Appendices

Appendix FEIR-1

Draft EIR Comment Letters

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

December 3, 2024

Kathleen King
City Planner
City of Los Angeles
221 N Figueroa Street
Los Angeles, CA 90012
kathleen.king@lacity.org

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR 6000 HOLLYWOOD BOULEVARD DATED NOVEMBER 6, 2024 STATE CLEARINGHOUSE NUMBER: 2023050659

Dear Kathleen King,

The Department of Toxic Substances Control (DTSC) has reviewed the Draft Environmental Impact Report (DEIR) for 6000 Hollywood Boulevard project (project). The project proposes a mixed-use development comprised of 350 residential units (of which 44 units will be reserved for Very Low-Income households), 136,000 square feet of office use, 18,004 square feet of retail use, and 4,038 square feet of restaurant use. The proposed uses would be in three primary buildings, Buildings A, B, and C, and 11 low-rise structures. Building A would be a 136,000 square foot 6-story office and retail building, Building B would be a 289,079 square foot 35-story residential tower, and Building C would be a 23,560 square foot 4-story residential building; 11 low-rise structures ranging from 2 to 4 stories would be interspersed throughout. One of the low-rise structures would be a 4,038 square foot 2-story restaurant and the remaining 10

structures would include 38 residential townhomes. Upon completion, the project would result in a total floor area of 501,185 square feet on the 3.7-acre site. All the existing improvements and uses on the project site would be demolished.

In Section IV.F Hazards and Hazardous Materials, subsection(3)(b)(2) Mitigation Measures, Mitigation Measure HAZ-MM-1 states "The Applicant shall retain a qualified environmental consultant to prepare a Soil Management Plan which shall be submitted to the City of Los Angeles Department of Building and Safety for review and approval prior to the commencement of soil disturbance activities. The SMP shall be implemented during soil disturbance activities on the Project Site to ensure that contaminated soils are properly identified, excavated, managed, transported, and disposed of off-site."

DTSC recommends the City of Los Angeles adhere to the following:

1. A Soil Management Plan (SMP) not be implemented as a primary cleanup plan as stated in the Phase I Environmental Site Assessment conducted by Citadel EHS." DTSC recommends that any potential contamination be fully characterized and then remediated under the oversight of a self-certified local agency, DTSC or Regional Water Quality Control Board. A SMP alone cannot sufficiently identify and document the potential contaminants that may pose a threat to human health and the environment. DTSC recommends that a cleanup plan, a Removal Action Workplan (RAW) or Remedial Action Plan (RAP), be prepared to adequately address all site impacts after complete characterization.
2. The City of Los Angeles Department of Building and Safety is not a self-certified local agency and the City of Los Angeles should enter into a voluntary agreement to address contamination at brownfields and other types of properties or receive oversight from a self-certified local agency, DTSC or Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: Request for Agency

Oversight Application. Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your Regional Brownfield Coordinator.

3. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual. Additionally, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting DTSC's Human and Ecological Risk Office (HERO) webpage.

DTSC appreciates the opportunity to review and comment on the DEIR for 6000 Hollywood Boulevard Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or concerns, please contact me or a member of our CEQA Unit Team.

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
CEQA Unit-Permitting/HWMP
Department of Toxic Substances Control
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cc: (via email)

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Los Angeles County
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Metro

December 5, 2024

Kathleen King
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City of Los Angeles
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Sent by Email: Kathleen.king@lacity.org

RE: 6000 Hollywood Blvd – Case No.: ENV-2022-6688-EIR
Notice of Completion and Availability of Draft Environmental Impact Report (EIR)

Dear Ms. King:

Thank you for coordinating with the Los Angeles County Metropolitan Transportation Authority (Metro) regarding the proposed 6000 Hollywood Boulevard (Blvd.) (Project) located in the City of Los Angeles (City). Metro is committed to working with local municipalities, developers, and other stakeholders across Los Angeles County on transit-supportive developments to grow ridership, reduce driving, and promote walkable neighborhoods. Transit Oriented Communities (TOCs) are places (such as corridors or neighborhoods) that, by their design, allow people to drive less and access transit more. TOCs maximize equitable access to a multi-modal transit network as a key organizing principle of land use planning and holistic community development.

Per Metro's area of statutory responsibility pursuant to sections 15082(b) and 15086(a) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA: Cal. Code of Regulations, Title 14, Ch. 3), the purpose of this letter is to provide the City with specific detail on the scope and content of environmental information that should be included in the Environmental Impact Report (EIR) for the Project. In particular, this letter outlines topics regarding the Project's potential impacts on the Metro B Line facilities and services which should be analyzed in the EIR, and provides recommendations for mitigation measures as appropriate. Effects of a project on transit systems and infrastructure are within the scope of transportation impacts to be evaluated under CEQA.[1]

Metro appreciates the coordination with City staff and 6000 Hollywood Boulevard Associates, LLC (Applicant) team to date. In addition to the specific comments outlined below, Metro is providing the

[1] See CEQA Guidelines section 15064.3(a); Governor's Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts In CEQA, December 2018, p. 19.

City and Applicant with the Metro Adjacent Development Handbook (attached), which provides an overview of common concerns for development adjacent to Metro right-of-way (ROW) and transit facilities, available at https://www.metro.net/devreview.

Project Description

The Project includes 342,643 square feet of residential uses (350 units), 136,000 square feet of commercial office uses, and 22,542 square feet of commercial uses, including 18,004 square feet of retail, 4,038 square feet of restaurant uses, and 500 square feet of support uses. The proposed uses will be provided in a 35-story residential building, a six-story office building, and 11 townhome style structures, all on top of a parking podium with frontage along Hollywood Blvd. Proposed is also a three subterranean parking with a max depth of 30 feet. Project construction is anticipated to begin in 2026 and be completed in 2029.

Comments

Bus Service Adjacency

1. Service: Metro Bus Line 217 operates eastbound on Hollywood Blvd., adjacent to the Project. One Metro Bus Stop is directly adjacent to the Project at Hollywood Blvd. and Gower St.

2. Impact Analysis: The EIR should analyze potential effects on Metro Bus service and identify mitigation measures as appropriate. Potential impacts may include impacts to transportation services, stops, and temporary or permanent bus service rerouting. Specific types of impacts and recommended mitigation measures to address them include, without limitation, the following:

    a. Bus Stop Condition: The EIR should identify all bus stops on all streets adjacent to the Project site. During construction, the Applicant may either maintain the stop in its current condition and location, or temporarily relocate the stop consistent with the needs of Metro Bus operations. Temporary or permanent modifications to any bus stop as part of the Project, including any surrounding sidewalk area, must be Americans with Disabilities Act (ADA)-compliant and allow passengers with disabilities a clear path of travel between the bus stop and the Project. Once the Project is completed, the Applicant must ensure any existing Metro bus stop affected by the Project is returned to its pre-Project location and condition, unless otherwise directed by Metro.

    b. Driveways: Driveways accessing parking and loading at the Project site should be located away from transit stops, and be designed and configured to avoid potential conflicts with on-street transit services and pedestrian traffic to the greatest degree possible. Vehicular driveways should not be located in or directly adjacent to areas that are likely to be used as waiting areas for transit.

    c. Bus Stop Enhancements: Metro encourages the installation of enhancements and other amenities that improve safety and comfort for transit riders. These include benches, bus shelters, wayfinding signage, enhanced crosswalks and ADA-compliant

ramps, pedestrian lighting, and shade trees in paths of travel to bus stops. The City should consider requesting the installation of such amenities as part of the Project.

d. Bus Operations Coordination: The Applicant shall coordinate with Metro Bus Operations Control Special Events Coordinator at 213-922-4632 and Metro's Stops and Zones Department at 213-922-5190 not later than 30 days before the start of Project construction. Other municipal bus services may also be impacted and shall be included in construction outreach efforts.

Subway Adjacency

1. Operations: The Metro B Line currently operates peak service as often as every six minutes in both directions. Trains may operate 24 hours a day, seven days a week in the tunnels adjacent to the Project.

2. Impact Analysis: Due to the Project's proximity to the B Line tunnels, the EIR must analyze potential effects on subway operations and identify mitigation measures as appropriate. Critical impacts that should be studied include (without limitation): impacts of Project construction and operation on the structural and systems integrity of subway tunnels; damage to subway infrastructure, including tracks; disruption to subway service; and temporary and/or permanent changes to customer access and circulation to the station.

   The following provisions should be used to develop a mitigation measure that addresses these potential impacts:

   a. Technical Review: The Applicant shall submit architectural plans, engineering drawings and calculations, and construction work plans and methods, including any crane placement and radius, to evaluate any impacts to the Metro B Line infrastructure in relationship to the Project. Before issuance of any building permit for the Project, the Applicant shall obtain Metro's approval of final construction plans.

   b. Construction Safety: The construction and operation of the Project shall not disrupt the operation and maintenance activities of the Metro B Line or the structural and systems integrity of Metro's tunnels. Not later than two months before Project construction, the Applicant shall contact Metro to schedule a pre-construction meeting with all Project construction personnel and Metro Real Estate, Construction Management, and Construction Safety staff. During Project construction, the Applicant shall:

      i. Work in close coordination with Metro to ensure that Metro infrastructure access, visibility, and structural integrity are not compromised by construction activities or permanent build conditions;

      ii. Notify Metro of any changes to demolition and construction activities that may impact the use of the ROW;

iii. Permit Metro staff to monitor demolition and/or construction activities to ascertain any impact to the B Line ROW.

3. Advisories to Applicant: The Applicant is encouraged to contact the Metro Development Review Team early in the design process to address potential impacts. The Applicant should also be advised of the following:

    a. Occupational Safety and Health Administration (OSHA) Requirements: Demolition, construction and/or excavation work in proximity to Metro right-of-way (ROW) with potential to damage subway tracks and related infrastructure may be subject to additional OSHA safety requirements.

    b. Technical Review: Metro charges for staff time spent on engineering review and construction monitoring.

    c. Right of Way (ROW) Entry Permit: For temporary or ongoing access to Metro ROW for demolition, construction, and/or maintenance activities, the Applicant shall complete Metro's Track Allocation process with Metro Rail Operations and obtain a Right of Entry Permit from Metro Real Estate. Approval for single tracking or a power shutdown, while possible, is highly discouraged; if sought, the Applicant shall apply for and obtain such approval not later than two months before the start of Project construction. The Applicant shall apply for and obtain approval for any special operations, including the use of a pile driver or any other equipment that could come in close proximity or encroach on the tunnels or related structures, not later than two months before the start of Project construction.

    d. Cost of Impacts: The Applicant will be responsible for costs incurred by Metro resulting from Project construction/operation issues that cause delay or harm to Metro service delivery or infrastructure, including single-tracking or bus bridging around closures. The Applicant will also bear all costs for any noise mitigation required for the Project.

Transit Supportive Planning: Recommendations and Resources

Considering the Project's proximity to the Hollywood/Vine Station, Metro would like to identify and reinforce the potential synergies associated with transit-oriented development:

1. Land Use: Metro supports development of commercial and residential properties near transit stations and understands that increasing development near stations represents a mutually beneficial opportunity to increase ridership and enhance transportation options for the users of developments. Metro encourages the City and Applicant to be mindful of the Project's proximity to the Hollywood/Vine Station, including orienting pedestrian pathways towards the station.

2. Transit Connections and Access: Metro strongly encourages the Applicant to install Project features that help facilitate safe and convenient connections for pedestrians, people riding

bicycles, and transit users to/from the Project site and nearby destinations. The City should consider requiring the installation of:

a. Bicycle Use and Micromobility Devices: The provision of adequate short-term bicycle parking, such as ground-level bicycle racks, and secure, access-controlled, enclosed long-term bicycle parking for residents, employees, and guests. Bicycle parking facilities should be designed with best practices in mind, including highly visible siting, effective surveillance, ease to locate, and equipment installation with preferred spacing dimensions, so bicycle parking can be safely and conveniently accessed. Similar provisions for micro-mobility devices are also encouraged. The Applicant should also coordinate with the Metro Bike Share program for a potential Bike Share station at this development.

b. First & Last Mile Access: The Project should address first-last mile connections to transit and is encouraged to support these connections with wayfinding signage inclusive of all modes of transportation. For reference, please review the First Last Mile Strategic Plan, authored by Metro and the Southern California Association of Governments (SCAG), available on-line at: http://media.metro.net/docs/sustainability_path_design_guidelines.pdf

3. Parking: Metro encourages the incorporation of transit-oriented, pedestrian-oriented parking provision strategies such as the reduction or removal of minimum parking requirements and the exploration of shared parking opportunities. These strategies could be pursued to reduce automobile-orientation in design and travel demand.

4. City of Los Angeles project synergies: Metro encourages the Applicant to consider identifying synergies with LADOT-led active transportation projects proposed for the Hollywood Boulevard corridor, including the Walk of Fame area.

5. Wayfinding: Any temporary or permanent wayfinding signage with content referencing Metro services or featuring the Metro brand and/or associated graphics (such as Metro Bus or Rail pictograms) requires review and approval by Metro Signage and Environmental Graphic Design.

6. Transit Pass Programs: Metro would like to inform the Applicant of Metro's employer transit pass programs, including the Annual Transit Access Pass (A-TAP), the Employer Pass Program (E-Pass), and Small Employer Pass (SEP) Program. These programs offer efficiencies and group rates that businesses can offer employees as an incentive to utilize public transit. The A-TAP can also be used for residential projects. For more information on these programs, please visit the programs' website at https://www.metro.net/riding/eapp/.

If you have any questions regarding this letter, please contact me by phone at 213-922-5538, by email at DevReview@metro.net, or by mail at the following address:

Metro Development Review

One Gateway Plaza
MS 99-22-1
Los Angeles, CA 90012-2952

Sincerely,

Justin Klaparda

Justin Klaparda
Senior Transportation Planner, Development Review Team
Transit Oriented Communities

Attachments and links:

- Adjacent Development Handbook: https://www.metro.net/devreview

December 19, 2024

Kathleen King
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, CA 90012
kathleen.king@lacity.org

Dear City Planning Commission,

We are writing to you in support of the proposed 350-unit mixed use development, including 44 affordable units, at 6000 W. Hollywood Blvd, case number ENV-2022-6688-EIR. We urge the city to accept the Draft EIR and allow the project to proceed to its next step.

The greater Los Angeles region is facing a severe housing shortage, particularly affordable housing and creating new housing in Hollywood will help to reduce issues of gentrification and displacement. Abundant Housing LA believes that these housing challenges can only be addressed if everyone in the region does their part. This project will help provide that much needed housing by replacing a car dealership without the loss of any residential units.

This project is in a great location for housing, across the street from a bus stop and 2 blocks away from the Metro B Line Hollywood and Vine station. It is also close to shopping, restaurants and entertainment attractions. The new commercial spaces, which will include a restaurant, will benefit the surrounding neighborhood.

It is great to see the developer using the Density Bonus program to bring new homes, including badly needed affordable housing to the city. Affordable housing programs that depend on a percentage of new construction being affordable need a lot of new construction to have an impact, and the city should work to increase the number of developers using the Density Bonus. This project is good for Los Angeles and for the region and we urge the city to approve the Draft EIR.

Best Regards,

Azeen Khanmalek
AHLA Executive Director

Jaime Del Rio
AHLA Director of Organizing

Tami Kagan-Abrams
AHLA Project Director

Kathleen King
City of Los Angeles, Department of City Planning
VIA EMAIL: Kathleen.king@lacity.org

Subject: ENV-2022-6688-EIR, 6000 Hollywood Blvd

Dear Kathleen,

Abundant Housing LA - Sunset Chapter would like to express our support for the proposed 6000 Hollywood Blvd project. This project realizes the vision outlined in the Hollywood Community Plan Update 2.0 of a dense, walkable Hollywood with more housing opportunities for all.

