g., \$100 per month) if they forgo their parking space and use alternative travel modes such as biking or taking a bus to work.

- Alternative Transportation Support Services - The project shall include provisions/facilities in order to offer the following services to residents and employees:
 - Discounted transit passes through a transit pass discount program;
 - Information regarding transit routes and schedules, as well as all onsite pedestrian, bicycle, and transit amenities, including shared car and shared bicycle services;
 - Administrative support for the formation of carpools/vanpools;
 - Car share services for residents; and
 - A guaranteed ride home program, potentially via a shared car program.
- Bicycle Repair Area - The proposed project shall provide a self-service bicycle repair area where cyclists can use tools shared by both residents and employees to repair their bicycles.
- Contribution to City of Los Angeles Bicycle Plan Trust Fund – The proposed project shall contribute a one-time fixed fee of \$100,000 to the City's Bicycle Plan Trust Fund to implement bicycle improvements within the Hollywood area.
- Mobility Hub Programs - The project Applicant shall coordinate with LADOT to evaluate the potential for the proposed project to participate in the City's Integrated Mobility Hubs program, which includes shared cars and bikes and secure bike parking.
- Hollywood Transportation Management Organization - The proposed project shall join the future Hollywood Transportation Management Organization (TMO) being developed in association with other major Hollywood employers in the area (e.g., Paramount, NBC/Universal, and Capitol Records). The TMO would help augment or implement some of the project-specific strategies described above.

Monitoring Phase:	Pre-Construction; Construction; Pre-Occupancy; Occupancy
Enforcement Agency:	Department of Transportation
Monitoring Agency:	Department of Transportation
Monitoring Frequency:	Quarterly/Annually
Action Indicating Compliance:	TDM program approval; Issuance of building permit; Issuance of certificate of occupancy;

Quarterly compliance report submitted by contractor to
Department of Transportation;
Annual compliance report submitted by building management to
Department of Transportation

Mitigation Measure I-5: Bicycle rack parking that is secure, convenient, and easily accessible, shall be added onsite and within the public right of way with the approval of Bureau of Street Services, Department of Public Works through their A Permit process. The copy of the A permit will be submitted to Department of Building and Safety prior to approval of Certificate of Occupancy. Bicycle parking spaces shall be provided at the rate of two percent of the number of automobile parking spaces required for non-residential uses.

Monitoring Phase: Construction; Pre-Occupancy
Enforcement Agency: Department of Public Works, Bureau of Street Services
Monitoring Agency: Department of Building and Safety
Monitoring Frequency: Once
Action Indicating Compliance: Issuance of certificate of occupancy

Mitigation Measure I-6: Highland Avenue & Santa Monica Boulevard. Install systems loops for the northbound right-turn movement.

Monitoring Phase: Pre-Occupancy
Enforcement Agency: Department of Building and Safety
Monitoring Agency: Department of Transportation
Monitoring Frequency: Once
Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety for the listed modifications; Issuance of certificate of occupancy

Mitigation Measure I-7: Las Palmas Avenue & Santa Monica Boulevard. Install systems loops for the northbound and southbound directions and for the eastbound and westbound left-turn movements.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once

Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety for the listed modifications; Issuance of certificate of occupancy

Mitigation Measure I-8: Wilcox Avenue & Santa Monica Boulevard. Install systems loops for the eastbound and westbound left-turn movements.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once

Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety for the listed modifications; Issuance of certificate of occupancy

Mitigation Measure I-9: Cahuenga Boulevard & Santa Monica Boulevard. Install systems loops for the eastbound and westbound left-turn movements.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once

Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety for the listed modifications; Issuance of certificate of occupancy

Mitigation Measure I-10: Vine Street & Santa Monica Boulevard. Install systems loops for all left-turn movements.

Monitoring Phase:	Pre-Occupancy
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Transportation
Monitoring Frequency:	Once
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety for the listed modifications; Issuance of certificate of occupancy

Mitigation Measure I-11: Western Avenue & Santa Monica Boulevard. Install systems loops for the eastbound and westbound right-turn movements.

Monitoring Phase:	Pre-Occupancy
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Transportation
Monitoring Frequency:	Once
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety for the listed modifications; Issuance of certificate of occupancy

Mitigation Measure I-12: US-101 northbound off-ramp & Santa Monica Boulevard. Install system loops utilizing video detection for the eastbound and westbound directions.

Monitoring Phase:	Pre-Occupancy
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Transportation
Monitoring Frequency:	Once
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety for the listed modifications; Issuance of certificate of occupancy

Mitigation Measure I-13: Cole Avenue & Santa Monica Boulevard. Install system loops for the eastbound and westbound left-turn movements and for the northbound and southbound directions.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once

Action Indicating Compliance: Field inspection sign-off by Department of Building and Safety for the listed modifications; Issuance of certificate of occupancy

Mitigation Measure I-14: In accordance with LADOT recommendations, the project Applicant shall survey and monitor the three residential street segments specified below both before and after project occupancy (i.e., before and following implementation of the TDM program detailed in Mitigation Measure I-4) to assess the level of impact, if any, resulting from project-related traffic.

- Las Palmas Avenue south of Fountain Avenue
- June Street south of Fountain Avenue
- Lexington Avenue west of June Street

If impacts are substantiated, the Applicant shall work with the affected stakeholders and consult with LADOT and City Council District 4 to determine appropriate neighborhood traffic calming measures to be implemented. Improvements shall focus solely on non-restrictive traffic calming measures which may include, but would not be limited to, traffic circles, speed humps, roadway narrowing effects (e.g., raised medians, traffic chokers, etc.), landscaping features, roadway striping changes, and stop sign patterns. Neighborhood improvements that can offset the effects of added traffic, including street trees, sidewalks, landscaping, neighborhood identification features, and pedestrian amenities, shall also be considered. The Applicant shall be responsible for conducting the engineering evaluation of the potential measures to determine feasibility and to design and implement the final measures approved by LADOT and supported by the affected stakeholders.

Monitoring Phase: Pre-Occupancy; Occupancy

Enforcement Agency: Department of Transportation

Monitoring Agency:	Department of Transportation
Monitoring Frequency:	Once for each phase
Action Indicating Compliance:	Compliance report submitted by Applicant to Department of Transportation Compliance report submitted by building management to Department of Transportation Determination by Department of Transportation regarding need for/implementation of traffic calming measures

Draft EIR Section IV.J.1 Utilities and Service Systems – Water Supply

Mitigation Measure J-1: The following water conservation features shall be incorporated as part of the project: high efficiency toilets (no more than 1.28 gallons per flush) and no flush urinals, plumbing fixtures that reduce potential water loss from leakage due to excessive wear of washers, automatic faucet/toilet controls (sensors), faucet flow restrictors, Energy-Star rated water appliances, individual water meters for the individual retail and restaurant businesses, low-flow shower heads in the residential units, a swimming pool/spa leak detection system, irrigation controls (weather sensors, etc.), a separate irrigation meter for landscaping, sub-metering of residential units, microirrigation (which excludes sprinklers and high-pressure sprayers) to supply water in non-turf areas, and self-closing nozzles on hoses.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once
Action Indicating Compliance:	Field inspection sign-off by Department of Building and Safety for the listed features; Issuance of certificate of occupancy

Draft EIR Section IV.J.2 Utilities and Service Systems - Solid Waste

Mitigation Measure J-2: 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 shall be presented to the Department of Building and Safety prior to approval of the Demolition Permit for the proposed project.

Monitoring Phase:	Pre-Demolition
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once
Action Indicating Compliance:	Issuance of Demolition Permit

Mitigation Measure J-3: To facilitate on-site separation and recycling of demolition and construction-related wastes, the construction contactor should provide temporary waste separation bins on-site during demolition and construction of the proposed project.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Quarterly
Action Indicating Compliance:	Compliance report submitted by contractor to Department of Building and Safety

Mitigation Measure J-4: Recycling bins shall be provided at appropriate locations on the project site to promote recycling of paper, metal, glass, and other recyclable materials.

Monitoring Phase:	Occupancy
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Annual
Actions Indicating Compliance:	Annual compliance report submitted by building management to Department of Building and Safety

Initial Study: Attachment B (Draft EIR Appendix A)

Mitigation Measure V(c)-1: A qualified paleontologist shall be retained by the Applicant to perform inspections of excavation or grading activity in sediments five feet or more below the original ground surface. The frequency of inspections shall be based on consultation with the paleontologist and will depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered. If fossils are found during monitoring, the paleontologist shall prepare a report summarizing the results of the monitoring program including methods of fossil recovery and curation, and a description of the fossils collected and their significance. A copy of the report shall be provided to the Applicant and to the City of Los Angeles, Department of Building and Safety. The fossils and a copy of the report will be deposited in an accredited curation facility.

Monitoring Phase:	Pre-Construction; Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Based on consultation with the project paleontologist
Action Indicating Compliance:	Paleontologist field inspection sign-off

Mitigation Measure VI(a)-1: The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

Monitoring Phase:	Pre-Construction; Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once
Action Indicating Compliance:	Plan Approval

Mitigation Measure VI(a)-2: Prior to the issuance of building or grading permits, the applicant shall submit a Geotechnical Report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once

Action Indicating Compliance: Issuance of Grading Permit