Abundant Housing LA is a grassroots nonprofit organization working to solve Southern California's housing crisis by advocating for more housing at all levels of affordability. As a local chapter, Abundant Housing LA - Sunset advocates for more housing in the Hollywood, East Hollywood, Echo Park, Silver Lake, Atwater Village, and Los Feliz neighborhoods. We are a network of more than 25 residents from these neighborhoods who wish to see them become even more vibrant and dynamic communities with more housing opportunities for neighbors.

Replacing the Toyota of Hollywood dealership with housing and neighborhood-serving retail is the kind of infill, transit-oriented development that our membership wants to see built along major thoroughfares. Creating new housing within walking distance of Hollywood/Vine D Line station as well as along newly installed Hollywood Blvd protected bike lanes will provide opportunity for new residents to live car-lite lifestyles, thereby reducing their carbon footprint, while creating a more vibrant streetscape that will benefit residents, workers, and visitors alike.

Additionally, we are strongly supportive of new development that does not displace any existing residents. This project will result in a net increase of 350 residential units to the housing stock in Hollywood, including 44 Very Low-Income affordable units, on a site where no housing previously existed. Building new residential units on parcels like these is a key strategy towards alleviating the chronic housing shortage plaguing our city and allowing our neighborhoods to grow.

Amidst our housing, homelessness, and climate crises, 6000 Hollywood Blvd represents an opportunity to make meaningful progress. As local residents, we look forward to seeing this project realized and all the benefits it will generate for the Hollywood community.

Sincerely,

Jacob Wessel and Diana Corales
on behalf of
Abundant Housing LA - Sunset Chapter

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December 23, 2024

Via Email & Overnight Delivery
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Email: kathleen.king@lacity.org

Re: 6000 Hollywood Boulevard Project (SCH No. 2023050659; Environmental Case No. ENV-2022-6688-EIR)

Dear Ms. King:

We are writing on behalf of Coalition for Responsible Equitable Economic Development Los Angeles ("CREED LA") regarding the Draft Environmental Impact Report ("DEIR") prepared by the City of Los Angeles ("City") for the 6000 Hollywood Boulevard Project (SCH No. 2023050659; Environmental Case No. ENV-2022-6688-EIR) ("Project"), proposed by 6000 Hollywood Blvd Associates LLC ("Applicant").

The Project proposes a mixed-use development comprised of 350 residential units (of which 44 units will be reserved for Very Low Income households), 136,000 square feet (sf) of office uses, 18,004 sf of retail uses, 4,038 sf of restaurant uses, and 500 sf of storage space (total floor area of 501,185 sf). The proposed uses would be in three primary buildings, Buildings A, B, and C, and 11 low-rise structures dispersed throughout the Site. Building A would be a 136,000 sf, six-story office and retail building; Building B would be a 289,079 SF, 35-story residential tower; Building C would be a 23,560 sf, four-story residential building; and 11 low-rise structures ranging from two to four stories would be interspersed throughout the Site. The Project Site encompasses the following addresses: 5950, 5960, 5962, 6000, 6004, 6010, 6016, 6020, 6024, 6024½, 6030, 6038, 6044, and 6048 West Hollywood Boulevard and 6037 West Carlton Way, in the City of Los Angeles, California (Assessor's Parcel Numbers: 5545-006-029; 005-005; 005-022).

We reviewed the DEIR with the assistance of air quality expert Dr. James Clark[1] and noise expert Patrick Faner.[2]

Based upon our review of the DEIR and supporting documentation, we conclude that the DEIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA").[3] In summary, the DEIR's project description is inadequate because the DEIR fails to analyze impacts from construction of a deep foundation, thus failing to analyze impacts from all reasonably foreseeable consequences of the Project. The DEIR's impacts analysis is inadequate because it fails to conduct a quantitative health risk analysis, despite the fact that the Project site is bordered by a preschool and numerous multifamily homes. Dr. Clark prepared a health risk analysis demonstrating that incremental cancer risk of these sensitive receptors would be 40.5 in one million, which exceeds the City's 10 in one million significance threshold. The DEIR also fails to adequately analyze the Project's cumulative health risk and air quality impacts in light of the community's existing pollution burden resulting from similar projects.

The DEIR fails to analyze impacts associated with the Project's provision of 894 parking spaces, which is in excess of the zero parking spaces required by law. These impacts include air quality, GHG, energy, and transportation. The DEIR fails to adequately analyze geotechnical impacts on the Metro B (Red) Line tunnel near the Project site. The DEIR fails to analyze all impacts associated with construction of infrastructure improvements. The DEIR also fails to adequately analyze noise and vibration impacts by failing to adequately characterize existing conditions, include all sensitive receptors in its analysis, and identify all feasible mitigation measures for impacts deemed significant and unavoidable.

As a result of its shortcomings, the DEIR lacks substantial evidence to support its conclusions, violates CEQA's disclosure and analytical requirements, and fails to properly mitigate the Project's significant environmental impacts. CREED LA urges the City to remedy the deficiencies in the DEIR by preparing a legally adequate revised DEIR and recirculating it for public review and comment. CREED LA reserves the right to provide supplemental comments at any and all later proceedings related to this Project.[4]

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[1] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A**.
[2] Mr. Faner technical comments and curricula vitae are attached hereto as **Exhibit B**.
[3] PRC § 21100 et seq.
[4] Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; *see Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

I. STATEMENT OF INTEREST

CREED LA is an unincorporated association of individuals and labor organizations formed to ensure that the construction of major urban projects in the Los Angeles region proceeds in a manner that minimizes public and worker health and safety risks, avoids or mitigates environmental and public service impacts, and fosters long-term sustainable construction and development opportunities. The association includes Los Angeles residents Thomas Brown, John Bustos, Gery Kennon, the Sheet Metal Workers Local 105, International Brotherhood of Electrical Workers Local 11, Southern California Pipe Trades District Council 16, and District Council of Iron Workers of the State of California, along with their members, their families, and other individuals who live and work in the City of Los Angeles and Los Angeles County.

Individual members of CREED LA live in the City of Los Angeles, and work, recreate, and raise their families in the City and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health, and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist on site.

CREED LA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CREED LA supports the development of commercial, mixed use, and medical office projects where properly analyzed and carefully planned to minimize impacts on public health, climate change, and the environment. These projects should avoid adverse impacts to air quality, public health, climate change, noise, and traffic, and must incorporate all feasible mitigation to ensure that any remaining adverse impacts are reduced to the maximum extent feasible. Only by maintaining the highest standards can commercial development truly be sustainable.

II. LEGAL BACKGROUND

CEQA requires public agencies to analyze the potential environmental impacts of their proposed actions in an EIR.[5] "The foremost principle under CEQA is that the Legislature intended the act to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language."[6]

CEQA has two primary purposes. First, CEQA is designed to inform decisionmakers and the public about the potential significant environmental effects of a project.[7] "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'"[8] The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return."[9] As the CEQA Guidelines explain, "[t]he EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected."[10]

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring consideration of environmentally superior alternatives and adoption of all feasible mitigation measures.[11] The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced."[12] If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment" to

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[5] PRC § 21100.
[6] *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal ("Laurel Heights I")* (1988) 47 Cal.3d 376, 390 (internal quotations omitted).
[7] Pub. Resources Code § 21061; CEQA Guidelines §§ 15002(a)(1); 15003(b)-(e); *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 517 ("[T]he basic purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect [that] a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.").
[8] *Citizens of Goleta Valley,* 52 Cal.3d at p. 564 (quoting *Laurel Heights I*, 47 Cal.3d at 392).
[9] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810; *see also Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal.App.4th 1344, 1354 ("*Berkeley Jets*") (purpose of EIR is to inform the public and officials of environmental consequences of their decisions *before* they are made).
[10] CEQA Guidelines § 15003(b).
[11] CEQA Guidelines § 15002(a)(2), (3); *see also Berkeley Jets*, 91 Cal.App.4th at 1354; *Citizens of Goleta Valley*, 52 Cal.3d at p. 564.
[12] CEQA Guidelines § 15002(a)(2).

the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[13]

While courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference."[14] As the courts have explained, a prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process."[15] "The ultimate inquiry, as case law and the CEQA guidelines make clear, is whether the EIR includes enough detail 'to enable who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.'"[16]

III. THE PROJECT DESCRIPTION IS INADEQUATE

The DEIR does not meet CEQA's requirements because it fails to include an accurate and complete Project description, rendering the entire analysis inadequate. California courts have repeatedly held that "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR."[17] CEQA requires that a project be described with enough particularity that its impacts can be assessed.[18] Without a complete project description, the environmental analysis under CEQA is impermissibly limited, thus minimizing the project's impacts and undermining meaningful public review.[19] Accordingly, a lead

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[13] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[14] *Berkeley Jets*, 91 Cal.App.4th at p. 1355 (emphasis added) (quoting *Laurel Heights I*, 47 Cal.3d at 391, 409, fn. 12).
[15] *Berkeley Jets*, 91 Cal.App.4th at p. 1355; *see also San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722 (error is prejudicial if the failure to include relevant information precludes informed decision making and informed public participation, thereby thwarting the statutory goals of the EIR process); *Galante Vineyards*, 60 Cal.App.4th at p. 1117 (decision to approve a project is a nullity if based upon an EIR that does not provide decision-makers and the public with information about the project as required by CEQA); *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946 (prejudicial abuse of discretion results where agency fails to comply with information disclosure provisions of CEQA).
[16] *Sierra Club,* 6 Cal.5th at p. 516 (quoting *Laurel Heights I*, 47 Cal.3d at 405).
[17] *Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17; *Communities for a Better Environment v. City of Richmond* ("*CBE v. Richmond*") (2010) 184 Cal.App.4th 70, 85–89; *County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193.
[18] 14 CCR § 15124; *see, Laurel Heights I, supra,* 47 Cal.3d 376, 192-193.
[19] *Id.*

agency may not hide behind its failure to obtain a complete and accurate project description.[20]

CEQA Guidelines section 15378 defines "project" to mean "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[21] "The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term project does not mean each separate governmental approval."[22] Courts have explained that a complete description of a project must "address not only the immediate environmental consequences of going forward with the project, but also all "*reasonably foreseeable* consequence[s] of the initial project."[23] "If a[n]…EIR…does not adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project, informed decisionmaking cannot occur under CEQA and the final EIR is inadequate as a matter of law."[24]

A. The DEIR Fails to Describe Impacts Associated with Construction of a Deep Foundation

The DEIR assumes that the Project would rely on a mat foundation, but the Initial Study's Preliminary Geotechnical Report states that the 35-story residential tower may require a deep foundation.[25] A deep foundation is a type of foundation which is placed at a greater depth below the ground surface and transfers structure loads to the earth at depth. However, there is no evidence that the DEIR analyzed the impacts associated with construction of a deep foundation. The FEIR's failure to analyze impacts associated with construction of a deep foundation is a failure to analyze the whole of the action proposed by the Project. A deep foundation is reasonably foreseeable for this Project because the Preliminary Geotechnical Report identifies it as a potentially necessary design due to adjacent with the Metro B Line.

The failure to analyze impacts associated with a deep foundation undermines the assumptions in the DEIR. The DEIR assumes that the maximum depth of ground-disturbing activities for the Project is 40 feet below ground surface (bgs) due

[20] *Sundstrom v. County of Mendocino* ("*Sundstrom*") (1988) 202 Cal.App.3d 296, 311.
[21] CEQA Guidelines § 15378.
[22] *Id*., § 15378(c).
[23] *Laurel Heights I,* 47 Cal. 3d 376, 398 (emphasis added); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449-50.
[24] *Riverwatch v. Olivenhain Municipal Water Dist*. (2009) 170 Cal. App. 4th 1186, 1201.
[25] DEIR, Appendix A, PDF pg. 191, 193.

to construction of the 3-level subterranean garage.[26] The DEIR must be revised to evaluate the potential depth of ground-disturbing activities for the Project should a deep foundation be required. Because deep foundations require construction at a greater depth, more earth may be required to be excavated from the Project site than assumed in the DEIR (210,000 cubic yards).[27] A deep foundation may require different construction equipment than required for a mat foundation. Because deep foundations require construction at a deeper depth, deep foundations are more time-consuming to construct.[28] There is no evidence that the time to construct a deep foundation is incorporated in the DEIR's assumption that construction would require 44 months.[29]

Because the DEIR does not evaluate impacts associated with the whole of the Project, which includes potential construction of a deep foundation, the DEIR's environmental impacts analyses underestimate potentially significant environmental impacts. Project construction emissions are underestimated because the DEIR underestimates the equipment required for the foundation, underestimates the construction schedule, and underestimates the number of haul trips necessary to remove excavated earth. The Project's noise study analyzes impacts of a mat foundation – the analysis is not supported by substantial evidence because it does not clearly reflect impacts generated by construction of a deep foundation. The Project's Paleontological Resources Assessment must also be revised to analyze impacts associated with deeper ground-disturbing activities, as currently it assumes that the maximum depth would be 40 ft bgs for the subterranean garage. The Initial Study concluded that no dewatering would occur because construction activities would not occur deeper than 30-40 feet for the subterranean garage, and the historical high groundwater below the Project site is 80 feet bgs.[30] Ground-disturbing activities may occur at a greater depth should a deep foundation be required.

In sum, the DEIR's project description is inadequate because it fails to include the whole of the Project. As a result of the inadequate project description, the DEIR's impacts analyses that rely on a 44-month construction schedule or assume that 210,000 cubic yards of soil would be excavated are not supported by substantial evidence.

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[26] DEIR, pg. II-25, Appendix E, pg. i.
[27] DEIR, pg. II-25.
[28] https://www.geoengineer.org/education/foundation-design-construction/deep-foundations#:~:text=A%20deep%20foundation%20is%20a,greater%20than%204%20to%205.; https://www.understandconstruction.com/types-of-foundations.html; https://www.bigrentz.com/blog/types-of-foundations.
[29] DEIR, pg. II-25, IV.A-68.
[30] DEIR, Appendix A, PDF pg. 62.

IV. THE DEIR FAILS TO DISCLOSE, ANALYZE AND MITIGATE POTENTIALLY SIGNIFICANT IMPACTS

An EIR must fully disclose all potentially significant impacts of a Project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination with regard to each impact must be supported by accurate scientific and factual data.[31] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[32]

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.'"[33]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by CEQA.[34] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[35] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[36]

Additionally, CEQA requires agencies to commit to all feasible mitigation measures to reduce significant environmental impacts.[37] In particular, the lead agency may not make required CEQA findings, including finding that a project impact is significant and unavoidable, unless the administrative record

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[31] CEQA Guidelines § 15064(b).
[32] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[33] *Berkeley Jets*, 91 Cal.App.4th at 1355.
[34] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[35] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[36] *Id., Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[37] CEQA Guidelines § 15002(a)(2).

demonstrates that it has adopted all feasible mitigation to reduce significant environmental impacts to the greatest extent feasible.[38]

A. The DEIR Fails to Disclose and Mitigate Significant Health Risk Impacts

1. The DEIR Fails to Quantify Health Risk Impacts

The DEIR fails to adequately analyze health risk impacts from Project emissions by failing to quantify health risk impacts. Project construction and operation would generate Diesel Particulate Matter ("DPM"), a type of toxic air contaminant ("TAC").[39] The DEIR acknowledges that DPM would be emitted during construction by heavy equipment and diesel trucks and during operations by delivery trucks and diesel backup generators.[40] DPM has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death. The Project's emissions of DPM would impact numerous sensitive receptors near the Project site. Sensitive receptors that would be directly affected by the Project's emissions include the Shir Hashirim Montessori School and multi-family apartment buildings, many of which abut the Project site.[41] Despite the Project's proximity to these receptors, the DEIR fails to quantify the health risk impacts from exposure to TACs.

CEQA requires analysis of human health impacts. CEQA Guidelines Section 15065(a)(4) provides that the City is required to find a project will have a significant impact on the environment and prepare an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings.[42] The Supreme Court has also explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.[43] Courts have held that an environmental review document must disclose a project's potential health risks to a degree of specificity that would allow the public to make the correlation between the project's impacts and adverse effects to human health.[44]

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[38] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090, 15091; *Covington v. Great Basin Unified Air Pollution Control Dist.* (2019) 43 Cal.App.5th 867, 883.
[39] SCAQMD, Classification of Diesel PM as a Carcinogen, https://www.aqmd.gov/home/rules-compliance/compliance/toxic-hot-spots-ab-2588/iws-facilities/dice/dice-b2; OEHHA, Health Effects of Diesel Exhaust (May 21, 2001), https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf.
[40] *Id.*; DEIR, pg. IV.A-9, 70.
[41] DEIR, Figure IV.A-4.
[42] PRC § 21083(b)(3), (d).
[43] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.
[44] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.

In *Bakersfield Citizens for Local Control v. City of Bakersfield*, the court found that the EIR's description of health risks were insufficient and that after reading them, "the public would have no idea of the health consequences that result when more pollutants are added to a nonattainment basin."[45] Likewise, in *Sierra Club*, the California Supreme Court held that the EIR's discussion of health impacts associated with exposure to the named pollutants was too general and the failure of the EIR to indicate the concentrations at which each pollutant would trigger the identified symptoms rendered the report inadequate.[46] Some connection between air quality impacts and their direct, adverse effects on human health must be made. As the Court explained, "a sufficient discussion of significant impacts requires not merely a determination of whether an impact is significant, but some effort to explain the nature and magnitude of the impact."[47] CEQA mandates discussion, supported by substantial evidence, of the nature and magnitude of impacts of air pollution on public health.[48]

For development projects like this one, the Office of Environmental Health Hazard Assessment's ("OEHHA") risk assessment guidelines also recommend a formal health risk analysis ("HRA") for short-term construction exposures to TACs lasting longer than 2 months and exposures from projects lasting more than 6 months should be evaluated for the duration of the project.[49] In an HRA, lead agencies must first quantify the concentration released into the environment at each of the sensitive receptor locations through air dispersion modeling, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern.[50] Following that analysis, then the City can make a determination of the relative significance of the emissions. Here, the DEIR states that exposure to TACs would be significant if it would result in an incremental cancer risk of 10 in one million or greater.[51]

Here, the DEIR fails to quantify the magnitude of TACs that would be emitted by the Project's operations and construction. The DEIR also fails to

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[45] *Id*. at 1220.
[46] *Sierra Club*, at 521.
[47] *Id.* at 519, citing *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 514–515.
[48] *Sierra Club*, 6 Cal.5th at 518–522.
[49] Office of Environmental Health Hazard Assessment (OEHHA), Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, February 2015 (OEHHA 2015), Section 8.2.10: Cancer Risk Evaluation of Short Term Projects, pp. 8-17/18; https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf; https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0.
[50] *Id.*
[51] DEIR, pg. IV.A-36, Table IV.A-4.

quantify sensitive receptors' exposure to TACs and whether the 10 in one million significance threshold would be exceeded. As such, the DEIR fails to adequately connect the Project's emissions and their direct, adverse effects on human health.[52]

The DEIR reasons that Project emissions would not exceed applicable Localized Significance Thresholds ("LSTs").[53] But compliance with LSTs does not mean compliance with SCAQMD's 10 in one million cancer risk threshold. There are no LSTs for DPM and other TACs that would be emitted by the Project.[54] LSTs are based on the number of pounds of emissions per day that can be generated by a project that would cause or contribute to adverse localized air quality impacts. But LSTs only apply to four criteria pollutants: NO_x, CO, PM_{10}, and $PM_{2.5}$. LSTs do not apply to DPM and other TACs, which contain carcinogenic compounds not found in criteria pollutants, and thus do not disclose the magnitude of the Project's health impacts from exposure to the Project's air emissions. Thus, the DEIR's analysis of LSTs does not answer the question required by CEQA Appendix G as to whether the Project would "expose sensitive receptors to substantial pollutant concentrations"[55] and is no substitute for the DEIR's failure to analyze health risk impacts from exposure to TACs.

The DEIR also reasons that health risks from exposure to TACs emitted from construction activities would be less than significant because construction activities would be of short duration.[56] Specifically, the DEIR argues that "health effects from carcinogen air toxics are usually described in terms of individual cancer risk, which is the likelihood that a person continuously exposed to concentrations of TACs over a 70-year lifetime will contract cancer… Given the short-term construction schedule of approximately 44 months, the Project would not result in a long-term (i.e. 70-year) source of TAC emissions."[57] The DEIR's reasoning is incorrect, as it assumes that exposure to TACs over a term shorter than 70 years cannot result in significant health effects. The DEIR itself acknowledges that "[l]ung impairment can persist for two to three weeks after exposure to high levels of particulate matter."[58] The Project's 44-month (3.6 year) construction schedule exceeds the two-month

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[52] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.
[53] DEIR, pg. IV.A-67-68, 69.
[54] SCAQMD, Localized Significance Thresholds, http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds; SCAQMD, Final Localized Significance Threshold Methodology (June 2003, revised June 2008), available at www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2.
[55] CEQA Appendix G, III(d).
[56] DEIR, pg. IV.A-68.
[57] DEIR, pg. IV.A-68-69.
[58] DEIR, pg. IV.A-6.

threshold recommended by OEHHA. OEHHA's guidance explains that exposure to TACs is a function of the breathing rate, the exposure frequency, and the concentration of a substance in the air.[59] The exposure frequency and concentration of TACs near sensitive receptors increase the closer construction activities occur to sensitive receptors.[60] Because emissions of TACs during construction would occur across the property line from residences, sensitive receptors' exposure to TACs is potentially significant.

The City also reasons that a health risk analysis is not required for this Project because the South Coast Air Quality Management District ("SCAQMD") has not adopted a rule requiring health risk assessments for short-term construction emissions.[61] This reasoning ignores that SCAQMD has adopted significance thresholds for evaluating the health risk from exposure to project-related TAC emissions:

South Coast AQMD Air Quality Significance Thresholds[62]

TACs (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index ≥ 1.0 (project increment)

By failing to quantify the cancer risk, the DEIR lacks substantial evidence to conclude that the 10 in one million significance threshold would not be exceeded. The DEIR's reasoning also ignores that that the City must comply with CEQA's analytical requirements even if the air district has not established a blanket requirement for quantitative analysis.

The DEIR thus fails to meet CEQA's information and analytical requirements, and the Project's health risk impacts remain potentially significant and unmitigated. These potentially significant impacts must be analyzed and

[59] OEHHA, Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, pg. 5-23.
[60] *Id.* at 1-3 ("The process by which Districts identify priority facilities for risk assessment involves consideration of potency, toxicity, quantity of emissions, and proximity to sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences.").
[61] *Id.*
[62] See South Coast AQMD Air Quality Significance Thresholds (March 2023), available at https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjn5Mev_7qEAxVtFDQIHdCsAPcQFnoECBQQAQ&url=https%3A%2F%2Fwww.aqmd.gov%2Fdocs%2Fdefault-source%2Fceqa%2Fhandbook%2Fsouth-coast-aqmd-air-quality-significance-thresholds.pdf%3Fsfvrsn%3D25&usg=AOvVaw07n1OZu8NvvtfqOAnstLMG&opi=89978449 (last visited 2/20/24).

mitigated in a revised EIR. The EIR must evaluate the combined lifetime risk of exposure to both the Project's construction and operational TAC emissions.

2. Health Risks from Exposure to Project Emissions Would Be Significant

Substantial evidence shows that health risks from exposure to the Project's emissions of TACs would be significant.

Dr. Clark prepared a health risk analysis using AERMOD, the US EPA's preferred air dispersion model, in accordance with OEHHA guidance.[63] This quantitative analysis relied on data and assumptions in the DEIR's own air quality analysis.[64] The results of Dr. Clark's air model and the health risk analysis are attached as an appendix to this letter. Dr. Clark found that the cancer risk to the most sensitive population, infants less than 3 years old, would be 40.5 in 1,000,000.[65] This health risk exceeds SCAQMD's 10 in 1,000,000 cancer risk threshold, resulting in a significant impact. The City must revise the EIR to include analysis and mitigation of the Project's significant health risk impacts.

3. The Project Conflicts with Applicable Policies Regarding Air Quality and Health Risk

The CEQA Guidelines provide that a significant air quality impact would occur when a project "[c]onflict[s] with or obstruct implementation of the applicable air quality plan."[66] Further, the Guidelines provide that a significant impact would occur if a project conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.[67]

The Project is inconsistent with mitigation measures adopted in the Citywide Housing Element 2021-2029 and Safety Element Updates EIR.[68] The 2021-2029 Housing Element is applicable to this Project as it was adopted by the Los Angeles City Council on November 24, 2021, and will be in effect through 2029.[69] Mitigation Measure 4.2-3 ("Construction TAC Reduction Measures") of the EIR's Mitigation

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[63] Clark Comments, pg. 5.
[64] Clark Comments, pg. 6.
[65] Clark Comments, pg. 12.
[66] CEQA Guidelines, Appendix G, subd. III.
[67] CEQA Guidelines, Appendix G, subd. X.
[68] SCH No. 2021010130.
[69] https://planning.lacity.gov/plans-policies/housing-element. This Project's planning application was filed on July 6, 2022.

Monitoring Program requires projects to either quantify health risks or use Tier 4 Final equipment:

> For discretionary projects with an anticipated construction duration of greater than 18- months and located within 500 feet of a residence or other sensitive receptor, prior to issuance of a permit to construct, the applicant shall provide to the City an Air Quality Impact Analysis, prepared by a qualified air quality analyst, that includes a construction health risk assessment. If the analysis shows incremental cancer risk would exceed 10 persons in one million at a sensitive receptor or the calculated Hazard Index for chronic or acute risks would exceed a value of 1.0 at a sensitive receptor, the air quality analyst shall prepare a mitigation plan subject to City review and approval that reduce TACs to less than SCAQMD thresholds. The applicant shall comply with all mitigation measures in the mitigation plan. Alternatively, no Air Quality Impact Analysis, health risk assessment, and mitigation plan shall be required for discretionary projects conditioned to use construction equipment that meets the CARB Tier 4 Final or USEPA Tier 4 off-road emissions for all equipment rated 50 horsepower or greater. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.[70]

The Project is inconsistent with this measure because the DEIR fails to either quantify incremental cancer risk or require Tier 4 Final equipment.

Policy 1.3.1 of the City of Los Angeles' General Plan Air Quality Element provides: "[m]inimize particulate emissions from construction sites." And Policy 5.3.1 of the Air Quality Element provides: "Support the development and use of equipment powered by electric or low-emitting fuels." Here, the Project does not attempt to minimize DPM emissions from the Project's construction, or even set minimum emissions standards for construction equipment. Use of construction equipment that meets CARB Tier 4 standards can result in significant DPM emissions reductions over Tier 2 and 3 equipment.[71] The Project does not provide evidence that such particulate emissions controls are infeasible or ineffective. Thus, the Project fails to "minimize" PM emissions within the meaning of Policy 1.3.1 and

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[70] MMRP available at https://planning.lacity.gov/eir/HEU_2021-2029_SEU/Feir/files/5-Mitigation%20Monitoring%20Program.pdf.

[71] San Francisco Clean Construction Ordinance Implementation Guide for San Francisco Public Projects." August 2015, *available at:* https://www.sfdph.org/dph/files/EHSdocs/AirQuality/San_Francisco_Clean_Construction_Ordinance_2015.pdf, pg. 6.

fails to analyze the feasibility of using low-emitting fuels. And because the failure to require emissions controls contributes to the Project's significant health risk impacts, the Project is inconsistent with these general plan policies.

4. The DEIR Fails to Adequately Analyze and Mitigate the Project's Significant Cumulative Health Risk Impacts

The DEIR concludes that the Project's cumulative health risk and air quality impacts would be less than significant.[72] The DEIR reasons that projects that do not exceed SCAQMD's significance thresholds for project-level impacts would not be cumulatively considerable.[73] The DEIR's conclusion is not supported by substantial evidence because the DEIR failed to quantify the project-level incremental cancer risk and compare it to the SCAQMD 10 in one million threshold. Because Dr. Clark's HRA demonstrates that the Project's health risk impact of 40.5 in one million exceeds the 10 in one million threshold, the Project's health risk impact is cumulatively considerable.

The DEIR's analysis is also flawed because it improperly focuses upon the individual project's relative effects and omits facts relevant to an analysis of the collective effect this and other sources will have upon air quality.[74] CEQA requires an EIR to evaluate a cumulative impact if the project's incremental effect combined with the effects of other projects is cumulatively considerable.[75] This determination is based on an assessment of the project's incremental impacts "viewed in connection with the effects of past project, the effects of other current projects, and the effects of probable future projects."[76] Here, the effects of other projects are not considered in the DEIR's analysis of construction emissions. The DEIR's analysis ignores that that the Project's construction emissions could combine with construction of concurrent projects to result in heightened health risk impacts. Table III-1 of the DEIR identifies several projects with potentially concurrent construction schedules, such as 6400 Sunset Boulevard, but does not employ this information in its analysis of cumulative health impacts. The DEIR must be revised to reflect the cumulative health risk impact of this Project in combination with other nearby projects.

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[72] DEIR, pg. IV.A-72.
[73] DEIR, pg. IV.A-72.
[74] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("*Kings County*"); *see also*, *Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.
[75] CEQA Guidelines § 15130(a).
[76] *Id.,* §§ 15065(a)(3), 15355(b).

The DEIR's analysis of operational emissions is similarly inadequate. The DEIR reasons that operational TAC emissions would not be cumulatively considerable because "[n]either the Project nor any of the 44 related projects (which are largely residential, retail/commercial, and office in nature) would represent a substantial source of TAC emissions… Substantial TAC emissions are associated with large-scale industrial, manufacturing, and transportation hub facilities."[77] This discussion ignores that the purpose of a cumulative impacts analysis is to evaluate the impacts of "projects which, when taken in isolation, appear insignificant, but when viewed together, appear startling."[78] The DEIR's discussion ignores that the Project census tract, which includes a preschool and multifamily homes, has an CalEnviroScreen score of 99.3.[79] A high score (greater than 50) reflects a higher pollution burden compared to other census tracts in the state, with a maximum score of 100.[80] Thus, sensitive receptors near the Project site have close to the highest pollution burden in the state. And contrary to the suggestion in the DEIR that substantial TAC emissions are only associated with large-scale industrial, manufacturing, and transportation hub facilities, this highly burdened census tract is primarily developed with residential, retail/commercial, and office uses.[81] Because the project-level threshold relied on by the DEIR fails to reflect the context in which this Project is proposed, the DEIR's cumulative impacts analysis violates CEQA.

In sum, the DEIR's cumulative air quality impacts analysis fails to comply with CEQA. The City must prepare a revised EIR that properly evaluates and mitigates such impacts.

B. The DEIR Fails to Analyze Impacts Associated with the Project's Excess Parking

The Project would provide 894 vehicle parking spaces.[82] This parking is in excess of what is required by law. Assembly Bill (AB) 2097 provides that mixed-use projects located within 0.5 miles of a Major Transit Stop are not required to provide any parking. Impacts associated with induced VMT from the Project's parking facilities were identified in the California Department of Transportation's June 8, 2023, comment letter on the Project's Initial Study (which also stated the Project would provide 894 spaces):

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[77] DEIR, pg. IV.A-72-73.
[78] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 721
[79] DEIR, Appendix B, PDF pg. 54.
[80] *Id.*
[81] General Plan Land Use Map, https://planning.lacity.gov/odocument/17308382-2458-45c4-a327-54cd9593955a/hwdplanmap.pdf.
[82] DEIR, pg. II-1.

> The Project was not required to provide parking due to AB 2097, but the resulting design suggests that the City should seriously consider adopting parking maximums. This project location is an excellent candidate for reduced car parking due to its infill location and proximity to high-quality transit infrastructure. Research looking at the relationship between land-use, parking, and transportation indicates that the amount of car parking supplied can undermine a project's ability to encourage public transit and active modes of transportation.[83]

The Los Angeles County Metropolitan Transportation Authority's ("Metro") comments also encourage the reduction or removal of minimum parking requirements.[84] Despite these recommendations, the DEIR fails to reduce parking or analyze the environmental impacts associated with the Project's increased provision of parking. As will discussed below, these impacts include inconsistency with GHG plans and unnecessary consumption of energy.

1. The Project Would Result in a Potentially Significant GHG Impacts

Appendix G of the CEQA Guidelines provides that an EIR must analyze whether a Project would "[c]onflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases."[85] The DEIR does not adopt a quantitative GHG significance threshold, and concludes that the Project would result in a less than significant GHG impact because it would be consistent with applicable GHG reduction plans and policies.[86] The DEIR identifies the 2022 California Air Resources Board ("CARB") Scoping Plan, the 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy ("RTP/SCS"), the 2024-2050 RTP/SCS, and the City's Green New Deal as applicable plans.

The 2022 Scoping Plan includes "Reduce or eliminate minimum parking standards" in Table 1 – "Priority GHG Reduction Strategies."[87] The Plan identifies reduction of parking in Table 3 – "Key Residential and Mixed-Use Project Attributes that Reduce GHGs."[88] The 2020-2045 RTP/SCS and the City's Green

[83] DEIR, Appendix A, PDF pg. 345.
[84] *Id.* at 351.
[85] CEQA Guidelines, Appendix G, Section VIII(b).
[86] DEIR, pg. IV.E-56-57.
[87] 2022 Scoping Plan, Appendix D, pg. 11, available at https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf.
[88] *Id.* at 22.

New Deal also call for reduced parking.[89] The Project's provision of 894 parking spaces in excess of what is required by law conflicts with each of these strategies. As explained in the Department of Transportation's comments, excess parking induces VMT and undermines a project's ability to encourage public transit and active modes of transportation. Analysis in the 2022 Scoping Plan, 2020-2045 RTP/SCS, and the City's Green New Deal demonstrates that excess parking spaces increase VMT.[90] It is well studied that increased provision of parking results in increased VMT.[91] The Los Angeles Department of Transportation's ("LADOT") Transportation Assessment Guidelines ("TAG") explains that projects that increase vehicular capacity can lead to additional travel on the roadway network.[92] The TAG further provides that a project with reduced parking is not likely to lead to substantial or measurable increase in vehicle travel.[93] The City of San Francisco's VMT Screening Criteria asks whether a project would result in an amount of parking that is less than or equal to that required or allowed by the Planning Code.[94] As a result, although the Project is a mixed-use development near a Major Transit Stop, the

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[89] Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy, pg. 54 ("Parking Requirements Reform – Support local planning efforts to reduce or eliminate parking requirement to realize potential construction costs savings ranging from $20,000 for surface parking, $50,000 for garages and structures, and $80,000 per space for underground spaces."), available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal-plan_0.pdf?1606001176; Los Angeles Green New Deal, pg. 65 ("Remove parking minimums… Update parking regulations to allow for adaptive reuse of space, bike and car-sharing infrastructure, and reduced parking requirements"), available at https://plan.mayor.lacity.gov/sites/g/files/wph2176/files/2022-12/pLAn_2019_final.pdf.

[90] CARB Scoping Plan, Appendix D, pg. 11; Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy, pg. 54; Los Angeles Green New Deal, pg. 65.

[91] Caltrans Division of Research, Innovation and System Information, Pricing and Parking Management to Reduce Vehicle Miles Travelled (VMT), March 15, 2018, available at https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/preliminary-investigations/final-pricing-parking-management-to-reduce-vehicles-miles-traveled-pi-a11y.pdf; Currans et al, Households with constrained off-street parking drive fewer miles, July 22, 2022, https://link.springer.com/article/10.1007/s11116-022-10306-8 (vehicle ownership rates are 14 percent higher for households with more than one available parking space per unit, compared to those with constrained parking. Vehicle ownership translates into travel demand); City of Millbrae Vehicle Miles Traveled (VMT) Thresholds and Screening Policy ("Excess parking supply is associated with induced and higher levels of VMT and should be avoided to ensure low VMT of screened projects"), available at https://ci.millbrae.ca.us/DocumentCenter/View/1842/Millbrae-VMT-Policy.

[92] Los Angeles Department of Transportation's Transportation Assessment Guidelines (August 2022), pg. 2-14, available at https://ladot.lacity.gov/sites/default/files/documents/2020-transportation-assessment-guidelines_final_2020.07.27_0.pdf

[93] *Id.* at 2-16 ("Removal or relocation of off-street or on-street parking spaces").

[94] City of San Francisco Planning Department, Transportation Impact Analysis Guidelines, Appendix L, Table 2, pg. L-14, available at https://default.sfplanning.org/publications_reports/TIA_Guidelines_VMT_Memo.pdf, https://default.sfplanning.org/publications_reports/TIA_Guidelines_Update_VMT_Memo.pdf.

Project's design would result in GHG emissions that conflict with applicable GHG reduction plans.

This inconsistency is consequential because mobile sources are the major source of the Project's GHG emissions (2,000 net MTCO2e).[95] The DEIR must scrupulously analyze inconsistencies with GHG reduction plans, as the DEIR does not identify a quantitative GHG significance threshold. The DEIR must be revised to disclose this potentially significant impact.

2. The Project Would Result in a Potentially Significant Energy Impact

Appendix F of the CEQA Guidelines provides that an EIR must analyze the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.[96] Appendix F identifies "[t]he project's projected transportation energy use requirements and its overall use of efficient transportation alternatives" as an example of an energy impact.[97] The DEIR's analysis of this factor concludes that the Project would result in a less than significant energy impact due to the Project's "high density design," "proximity to retail and employment uses," and proximity to transit options, which would reduce VMT.[98] However, this discussion does not address that the Project's provision of parking in excess of State standards would undermine the Project's potential VMT reductions due to proximity to transit options. The DEIR must be revised to analyze the extent to the Project's excess provision of parking is an "inefficient, wasteful and unnecessary consumption of energy." The Department of Transportation's comments, as well as analysis in the 2022 Scoping Plan, 2020-2045 RTP/SCS, and the City's Green New Deal demonstrate that excess parking spaces increase VMT. These expert regulatory opinions constitute substantial evidence that the 894 excess parking spaces proposed by the Project potentially results in unnecessary energy consumption.

The DEIR must also analyze reduction of parking as an energy conservation measure. The CEQA Guidelines require discussion of energy conservation measures when relevant, and provide examples in Appendix F:[99]

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[95] DEIR, pg. IV.E-80.
[96] *See* Public Resources Code section 21100(b)(3).
[97] CEQA Guidelines, Appendix F, Section II (C)(6).
[98] DEIR, pg. IV.C-40.
[99] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").

1) Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid waste.
3) The potential for reducing peak energy demand.
4) Alternate fuels (particularly renewable ones) or energy systems.
5) Energy conservation which could result from recycling efforts.

Courts have rejected CEQA documents that fail to include adequate analysis investigation into energy conservation measures that might be available or appropriate for a project – even when the environmental document identified a less-than-significant energy impact.[100] The unnecessary energy consumption induced by the Project's excess provision of parking would be mitigated by reducing parking supply.[101] The DEIR must be revised to analyze the feasibility of reducing the proposed number of parking spaces as a means of reducing energy consumption, as well as VMT and mobile source air emissions.

C. The DEIR Fails to Adequately Analyze the Project's Potentially Significant Geotechnical Impacts

The DEIR fails to adequately analyze geotechnical impacts on the Metro B (Red) Line tunnel near the Project site. The Initial Study's Preliminary Geotechnical Report identifies that the Project is located within the Metro right-of-way pursuant to ZI No. 1117. ZI No. 1117 requires that consultation with Metro is required prior to the issuance of any building permit for certain projects within 100 feet of Metro-owned Rail or Bus Rapid Transit right-of-way. The Preliminary Geotechnical Report discloses potential surcharging impacts on the Metro B Line tunnel.[102] Surcharge refers to increasing the load on the soil over the tunnel walls, increasing pressure on the walls. The Report states that although the majority of the 35-story tower foundations are set far enough from the tunnel that surcharge is

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[100] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256; *Spring Valley Lake Ass'n v. City of Victorville* (2016) 248 CA4th 91; *California Clean Energy Commission v. City of Woodland* (2014) 225 CA4th 173; *League to Save Lake Tahoe Mtn. Area Preservation Found. v County of Placer* (2022) 75 CA5th 63, 167–68.
[101] Los Angeles Department of Transportation's Transportation Assessment Guidelines (August 2022), pg. 2-13, available at https://ladot.lacity.gov/sites/default/files/documents/2020-transportation-assessment-guidelines_final_2020.07.27_0.pdf ("reduce parking supply" is identified as a VMT-reducing measure in Table 2.2-2: TDM Strategies).
[102] DEIR, Appendix A, PDF pg. 191.

not anticipated, foundations on the northern side of the 35-story tower may need to be supported on deep foundations, depending on the final load and column grid conditions.[103] The Report explains that deep foundations may be required because mat foundations may not be feasible due to potentially surcharging the Metro B Line.[104]

Metro's comments on the NOP call for the Project's geotechnical impacts on the Metro B Line to be analyzed in the DEIR.[105] Metro's comments provide recommendations for the scope of the DEIR's analysis:

> Impact Analysis: Due to the Project's proximity to the B Line tunnels, the EIR must analyze potential effects on subway operations and identify mitigation measures as appropriate. Critical impacts that should be studied include (without limitation): impacts of Project construction and operation on the structural and systems integrity of subway tunnels; damage to subway infrastructure, including tracks; disruption to subway service; and temporary and/or permanent changes to customer access and circulation to the station.
>
> The following provisions should be used to develop a mitigation measure that addresses these potential impacts:
>
> > Technical Review: The Applicant shall submit architectural plans, engineering drawings and calculations, and construction work plans and methods, including any crane placement and radius, to evaluate any impacts to the Metro B Line infrastructure in relationship to the Project. Before issuance of any building permit for the Project, the Applicant shall obtain Metro's approval of final construction plans.
> >
> > Construction Safety: The construction and operation of the Project shall not disrupt the operation and maintenance activities of the Metro B Line or the structural and systems integrity of Metro's tunnels. Not later than two months before Project construction, the Applicant shall contact Metro to schedule a pre-construction meeting with all Project construction personnel and Metro Real Estate, Construction Management, and Construction Safety staff.[106]

[103] *Id.*
[104] *Id.* at 193.
[105] DEIR, Appendix A, PDF pg. 350.
[106] DEIR, Appendix A, PDF pg. 350.

In summary, Metro identifies a potentially significant impact due to surcharge on the Metro B Line, calls for additional analysis in the DEIR, and calls for formulation of a binding mitigation measure. The DEIR fails to include any of the analysis identified in the Metro comment letter and fails to formulate a mitigation measure to reduce the potentially significant geotechnical impact to a less-than-significant level. The only discussion of this impact is found in the DEIR's analysis of "Effects to Be Found Not Significant."[107] This discussion merely states that "[f]urther coordination between Metro is expected during the Building and Safety review process for the Project."[108] As will be discussed below, the DEIR's omission of a detailed analysis of geotechnical impacts on the Metro B Line violates CEQA.

1. The DEIR Improperly Defers Analysis of Geotechnical Impacts

The DEIR violates CEQA by improperly deferring analysis of the Project's geotechnical impacts on the Metro B Line. CEQA requires that an environmental document disclose the severity of a project's impacts and the probability of their occurrence *before* a project can be approved.[109] In *Sundstrom v. County of Mendocino*,[110] the First District Court of Appeal rejected a mitigation measure that required the applicant to submit hydrological studies subject to review and approval by a planning commission and county environmental health department.[111] The Court explained that the deferred analysis of hydrological conditions fails to meet CEQA's requirement that an environmental impact should be assessed as early as possible in government planning:

> By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process. (See Pub. Resources Code, § 21003.1; *No Oil, Inc. v. City of Los Angeles, supra*, 13 Cal. 3d 68, 84.) In *Bozung v. Local Agency Formation Com., supra*, 13 Cal. 3d 263, 282, the Supreme Court approved "the principle that the environmental impact should be assessed as early as possible in government planning."

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[107] DEIR, pg. VI-23.
[108] *Id.*
[109] 14 CCR §§ 15143, 15162.2(a); *Cal. Build. Indust. Ass'n v. BAAQMD* (2015) 62 Cal.4th 369, 388-90 ("*CBIA v. BAAQMD*") (disturbance of toxic soil contamination at project site is potentially significant impact requiring CEQA review and mitigation); *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal. App. 4th 48, 82; *Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs. ("Berkeley Jets")* (2001) 91 Cal.App.4th 1344, 1370-71; CEQA Guidelines, Appendix G.
[110] (1988) 202 Cal.App.3d 296.
[111] *Id.* at 306.

> Environmental problems should be considered at a point in the planning process "'where genuine flexibility remains.'" (*Mount Sutro Defense Committee v. Regents of University of California, supra*, 77 Cal. App. 3d 20, 34.) A study conducted after approval of a project will inevitably have a diminished influence on decision making. Even if the study is subject to administrative approval, it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA. (Id. at p. 35; *No Oil, Inc. v. City of Los Angeles*, supra, 13 Cal. 3d 68, 81; *Environmental Defense Fund, Inc. v. Coastside County Water Dist*. (1972) 27 Cal. App. 3d 695, 706 [104 Cal. Rptr. 197].)

Here, there is no evidence in the record showing that it would be infeasible to fully analyze the Project's geotechnical impacts at this time and include the results in the DEIR. The City's decision to defer analysis of the Project's geotechnical impacts until after Project approval violates CEQA's informational disclosure requirements.

In limited circumstances, a lead agency may rely on future studies to devise the specific design of a mitigation measure when the results of later studies are used to tailor mitigation measures to fit on-the-ground environmental conditions.[112] This principle does not authorize the City to avoid disclosing the Project's geotechnical impacts before Project approval. Moreover, the DEIR's deferral of the Project's geotechnical impacts on the Metro B Line is not an example of "deferred mitigation" authorized by CEQA Guidelines Section 15126.4. Section 15126.4 may authorize deferred formulation of mitigation measures in limited circumstances, but it does not authorize deferral of the impacts analysis, as is the case here. Thus, the City's decision to defer analysis of the Project's geotechnical impacts until after Project approval violates CEQA.

2. The DEIR Lacks Substantial Evidence to Conclude Impacts to the Metro B Line Would Not Be Significant

As demonstrated above, the DEIR improperly defers a full analysis of impacts on the Metro B Line. Per Metro's comments on the NOP, an adequate analysis of impacts on the Metro B Line would evaluate impacts of Project construction and operation on the structural and systems integrity of subway

[112] *City of Hayward v Board of Trustees of Cal. State Univ.* (2015) 242 CA4th 833, 855 (upholding transportation demand management program that identified measures to be evaluated and included monitoring plan, performance goals, and schedule for implementation); *Save Panoche Valley v San Benito County* (2013) 217 CA4th 503, 524 (upholding mitigation measures, based on preconstruction surveys, requiring identified steps for avoiding impacts to biological resources to be implemented).

tunnels; damage to subway infrastructure, including tracks; disruption to subway service; and temporary and/or permanent changes to customer access and circulation to the station.[113] The Metro Adjacent Development Construction Design Manual calls for analysis demonstrating that the loading induced by the building foundation will not impose adverse effects the Metro facilities.[114] Because this analysis is not included in the DEIR, the DEIR lacks substantial evidence to conclude that geotechnical impacts on the B Line would be less than significant.

Additionally, Appendix G of the CEQA Guidelines requires an EIR to analyze whether a project would "[c]ause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect."[115] Metro developed the Metro Adjacent Development Handbook[116] and the Adjacent Design Construction Manual[117] for the purpose of avoiding impacts such as surcharge on Metro tunnels.[118] The DEIR fails to analyze consistency with these plans and is thus incomplete.

D. The DEIR Fails to Adequately Evaluate Potentially Significant Noise and Vibration Impacts

1. The DEIR Fails to Accurately Establish the Environmental Setting

The DEIR fails to accurately establish the environmental setting because the DEIR improperly relies on short-term ambient noise measurements. The DEIR also fails to conduct validation measurements for its traffic noise model.

CEQA requires that a lead agency include a description of the physical environmental conditions in the vicinity of the Project as they exist at the time environmental review commences.[119] As numerous courts have held, the impacts of

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[113] DEIR, Appendix A, PDF pg. 349.
[114] Metro Adjacent Design Construction Manual, pg. 7, available at available at https://www.dropbox.com/scl/fi/l1ibxih7nhe4asfmqluev/2018-Adjacent-Construction-Design-Manual.pdf?rlkey=sntfnvj6lgd3be3jv64bsx65f&e=1&dl=0.
[115] CEQA Guidelines, Appendix G, Section XI (b).
[116] Metro Adjacent Development Handbook, available at https://www.dropbox.com/scl/fi/nvyd0zlie2xdk7f2vmswl/2021-Adjacent-Development-Review-Handbook.pdf?rlkey=7zg3e8lcl23lecc71dfi41mg3&e=1&dl=0;
[117] Metro Adjacent Design Construction Manual; Metro documents available at https://www.metro.net/about/adjacent-development-review/.
[118] Metro Adjacent Design Construction Manual, pg. 7.
[119] CEQA Guidelines, § 15125, subd. (a).

a project must be measured against the "real conditions on the ground."[120] The description of the environmental setting constitutes the baseline physical conditions by which a lead agency may assess the significance of a project's impacts.[121] Baseline information on which a lead agency relies must be supported by substantial evidence.[122]

Here, Mr. Faner explains that the DEIR improperly relies on short-term (15-minute) ambient noise measurements to establish baseline noise levels.[123] These short-term measurements may not be reflective of actual existing conditions because the DEIR fails to provide discussion of how typical/representative these data were of the rest of the day.[124] Mr. Faner explains that environmental noise can vary widely throughout the day (perhaps +/- 10 dBA or more for areas with intermittent local traffic.[125] Thus, the DEIR fails to provide a description, supported by substantial evidence, of the "real conditions on the ground."[126]

The DEIR's description of existing traffic noise is also not supported by substantial evidence. Traffic noise levels were modeled using the Federal Highway Administration's Traffic Noise Model ("TNM").[127] Mr. Faner observes that the DEIR fails to provide validation measurements showing that the model is accurate within industry expectations.[128] Mr. Faner explains that a validated model may fall within +/- 3 dBA of the measured result, which undermines attempts to use modeled-only results from TNM for absolute noise characterization of the ambient condition.[129] Mr. Faner demonstrates that the DEIR's unvalidated model is not supported by substantial evidence in this case because in the cases of urban environments, TNM does not take into account sound amplification from traffic noise reflecting off nearby buildings.[130]

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[120] *Save Our Peninsula Com. v. Monterey Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 121-22; *City of Carmel-by-the Sea v. Bd. of Supervisors* (1986) 183 Cal.App.3d 229, 246.
[121] CEQA Guidelines, § 15125, subd. (a).
[122] *CBE v. SCAQMD, supra,* 48 Ca.4th at 321 (stating "an agency enjoys the discretion to decide […] exactly how the existing physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence"); *see Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[123] Faner Comments, pg. 3.
[124] *Id.*
[125] *Id.*
[126] *Save Our Peninsula Com. v. Monterey Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 121-22; *City of Carmel-by-the Sea v. Bd. of Supervisors* (1986) 183 Cal.App.3d 229, 246.
[127] DEIR, pg. IV.H-23.
[128] Faner Comments, pg. 3.
[129] *Id.*
[130] *Id.*

The DEIR must be revised and recirculated to include an updated environmental setting that accurately reflects existing conditions.

2. The DEIR Fails to Analyze Vibration Impacts on the Metro B Line

Table IV.H-1 of the DEIR identifies construction vibration damage criteria for different building categories.[131] Table IV.H-27 shows the Project's construction vibration impacts on nearby sensitive receptors, applying the aforementioned significance criteria.[132] The DEIR fails to include the Metro B Line in this analysis or identify it as a sensitive receptor. The failure to identify the Metro B Line as a sensitive receptor in regard to vibration impacts is a failure to fully disclose the impacts of the Project. The DEIR's failure to evaluate whether the applicable vibration damage criterium for the B Line tunnel would be exceeded means that the DEIR's significance conclusions are not supported by substantial evidence.

Vibration impacts on the Metro B Line are potentially significant because the Project's construction would include significant sources of vibration. Vibration would be caused by caisson drilling, bulldozers, loaded trucks, and jackhammers.[133] The 0.30 PPV significance threshold for concrete structures may be exceeded due to the proximity of the Metro B Line tunnel.[134] According to the Initial Study, the sidewall of the Metro B Line is, at its closest, approximately 16 feet from the Project site.[135] The six-story office building proposed by the Project is approximately 22 feet from the Metro B Line sidewall and the 35-story tower is approximately 28 feet from the sidewall.[136] Further, the Project is within 100 feet of the Metro B Line, and thus subject to the Metro Adjacent Development Handbook, which states that vibration is a common adjacency concern for projects constructed near Metro facilities.[137]

In sum, the scope of the DEIR's vibration analysis is inadequate because it fails to address impacts on the Metro B Line. Vibration impacts are potentially significant due to the proximity of the B Line tunnels to construction activities. This potentially significant impact must be fully analyzed and mitigated in a revised and recirculated EIR.

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[131] DEIR, pg. IV.H-12.
[132] *Id.* at IV.H-60.
[133] *Id.*; Table IV.H-1.
[134] DEIR, pg. IV.H-12., Table IV.H-1.
[135] DEIR, Appendix A, pg. 191.
[136] *Id.*
[137] Metro Adjacent Development Handbook, pg. 5.

3. The DEIR Fails to Analyze Construction Ground-borne Noise at Recording Studios

The DEIR's analysis fails to adequately address ground-borne noise impacts at two recording studios identified as receptors R3 and R10, located 5 feet and 10 feet, respectively, from construction activities. While the DEIR analyzes the significance of ground-borne *vibration* impacts,[138] the DEIR fails to analyze ground-borne *noise* impacts at the recording studios. Mr. Faner explains that recording studios are not typically designed to eliminate ground-borne vibration that can radiate sound into the interior, where the noise may interfere with the recording process.[139] The significance of ground-borne noise impacts at recording studios is subject to a 25 dBA significance threshold under the FTA guidance cited by the DEIR.[140]

Mr. Faner calculated the ground-borne noise impacts at receptors R3 and R10 and found that the 25 dBA threshold would be exceeded. These exceedances are reflected in the table below.[141]

Table 1 Construction Groundborne Noise Impacts

Off-Site Receptor Location	Approx. Distance Between the Off-Site Buildings and the Construction Equipment (ft)	Estimated Groundborne Noise at the Off-Site Receptor (dBA)					Sig. Criteria (dBA)	Sig. Impact
		Large Bulldozer	Caisson Drilling	Loaded Trucks	Jack-hammer	Small Bulldozer		
R3	5	68-83	68-83	67-82	60-75	39-54	25	**Yes**
R10	95	34-50	34-50	34-49	27-42	6-21	25	**Yes**
Adapted from Table IV.H-28 of the DEIR								

Mr. Faner explains these exceedances constitute significant impacts under FTA guidance cited by the DEIR.[142] Mr. Faner identifies feasible mitigation measures to reduce these impacts. The DEIR must be revised to disclose all potentially significant ground-borne noise impacts and identify feasible mitigation.

[138] DEIR, pg. IV.H-62.
[139] Faner Comments, pg. 5.
[140] *Id.*
[141] *Id.* at 6.
[142] *Id.*

4. The DEIR's Analysis of Stationary Mechanical Noise Is Not Supported by Substantial Evidence

The DEIR analyzes estimated noise levels from stationary mechanical equipment (e.g. air ventilation equipment) in Table IV.H-16.[143] The DEIR finds that because noise levels would not exceed applicable thresholds, impacts would be less than significant.[144] Mr. Faner demonstrates that this analysis is not supported by substantial evidence. To begin with, the DEIR noise analysis does not provide sources for the rooftop mechanical equipment operational noise calculations.[145]

Further, Mr. Faner shows that the DEIR likely underestimates the noise levels generated by HVAC units required for the Project. Whereas Table IV.H-16 of the DEIR estimates a noise level of 43 dBA at receptor R2, a single 90 dBA PWL fan would generate a noise level of 69 dBA at receptor R2.[146]

Mr. Faner also shows that the DEIR underestimates the number of HVAC units required for the Project. Whereas the noise analysis assumes 33 HVAC units for the residential zones of the project, Mr. Faner introduces substantial evidence showing that a project this size would need 49 to 72 twenty-five-ton units to properly ventilate the space.[147]

As a result, the DEIR underestimates noise levels from stationary mechanical equipment. Noise impacts from stationary equipment remains potentially significant. These impacts must be accurately analyzed in a revised and recirculated EIR.

5. The DEIR Fails to Identify All Feasible Mitigation for the Project's Significant Impacts

The DEIR concludes that on-site construction noise impacts will be significant and unavoidable at receptors R1, R2, R3, and R7.[148] The DEIR concludes that off-site construction noise impacts would be significant and unavoidable at receptors R2, R2, and R10.[149] The DEIR fails to identify all feasible mitigation measures to reduce these impacts to the greatest extent feasible.

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[143] DEIR, pg. IV.H-43.
[144] *Id.*
[145] Faner Comments, pg. 7.
[146] *Id.*
[147] *Id.*
[148] DEIR, pg. IV.H-55.
[149] *Id.* at IV.H-56.

Under CEQA, if the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment" to the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[150]

Mr. Faner identifies feasible mitigation measures that would reduce the severity of the Project's onsite construction noise impacts. Mr. Faner first recommends including NOI-PDF-1 (mufflers) and NOI-PDF-2 (no pile drivers) in the Mitigation Monitoring and Reporting Program (MMRP) to ensure that the measures are binding.[151]

Mr. Faner calls for a measure requiring for continuous noise monitoring during construction and to halt construction if noise levels exceed the estimated construction noise levels.[152] Continuous measurement would provide improved assurance that noise levels are minimized as estimated in the DEIR. It is feasible to install noise monitors that provide 24/7 coverage for the duration of a project at a low cost.

Mr. Faner identifies additional measures to reduce impacts at the upper levels of the receptors R1 and R7.[153] These include erecting scaffolding to support construction noise control blankets, installing heavy Plexiglass or other clear panels around the edges of balconies and/or breezeways that face the Project site, and offering to upgrade windows and exterior doors of those upper floor residential units that would not be shielded by the sound barriers as defined in NOI-MM-1.[154]

Mr. Faner also identifies mitigation for the Project's construction vibration impacts, which the DEIR concludes would result in a significant and unavoidable impact to human annoyance. Mr. Faner recommends offering to relocate persons who either work from home, have irregular sleep schedules due to night shift work, or are subject to other conditions where the vibration from construction would cause an unduly disruption to their lives.[155]

In sum, the DEIR must be revised to identify all feasible mitigation measures to reduce the Project's significant impacts.

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[150] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist.* (2019) 43 Cal.App.5th 867, 883.
[151] Faner Comments, pg. 4.
[152]
[153] Faner Comments, pg. 4.
[154] *Id.*
[155] *Id.* at 5.

E. The Project May Result in Potentially Significant Public Utilities Impacts.

Under CEQA, a public utilities impact is considered significant if a project would "[r]equire or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects."[156] The DEIR states that the Project would not result in the construction of new or expanded water facilities, the construction of which would result in significant environmental effects.[157] In support of this conclusion, the DEIR refers to an Information of Fire Flow Availability Request ("IFFAR") showing that six existing hydrants could meet the Project's fire flow requirement of 9,000 gallons per minute.[158] The IFFAR is dated May 23, 2023. The DEIR does not discuss a subsequent analysis from the Department of Water and Power ("LADWP"), dated December 29, 2023, concluding that three new hydrants must be constructed as a condition of approval.[159] These improvements are not disclosed in the DEIR.

As demonstrated in the DEIR, construction of utilities infrastructure results in environmental impacts such as air quality and noise. Because the DEIR fails to analyze impacts associated with all water infrastructure improvements required by the Project, the DEIR's analysis is not supported by substantial evidence.

F. The Statement of Overriding Consideration Must Consider Whether the Project Provides Employment Opportunities for Highly Trained Workers

The City concludes in the DEIR that the Project will have significant and unavoidable environmental impacts. Therefore, in order to approve the Project, CEQA requires the City to adopt a statement of overriding considerations, providing that the Project's overriding benefits outweigh its environmental harm.[160] An agency's determination that a project's benefits outweigh its significant,

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[156] DEIR, pg. 4.14-12.
[157] DEIR, pg. IV.L1-35.
[158] DEIR, pg. IV.L1-34; Appendix M, PDF pg. 42.
[159] Letter from Rafael Viramontes, P.E., LADP, to Vincent Bertoni, Department of City Planning, re: Tract No. 83987 – 6000 Hollywood Boulevard – South of Hollywood Boulevard and East of Gower Street (December 29, 2023), attached as **Exhibit C**.
[160] CEQA Guidelines, § 15043.

unavoidable impacts "lies at the core of the lead agency's discretionary responsibility under CEQA."[161]

The City must set forth the reasons for its action, pointing to supporting substantial evidence in the administrative record.[162] This requirement reflects the policy that public agencies must weigh a project's benefits against its unavoidable environmental impacts, and may find the adverse impacts acceptable only if the benefits outweigh the impacts.[163] Importantly, a statement of overriding considerations is legally inadequate if it fails to accurately characterize the relative harms and benefits of a project.[164]

In this case, the City must find that the Project's significant, unavoidable impacts are outweighed by the Project's benefits to the community. CEQA specifically references employment opportunities for highly trained workers as a factor to be considered in making the determination of overriding benefits.[165] Currently, there is not substantial evidence in the record showing that the Project's significant, unavoidable impacts are outweighed by benefits to the community. The Applicant has not made any commitments to employ graduates of state approved apprenticeship programs or taken other steps to ensure employment of highly trained and skilled craft workers on Project construction. Therefore, the City would not fulfill its obligations under CEQA if it adopted a statement of overriding considerations and approved the Project.

We urge the City to prepare and circulate a revised EIR which identifies the Project's potentially significant impacts, requires all feasible mitigation measures and analyzes all feasible alternatives to reduce impacts to a less than significant level. If a Statement of Overriding Considerations is adopted for the Project, we urge the City to consider whether the Project will result in employment opportunities for highly trained workers.

V. CONCLUSION

For the reasons discussed above, the DEIR for the Project is inadequate under CEQA. It must be revised to provide legally adequate analysis of, and mitigation for, all of the Project's potentially significant impacts. These revisions

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[161] *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392.
[162] Pub. Resources Code, § 21081, subd. (b); CEQA Guidelines, § 15093, subds. (a) and (b); *Cherry Valley Pass Acres & Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 357.
[163] Pub. Resources Code, § 21081(b); CEQA Guidelines, § 15093, subds. (a) and (b)
[164] *Woodward Park Homeowners Association v. City of Fresno* (2007) 150 Cal.App.4th 683, 717.
[165] Pub. Resources Code, § 21081, subds. (a)(3) and (b).

will necessarily require that the DEIR be recirculated for additional public review. Until the DEIR has been revised and recirculated, as described herein, the City may not lawfully approve the Project.

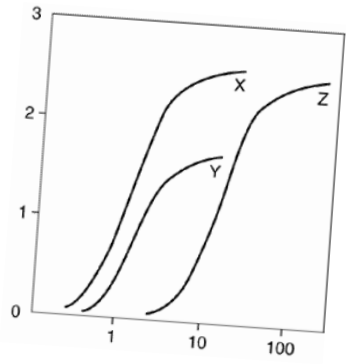
Thank you for your consideration of these comments. Please include them in the record of proceedings for the Project.

Sincerely,

Aidan P. Marshall

Attachments
APM:acp

EXHIBIT A



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310-907-6165

EMAIL
jclark.assoc@gmail.com

December 19, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On Draft Environmental Impact Report (DEIR) for 6000 Hollywood Boulevard Project Environmental Case: ENV-2022-6688=EIR, State Clearinghouse Number 2023050659

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed the materials related to the City of Los Angeles' (the City) DEIR[1] for the above referenced project.

Clark's review does not constitute validation or endorsement of the conclusions or content presented in the IS/MND. Any lack of comment on specific items should not be interpreted as acceptance or approval of those items.

Project Description:

According to the Project Description,[2] "The Project proposes a mixed-use development comprised of 350 residential units (of which 44 units will be reserved for Very Low Income households), 136,000 square feet of office uses, 18,004 square feet of retail uses, 4,038 square feet of restaurant uses, and 500 square feet of storage space. The proposed uses would be in three primary buildings, Buildings A, B, and C, and 11 low-rise structures dispersed throughout the Site. Building A would be a 136,000-square-foot, six-story office and retail building; Building B would be a 289,079-square-foot, 35-story residential tower; Building C would be a 23,560-square-foot, four-story residential

[1] Eyestone Environmental, LLC. 2024. 6000 Hollywood Boulevard Project, Draft Environmental Impact Report. Prepared by Eyestone Environmental, LLC for the City of Los Angeles Department of City Planning.

[2] Ibid. pg II-1

building; and 11 low-rise structures ranging from two to four stories would be interspersed throughout the Site. One of the low-rise structures would be a 4,038-square-foot, two-story restaurant, and the remaining 10 structures would include 38 residential townhomes. Upon completion, the Project would result in a total floor area of 501,185 square feet on an 3.7-acre site, for a Floor Area Ratio (FAR) of 3.1:1 and a maximum building height of 419 feet. All of the existing improvements and uses on the Project Site would be demolished.

The Project Site is generally bounded by Hollywood Boulevard to the north, Bronson Avenue to the east, Carlton Way to the south, and Gower Street to the west. The Project Site encompasses the following addresses: 5950, 5960, 5962, 6000, 6004, 6010, 6016, 6020, 6024, 6024½, 6030, 6038, 6044, and 6048 West Hollywood Boulevard and 6037 West Carlton Way.[3]

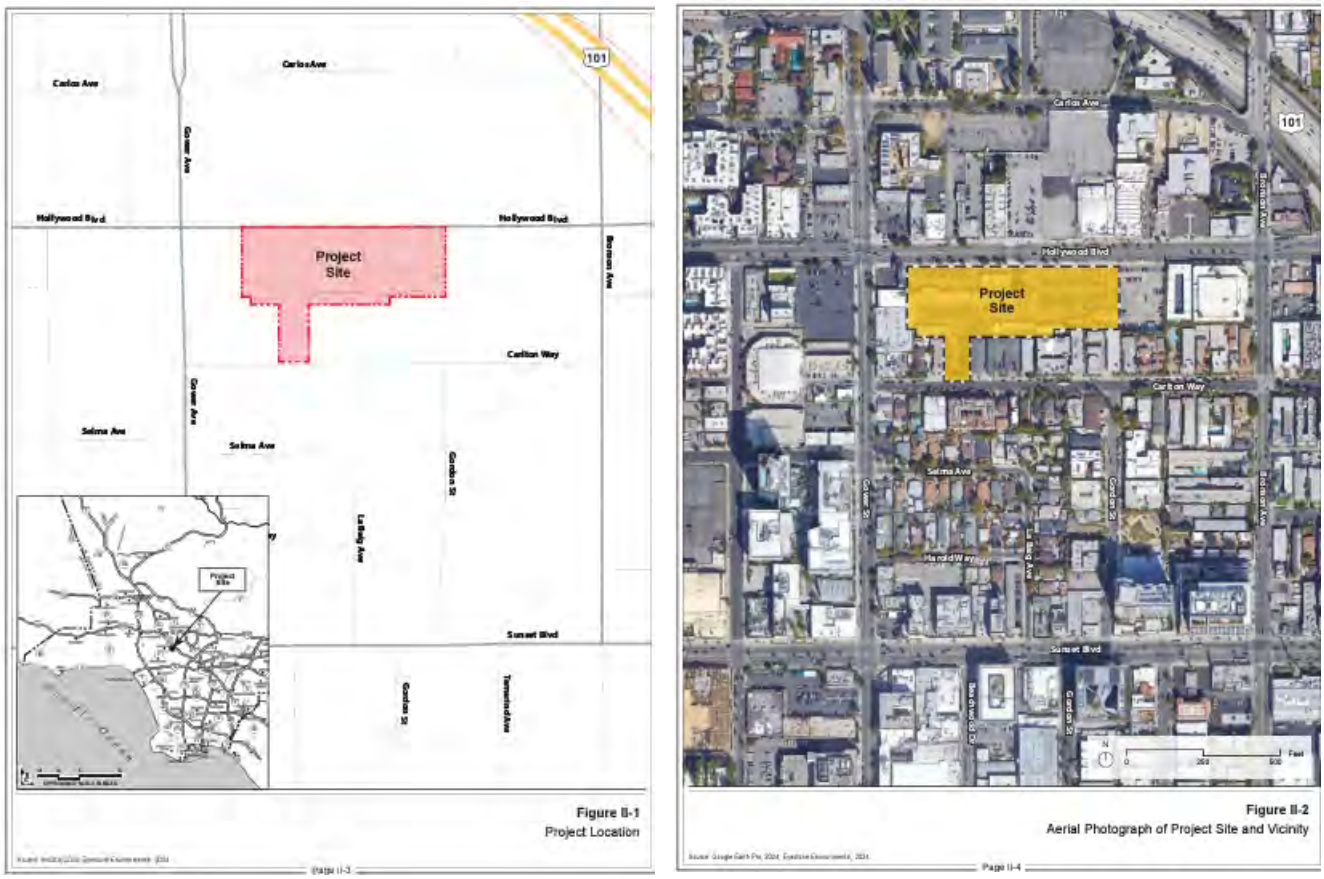

Figure 1: Regional Location Map And Aerial Photograph of Project Site

[3] Ibid pg II-2

The area surrounding the Project Site is highly urbanized and includes a mix of low- to mid-rise buildings containing a variety of commercial and residential uses. The surrounding properties are generally zoned for C4 commercial use or R4 multiple dwelling residential use, consistent with the zoning of the Project Site. South of the Hollywood Lot—and to the east of the Carlton Lot—are various primarily multi-family apartment buildings; to the west of the Carlton Lot are a multi-family apartment building, the Shir Hashirim Montessori School, and a two-story office building and associated surface parking. Multi-family apartment buildings are also located across the Carlton Lot on the south side of Carlton Way.

Construction of the Project would commence with demolition of the existing structures and surface parking areas. This phase would be followed by grading and excavation for the subterranean parking, which would extend to a depth of 40 feet below ground surface. The building foundations would then be laid, followed by building construction, paving/concrete installation, and landscape installation. Project construction is anticipated to commence in 2026 and be completed in 2029. Eyestone estimated that approximately 210,000 cubic yards of export would be hauled from the Project Site.[4] The properties to the southwest and southeast of the Project Site along Carlton Way are primarily residential and represent the most sensitive receptors to emissions from the Project Site.

The DEIR goes on to note that the Project would result in significant and unavoidable impacts related to: on-site construction noise, off-site construction noise, on-site construction vibration with respect to human annoyance, and off-site vibration with respect to human annoyance. In addition, the Project would result in significant cumulative impacts that cannot be feasibly mitigated with regard to on-site and off-site construction noise and on-site and off-site construction vibration with respect to human annoyance. All other potential impacts would be less than significant or mitigated to less-than-significant levels. It should be noted that no Program Design Features (PDF) or Mitigation Measures (MM) are included for air quality issues.

The DEIR determined that the Regional air quality thresholds would not be exceeded during the construction phase of the Project.

[4] Ibid pg II-25

Table IV.A-6
Estimate of Maximum Regional Project Daily Construction Emissions (pounds per day)[a]

Construction Year	VOC[b]	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Regional Construction Emissions Winter						
Year 2026	5	58	64	<1	20	5
Year 2027	5	31	61	<1	9	3
Year 2028	5	30	59	<1	9	3
Year 2029	26	29	57	<1	9	2
Maximum Unmitigated Construction Emissions[c]	26	58	64	<1	20	5
SCAQMD Daily Significance Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Over/(Under)	(49)	(42)	(486)	(150)	(130)	(50)
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Regional Construction Emissions Summer						
Year 2026	4	80	57	<1	20	5
Year 2027	5	30	66	<1	9	3
Year 2028	5	29	64	<1	9	3
Year 2029	27	37	77	<1	10	3
Maximum Unmitigated Construction Emissions[c]	27	80	77	<1	20	5
SCAQMD Daily Significance Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Over/(Under)	(48)	(20)	(473)	(150)	(130)	(50)
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Numbers may not add up exactly due to rounding.

[a] *The CalEEMod model printout sheets and/or calculation worksheets are presented in Appendix B (CalEEMod Output) of this document.*

[b] *Please note that the SCAQMD significance threshold is in terms of VOC while CalEEMod calculates reactive organic compounds (ROG) emissions. For purposes of this analysis, VOC and ROG are used interchangeably since ROG represents approximately 99.9 percent of VOC emissions.*

[c] *Unmitigated scenario assumes compliance with SCAQMD Rule 403 requirements for fugitive dust. Dust control measures include watering three times daily and properly securing soil exporting loads prior to transport.*

Source: Eyestone Environmental, 2024.

Figure 2: Regional Air Quality Table From DEIR

After a careful review of the DEIR and supporting documents it is clear that the IS/MND's assertion that there are not significant air quality impacts from the Project is not supported by the data contained in the DEIR. There are clear flaws in the DEIR's analysis of air quality issues that must be corrected in a revised environmental impact report (REIR).

Specific Comments

1. The City's Qualitative Analysis Of TAC Emissions From The Construction Phase Of The Project Is Insufficient.

According to the DEIR,[5] potential toxic air contaminant (TAC) impacts were evaluated by conducting *a qualitative* analysis consistent with CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB's Handbook), which provides recommendations regarding the siting of new sensitive land uses near potential sources of air toxic emissions (e.g., freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities). According to Eyestone, the qualitative analysis consisted of reviewing the Project to identify any new or modified TAC emissions sources and evaluating the potential for such sources to cause significant TAC impacts. If the qualitative evaluation did not rule out significant impacts from a new TAC source, or modification of an existing TAC emissions source, a more detailed analysis would have been conducted. For the detailed analysis, downwind sensitive receptor locations would be identified, and site-specific dispersion modeling is conducted to estimate Project impacts.

The DEIR goes on to state that the greatest potential for TAC emissions during construction would be from diesel particulate emissions associated with heavy equipment operations.[6] The DEIR assumes that given the short-term construction schedule of approximately 44 months, the Project would not result in a long-term (i.e., 70-year) source of TAC emissions. The Project's construction activities, including generation of TACs, would not expose sensitive receptors to substantial pollutant concentrations. Project related TAC impacts during construction would be less than significant. This conclusion from Eyestone is speculative at best and without merit.

2. Using The City's Own Air Quality Analysis Of The Construction Phase Of The Project, It Is Evident That The Health Risk To Residents Adjacent To The Project Site Will Exceed The Significance Threshold For TACs.

Using the City's own air quality analysis I have performed a quantitative health risk analysis of the TAC emissions from the offroad equipment that will be used during the Construction Phase of the Project. Using the daily average emissions of PM_{10} emissions (PM_{10E}) from tables 3.1 through 3.19 of the CalEEMod analysis labeled 6000 Hollywood – Construction Onsite Detailed Report (dated

[5] Ibid. pg IV.A-45

[6] Ibid pg IV.A-68

11/6/2023) from Appendix B to the DEIR, I have calculated the emissions of DPM as PM10E for each phase of the construction phase.

3.1. Demolition (2026) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.12	9.09	16.6	0.03	0.31	—	0.31	0.29	—	0.29	2,495
Demolition	—	—	—	—	—	2.32	2.32	—	0.35	0.35	—
Onsite truck	0.01	0.39	0.28	< 0.005	< 0.005	1.53	1.53	< 0.005	0.15	0.15	71.2
Average Daily	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.13	1.05	1.91	< 0.005	0.04	—	0.04	0.03	—	0.03	287

Figure 3: CalEEMod Output From Appendix B For Construction Phase

Using the construction schedule provided in the same CalEEMod analysis I have calculated the Project would last 921 days.

Using the emission rate calculated in the CalEEMOD model for each construction phase, the total amount of DPM emitted from off-road equipment would be equal to the number of work days multiplied by the emission rate calculated in the CalEEMOD model.

$$DPM\ (lbs) = \sum Emission\ Rate\ \left(\frac{lbs}{day}\right) * Number\ Of\ Work\ Days\ (days)$$

The total amount of emissions over the site was calculated to be 33.86 lbs of DPM in 2026, 130.38 lbs of DPM in 2027, 116.56 lbs of DPM in 2028 ,and 53.07 lbs of DPM in 2029.

To calculate the daily emission rate of DPM for each year of construction period, the total mass of DPM emitted was divided by the area of the construction site (18,200 square meters (m^2) or 195903.2 ft^2) divided by the number of hours of construction (8 hours/day).

$$Emission\ Rate\ For\ Model\ \left(\frac{lbs}{hr * ft^2}\right) = \frac{Emission\ (lbs)}{Duration\ (hr) * Area\ (ft^2)}$$

Limiting the emissions to an 8-hour period during weekdays, the emission rate was calculated to be 1.90 x 10^{-7} lbs per hour of operation per square foot. The emission rates I have calculated ranged from 3.68 x 10^{-8} lbs-hour/ft^2 to 3.38 x 10^{-7} lbs-hour/ft^2.

Table 1: DPM Emission Calculations From On-Site Off-Road Equipment For Each Year

Phase	Year	Daily Emissions*	Duration	Total Emissions For Phase	Emissions Per Day	Emission Rate Per Hour	Site Wide Annual Emission Rate
		lbs/day	days	lbs	lbs/day	lbs-hour	lbs-hr/ft2
Demolition	2026	0.04	42	1.68			
Grading	2026	0.24	110	26.4			
Mat Foundation	2026	0.08	43	3.44			
Foundation	2026	0.03	43	1.29			
Building Construction	2026	0.05	21	1.05			
Total Emissions 2026			259	33.86	**1.31E-01**	1.63E-02	**8.34E-08**
Building Construction	2027	0.53	246	130.38	**5.30E-01**	6.63E-02	**3.38E-07**
Building Construction	2028	0.47	248	116.56	**4.70E-01**	5.88E-02	**3.00E-07**
Building Construction	2029	0.29	168	48.72	5.29E-02		
Paving	2029	0.05	87	4.35	4.72E-03		
Architectural Coating	2029		175	0	0.00E+00		
Total Emissions 2029				53.07	**5.76E-02**	7.20E-03	**3.68E-08**

Using AERMOD, the US EPA's preferred air dispersion model, it is possible to calculate the concentrations of DPM from the construction area at the closest receptors near the construction site. AERMOD is an acronym for the American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee's Dispersion Model. AERMOD contains the necessary algorithms to model air concentrations from a wide range of emission source types, including stack-based point sources, fugitive area sources, and volume sources. The modeling domain with the building around the Project site are indicated in the figure below. The green area is the source area of DPM from construction of the Project.

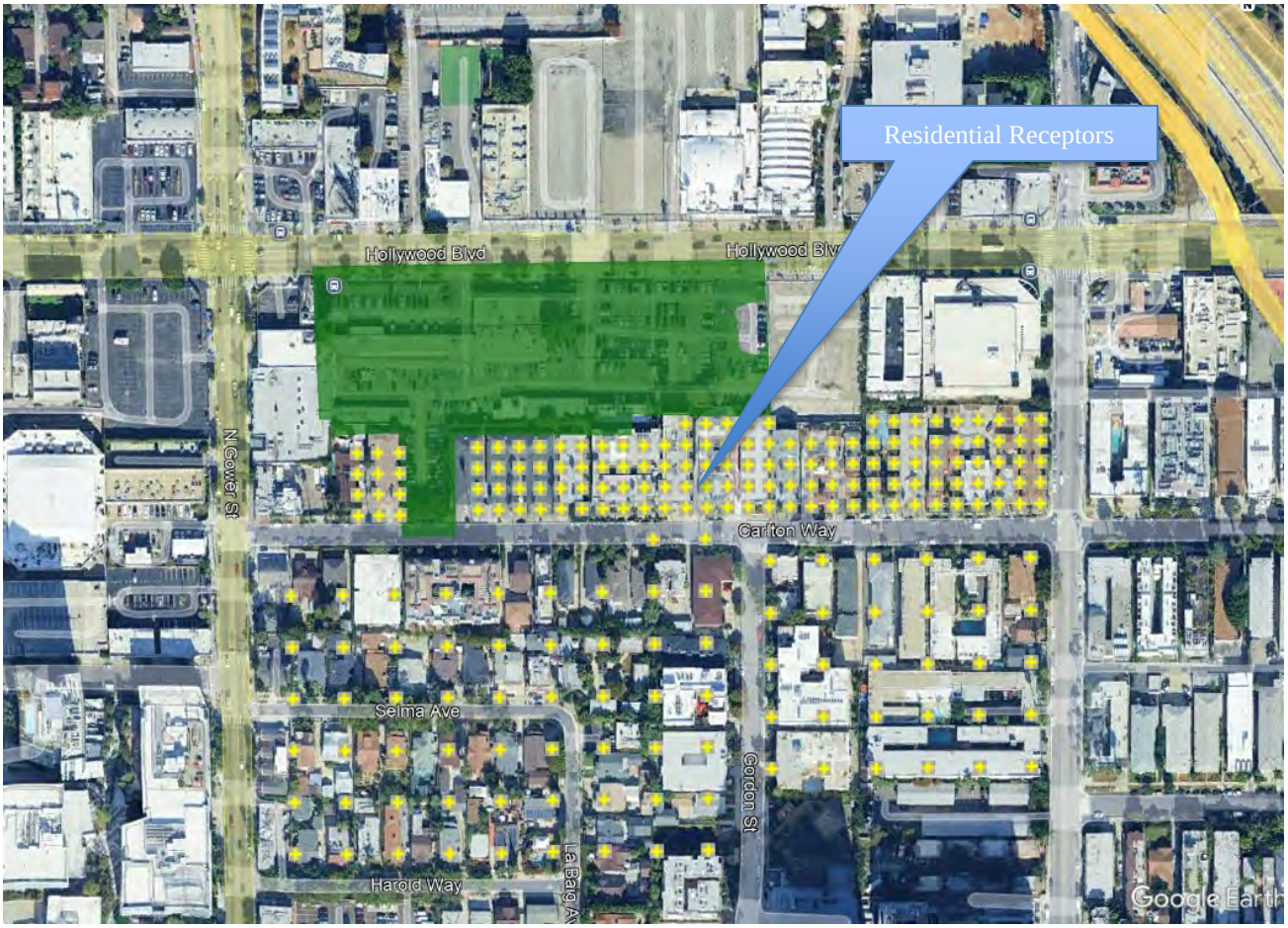

Figure 4: Receptors In Model

Using the SCAQMD's AERMOD Health Risk Assessment Tool and AERMOD-Ready Meteorological Data Files website[7] I have determined that the Project Site resides in the area designated by SCAQMD as SRA-1. The designated surface meteorological station for SRA-1 is KFUL. The data for the site cover the years 2018, 2019, 2020, 2022, and 2023.

[7] https://www.aqmd.gov/assets/aermet/AERMET_files_And_HRA_Tool.html

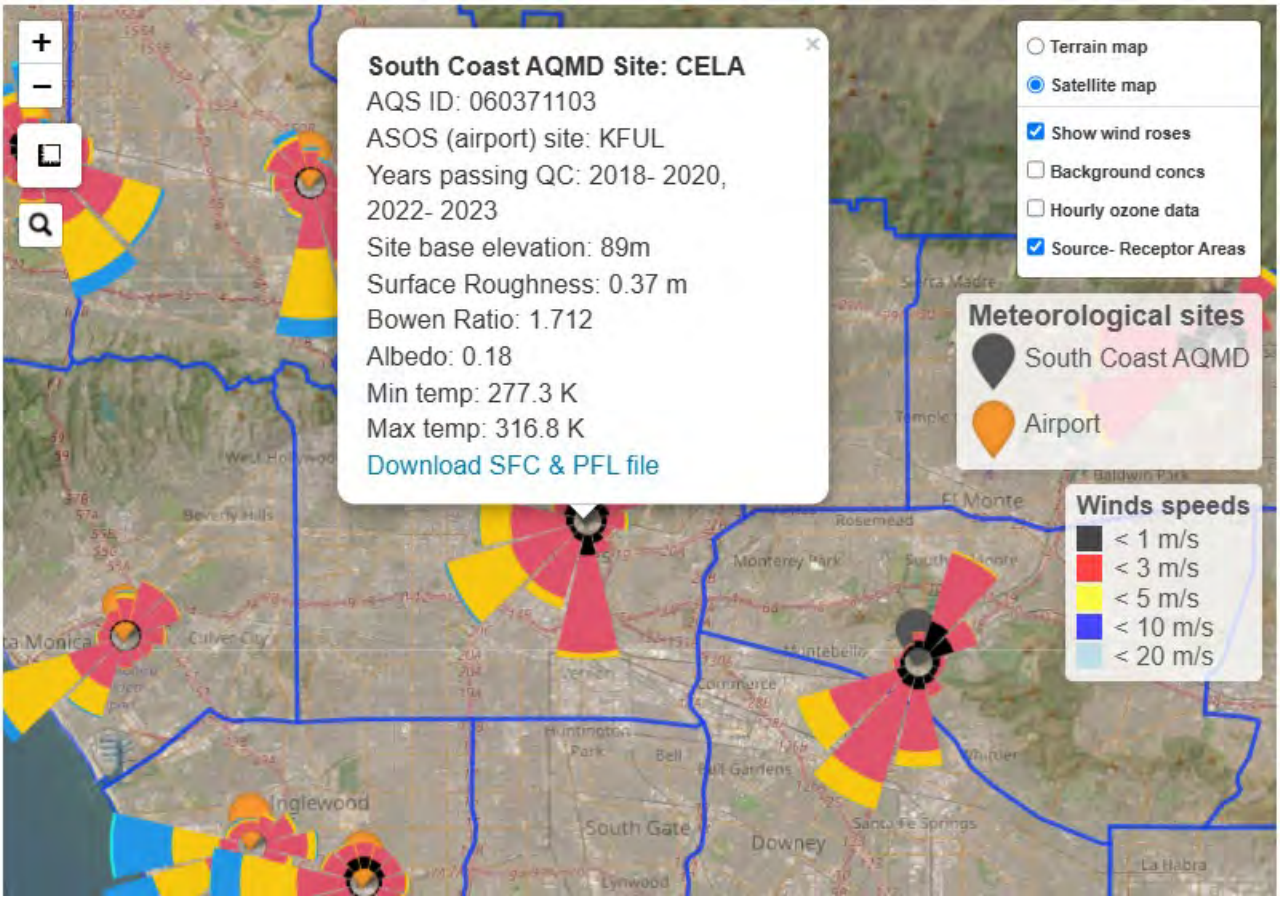

Figure 5: SCAQMD AERMOD Site Location Website

Using the California Air Resources Board's (CARB's) digital elevation model for the Hollywood region I have input the elevation for Project Site and the receptors nearby. Receptors next the Project Site were spaced 10 meters apart and receptors south of Carlton Way were spaced 25 meters apart.

The AERMOD model was run assuming that emissions occurred only during the weekdays during an 8-hour period. The results of the model are attached as an Exhibit to this letter. The DPM concentrations calculated for the period of the construction at the ten closest receptors ranged from 0.091 micrograms per cubic meter (ug/m^3) to 0.1308 ug/m^3.

Table 2: DPM Concentrations Modeled For Construction Phase

Model Receptor	X	Y	Value
	METER	METER	ug/m**3
97	378142.3	3774124	0.130813
12	378104.4	3774122	0.120039
98	378152.3	3774124	0.113586
9	378104.4	3774112	0.105126
69	378142.3	3774114	0.104966
99	378162.3	3774124	0.103515
100	378172.3	3774124	0.097304
11	378094.4	3774122	0.093272
101	378182.3	3774124	0.092129
6	378104.4	3774102	0.090603

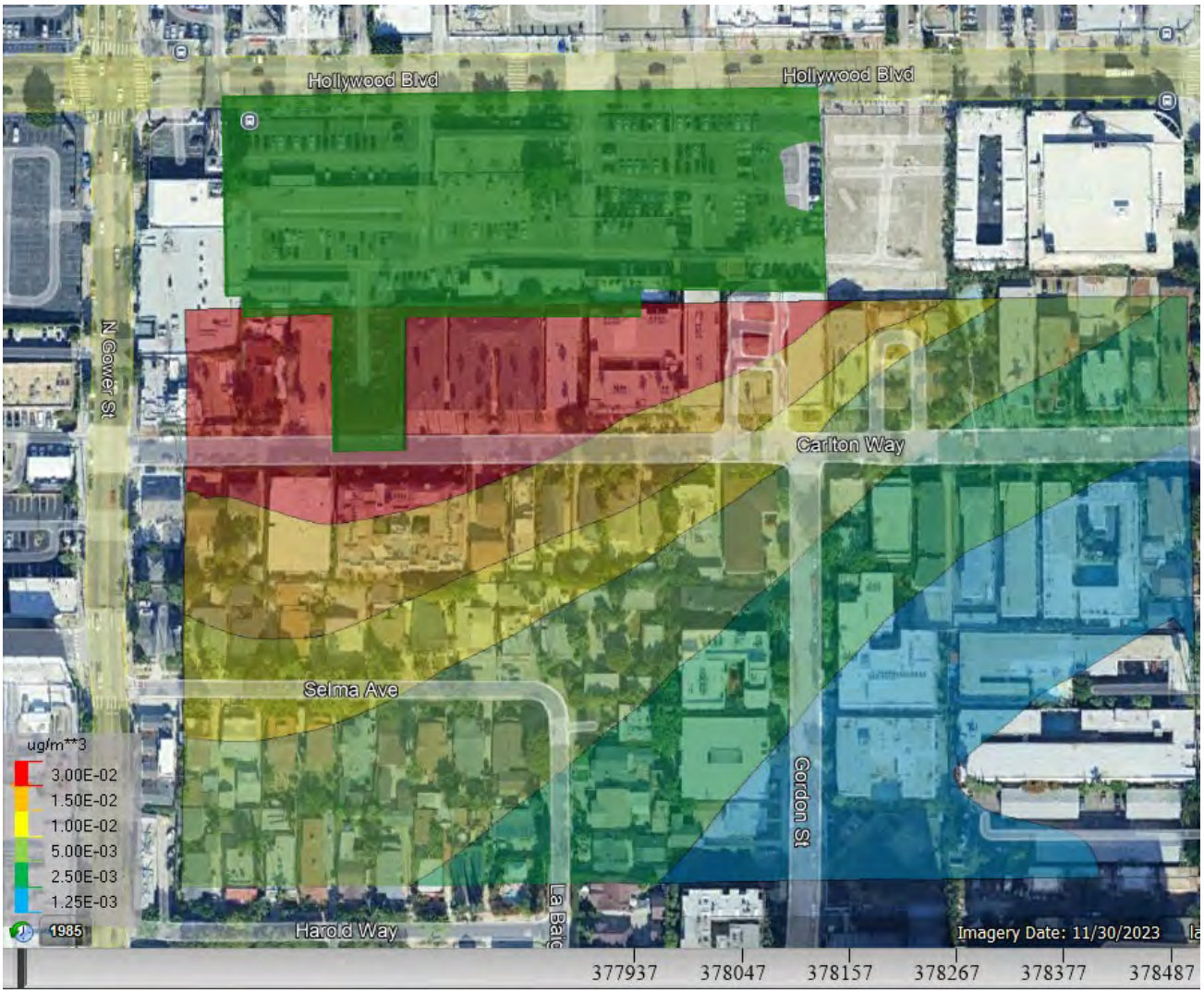

Figure 6: Model output showing DPM concentrations During Construction Phase

Using the algorithm outlined in OEHHA's HARP 2 Standalone Risk software, the cancer risk to the most sensitive population, infants less than 3 years old was calculated. To calculate the inhalation cancer risk for any receptor in the modeling domain dose of the chemical in air ($Dose_{air}$) is calculated from the annual concentration of the carcinogen (C_{air}). The exposure concentration is then multiplied by the breathing rate per body weight (BR/BW), inhalation absorption factor (A), the exposure frequency (days per 365 days) and a conversion factor of 10^{-6} (micrograms to milligrams, liters to cubic meters). This annual average concentration is multiplied by the cancer slope (CPF) for the chemical along with the appropriate age sensitivity factor (ASF) the exposure duration (ED) and then divided by the averaging time (AT)

3. $$Dose_{air} = C_{air} * \{BR/BW\} * A * EF * 10^{-6}$$

4. $$Risk_{inh} = Dose_{air} * CPF * ASF * ED/AT$$

Using the maximum concentration modeled, the cumulative risk for exposure of infants during the 3.67 years (44 months) of construction is 40.5 in 1,000,000, much greater than the 10 in 1,000,000 significance threshold outlined by SCAQMD, resulting in a significant impact. The results of the air model and the health risk analysis are attached as an appendix to this letter. The City must quantify and disclose these significant impacts in a REIR for the Project

Conclusion

The facts presented in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed based in the DEIR. A REIR is necessary to address these substantial concerns fully and transparently.

Sincerely,

Appendix A: AERMOD Model And Risk Calculations

```
** BREEZE AERMOD
** Trinity Consultants
** VERSION  11.0

CO STARTING
CO TITLEONE  6000 Hollywood Blvd Construction (Average Yearly Construction)
CO TITLETWO  DPM From Construction
CO MODELOPT  DFAULT  CONC  NODRYDPLT  NOWETDPLT
CO RUNORNOT  RUN
CO AVERTIME  PERIOD
CO POLLUTID  DPM
CO FINISHED

SO STARTING
SO ELEVUNIT  METERS
SO LOCATION  0LV9D03Y  AREAPOLY  378105.8  3774131.7  115.82
** SRCDESCR  6000 Hollywood Blvd Project Site
SO SRCPARAM  0LV9D03Y  2.578019E-07  4.3  13  2.15
SO AREAVERT  0LV9D03Y  378105.8 3774131.7  378106.4 3774082.1  378131.2 3774082.4
378131.5 3774130.3
SO AREAVERT  0LV9D03Y  378216.1 3774129  378216.1 3774138.9  378282.8 3774136.9
378280.5 3774211.6
SO AREAVERT  0LV9D03Y  378064.5 3774210.9  378067.1 3774138.3  378073.4 3774138.3
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SO AREAVERT  0LV9D03Y  378105.8 3774131.7
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** RCPDESCR  southeast
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** SENSITIV
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RE DISCCART  378282.3  3774104.3  116.03  116.03
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RE DISCCART  378222.3  3774114.3  116.24  116.24
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RE DISCCART  378162.3  3774124.3  116.07  116.07
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RE DISCCART  378382.3  3774124.3  118.58  118.58
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** SENSITIV
** RCPDESCR  southwest large grid
RE DISCCART  378126.5  3773928.6  111  111
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** RCPDESCR  southwest large grid
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** SENSITIV
** RCPDESCR  southwest large grid
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** SENSITIV
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** SENSITIV
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** SENSITIV
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** SENSITIV
** RCPDESCR  southwest large grid
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** SENSITIV
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RE DISCCART  378332.5  3774018.0  115.03  115.03
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** RCPDESCR  southeast large grid
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** SENSITIV
** RCPDESCR  southeast large grid
RE DISCCART  378407.5  3774068.0  116.7  116.7
** SENSITIV
** RCPDESCR  southeast large grid
RE FINISHED

ME STARTING
ME SURFFILE  "C:\Users\jclar\OneDrive\Clark and Associates\Project 296 - ABJC - 6000
Hollywood Blvd DEIR\CELA_V11_trimmed.sfc"
** SURFFILE  "C:\Users\jclar\OneDrive\Clark and Associates\Project 296 - ABJC - 6000
Hollywood Blvd DEIR\CELA_V11_trimmed.sfc"
ME PROFFILE  "C:\Users\jclar\OneDrive\Clark and Associates\Project 296 - ABJC - 6000
Hollywood Blvd DEIR\CELA_V11_trimmed.pfl"
** PROFFILE  "C:\Users\jclar\OneDrive\Clark and Associates\Project 296 - ABJC - 6000
Hollywood Blvd DEIR\CELA_V11_trimmed.pfl"
ME SURFDATA  3166 2018 CELA
ME UAIRDATA  3190 2018
ME SITEDATA  60371103 2018
ME PROFBASE  89  METERS
ME FINISHED

OU STARTING
OU FILEFORM  FIX
```

```
718  OU PLOTFILE  PERIOD  ALL  ALL`PERIOD.plt  10000
719  OU POSTFILE  PERIOD  ALL  UNFORM  ALL`PERIOD.bin  10001
720  OU FINISHED
721
722
723    *** Message Summary For AERMOD Model Setup ***
724
725    --------- Summary of Total Messages --------
726
727   A Total of            0 Fatal Error Message(s)
728   A Total of            4 Warning Message(s)
729   A Total of            0 Informational Message(s)
730
731
732      ******** FATAL ERROR MESSAGES ********
733                ***  NONE  ***
734
735
736      ********   WARNING MESSAGES   ********
737   ME W186     714       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold
      used           0.50
738   ME W187     714       MEOPEN: ADJ_U* Option for Stable Low Winds used in
      AERMET
739   OU W565     718       PERPLT: Possible Conflict With Dynamically Allocated FUNIT
      PLOTFILE
740   OU W565     719       PERPST: Possible Conflict With Dynamically Allocated FUNIT
      POSTFILE
741
742   ***********************************
743   *** SETUP Finishes Successfully ***
744   ***********************************
745
746   FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
      Yearly Construction)      ***        12/18/24
747    *** AERMET - VERSION  22112 ***   ***  DPM From
       Construction                                              ***        12:40:47
748
                                 PAGE   1
749    *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
750
751                                              ***     MODEL SETUP OPTIONS SUMMARY       ***
752    - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
       - - - - - - - - - - - - - - - - - -
753
754    ** Model Options Selected:
755         * Model Uses Regulatory DEFAULT Options
756         * Model Is Setup For Calculation of Average CONCentration Values.
757         * NO GAS DEPOSITION Data Provided.
758         * NO PARTICLE DEPOSITION Data Provided.
759         * Model Uses NO DRY DEPLETION. DDPLETE  =  F
760         * Model Uses NO WET DEPLETION. WETDPLT  =  F
761         * Stack-tip Downwash.
762         * Model Accounts for ELEVated Terrain Effects.
763         * Use Calms Processing Routine.
764         * Use Missing Data Processing Routine.
765         * No Exponential Decay.
766         * Model Uses RURAL Dispersion Only.
767         * ADJ_U*   - Use ADJ_U* option for SBL in AERMET
768         * CCVR_Sub - Meteorological data includes CCVR substitutions
769         * TEMP_Sub - Meteorological data includes TEMP substitutions
770         * Model Assumes No FLAGPOLE Receptor Heights.
771         * The User Specified a Pollutant Type of: DPM
772
773    **Model Calculates PERIOD Averages Only
774
775    **This Run Includes:      1 Source(s);       1 Source Group(s); and     224 Receptor(s)
```

```
776
777                 with:      0 POINT(s), including
778                            0 POINTCAP(s) and      0 POINTHOR(s)
779                  and:      0 VOLUME source(s)
780                  and:      1 AREA type source(s)
781                  and:      0 LINE source(s)
782                  and:      0 RLINE/RLINEXT source(s)
783                  and:      0 OPENPIT source(s)
784                  and:      0 BUOYANT LINE source(s) with a total of     0 line(s)
785                  and:      0 SWPOINT source(s)
786
787
788   **Model Set To Continue RUNning After the Setup Testing.
789
790   **The AERMET Input Meteorological Data Version Date:  22112
791
792   **Output Options Selected:
793            Model Outputs Tables of PERIOD Averages by Receptor
794            Model Outputs External File(s) of Concurrent Values for Postprocessing
               (POSTFILE Keyword)
795            Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)
796
797   **NOTE:  The Following Flags May Appear Following CONC Values:  c for Calm Hours
798                                                                   m for Missing Hours
799                                                                   b for Both Calm and
                                                                      Missing Hours
800
801   **Misc. Inputs:  Base Elev. for Pot. Temp. Profile (m MSL) =    89.00 ;  Decay Coef.
      =    0.000     ;  Rot. Angle =     0.0
802                    Emission Units = GRAMS/SEC                              ;  Emission
                       Rate Unit Factor =   0.10000E+07
803                    Output Units   = MICROGRAMS/M**3
804
805   **Approximate Storage Requirements of Model =      3.5 MB of RAM.
806
807   **Input Runstream File:
      aermod.inp

808   **Output Print File:
      aermod.out

809
810   FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
      Yearly Construction)      ***        12/18/24
811    *** AERMET - VERSION  22112 ***   ***  DPM From
       Construction                                          ***        12:40:47
812
                                  PAGE   2
813    *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
814
815
816                                                *** AREAPOLY SOURCE DATA ***
817
818                 NUMBER EMISSION RATE   LOCATION OF AREA  BASE     RELEASE  NUMBER
                    INIT.   URBAN  EMISSION RATE
819      SOURCE       PART.  (GRAMS/SEC       X        Y      ELEV.    HEIGHT  OF VERTS.
         SZ     SOURCE  SCALAR VARY
820        ID         CATS.   /METER**2)   (METERS) (METERS) (METERS) (METERS)
           (METERS)             BY
821    - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
       - - - - - - - - - - - - - - - - - - -
822
823    0LV9D03Y         0   0.25780E-06  378105.8 3774131.7   115.8     4.30      13
       2.15     NO    HRDOW
824   FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
      Yearly Construction)      ***        12/18/24
```

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825   *** AERMET - VERSION  22112 ***   ***  DPM From
      Construction                                                ***        12:40:47
826
                                  PAGE   3
827   *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
828
829
830                                            *** SOURCE IDs DEFINING SOURCE GROUPS ***
831
832   SRCGROUP ID                                                SOURCE IDs
833   -----------                                                ----------
834
835
836    ALL        0LV9D03Y    ,
837   FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
      Yearly Construction)      ***        12/18/24
838   *** AERMET - VERSION  22112 ***   ***  DPM From
      Construction                                                ***        12:40:47
839
                                  PAGE   4
840   *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
841
842                     * SOURCE EMISSION RATE SCALARS WHICH VARY DIURNALLY AND BY DAY OF
                        WEEK (HRDOW) *
843
844   SOURCE ID = 0LV9D03Y     ; SOURCE TYPE = AREAPOLY :
845    HOUR   SCALAR   HOUR   SCALAR   HOUR   SCALAR   HOUR   SCALAR   HOUR   SCALAR   HOUR
       SCALAR   HOUR   SCALAR   HOUR   SCALAR
846   - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
      - - - - - - - - - - - - - - - - - - - -
847                                                DAY OF WEEK = WEEKDAY
848      1  .0000E+00    2  .0000E+00    3  .0000E+00    4  .0000E+00    5  .0000E+00    6
         .0000E+00    7  .0000E+00    8  .1000E+01
849      9  .1000E+01   10  .1000E+01   11  .1000E+01   12  .0000E+00   13  .1000E+01   14
         .1000E+01   15  .1000E+01   16  .1000E+01
850     17  .0000E+00   18  .0000E+00   19  .0000E+00   20  .0000E+00   21  .0000E+00   22
        .0000E+00   23  .0000E+00   24  .0000E+00
851                                                DAY OF WEEK = SATURDAY
852      1  .0000E+00    2  .0000E+00    3  .0000E+00    4  .0000E+00    5  .0000E+00    6
         .0000E+00    7  .0000E+00    8  .0000E+00
853      9  .0000E+00   10  .0000E+00   11  .0000E+00   12  .0000E+00   13  .0000E+00   14
         .0000E+00   15  .0000E+00   16  .0000E+00
854     17  .0000E+00   18  .0000E+00   19  .0000E+00   20  .0000E+00   21  .0000E+00   22
        .0000E+00   23  .0000E+00   24  .0000E+00
855                                                DAY OF WEEK = SUNDAY
856      1  .0000E+00    2  .0000E+00    3  .0000E+00    4  .0000E+00    5  .0000E+00    6
         .0000E+00    7  .0000E+00    8  .0000E+00
857      9  .0000E+00   10  .0000E+00   11  .0000E+00   12  .0000E+00   13  .0000E+00   14
         .0000E+00   15  .0000E+00   16  .0000E+00
858     17  .0000E+00   18  .0000E+00   19  .0000E+00   20  .0000E+00   21  .0000E+00   22
        .0000E+00   23  .0000E+00   24  .0000E+00
859   FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
      Yearly Construction)      ***        12/18/24
860   *** AERMET - VERSION  22112 ***   ***  DPM From
      Construction                                                ***        12:40:47
861
                                  PAGE   5
862   *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
863
864                                          *** DISCRETE CARTESIAN RECEPTORS ***
865                                        (X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
866                                                    (METERS)
867
868        ( 378084.4, 3774091.7,     114.5,     114.5,       0.0);         ( 378094.4,
           3774091.7,     114.5,     114.5,       0.0);
869        ( 378104.4, 3774091.7,     114.6,     114.6,       0.0);         ( 378084.4,
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        3774101.7,     114.8,     114.8,       0.0);
870     ( 378094.4, 3774101.7,     114.8,     114.8,       0.0);         ( 378104.4,
        3774101.7,     114.9,     114.9,       0.0);
871     ( 378084.4, 3774111.7,     115.2,     115.2,       0.0);         ( 378094.4,
        3774111.7,     115.2,     115.2,       0.0);
872     ( 378104.4, 3774111.7,     115.2,     115.2,       0.0);         ( 378084.4,
        3774121.7,     115.5,     115.5,       0.0);
873     ( 378094.4, 3774121.7,     115.5,     115.5,       0.0);         ( 378104.4,
        3774121.7,     115.5,     115.5,       0.0);
874     ( 378142.3, 3774094.3,     115.3,     115.3,       0.0);         ( 378152.3,
        3774094.3,     115.5,     115.5,       0.0);
875     ( 378162.3, 3774094.3,     115.6,     115.6,       0.0);         ( 378172.3,
        3774094.3,     115.6,     115.6,       0.0);
876     ( 378182.3, 3774094.3,     115.6,     115.6,       0.0);         ( 378192.3,
        3774094.3,     115.6,     115.6,       0.0);
877     ( 378202.3, 3774094.3,     115.6,     115.6,       0.0);         ( 378212.3,
        3774094.3,     115.6,     115.6,       0.0);
878     ( 378222.3, 3774094.3,     115.6,     115.6,       0.0);         ( 378232.3,
        3774094.3,     115.6,     115.6,       0.0);
879     ( 378242.3, 3774094.3,     115.6,     115.6,       0.0);         ( 378252.3,
        3774094.3,     115.6,     115.6,       0.0);
880     ( 378262.3, 3774094.3,     115.6,     115.6,       0.0);         ( 378272.3,
        3774094.3,     115.6,     115.6,       0.0);
881     ( 378282.3, 3774094.3,     115.7,     115.7,       0.0);         ( 378292.3,
        3774094.3,     116.0,     116.0,       0.0);
882     ( 378302.3, 3774094.3,     116.4,     116.4,       0.0);         ( 378312.3,
        3774094.3,     116.7,     116.7,       0.0);
883     ( 378322.3, 3774094.3,     117.0,     117.0,       0.0);         ( 378332.3,
        3774094.3,     117.4,     117.4,       0.0);
884     ( 378342.3, 3774094.3,     117.6,     117.6,       0.0);         ( 378352.3,
        3774094.3,     117.6,     117.6,       0.0);
885     ( 378362.3, 3774094.3,     117.6,     117.6,       0.0);         ( 378372.3,
        3774094.3,     117.6,     117.6,       0.0);
886     ( 378382.3, 3774094.3,     117.6,     117.6,       0.0);         ( 378392.3,
        3774094.3,     117.6,     117.6,       0.0);
887     ( 378402.3, 3774094.3,     117.6,     117.6,       0.0);         ( 378412.3,
        3774094.3,     117.6,     117.6,       0.0);
888     ( 378142.3, 3774104.3,     115.4,     115.4,       0.0);         ( 378152.3,
        3774104.3,     115.7,     115.7,       0.0);
889     ( 378162.3, 3774104.3,     115.9,     115.9,       0.0);         ( 378172.3,
        3774104.3,     115.9,     115.9,       0.0);
890     ( 378182.3, 3774104.3,     115.9,     115.9,       0.0);         ( 378192.3,
        3774104.3,     115.9,     115.9,       0.0);
891     ( 378202.3, 3774104.3,     115.9,     115.9,       0.0);         ( 378212.3,
        3774104.3,     115.9,     115.9,       0.0);
892     ( 378222.3, 3774104.3,     115.9,     115.9,       0.0);         ( 378232.3,
        3774104.3,     115.9,     115.9,       0.0);
893     ( 378242.3, 3774104.3,     115.9,     115.9,       0.0);         ( 378252.3,
        3774104.3,     115.9,     115.9,       0.0);
894     ( 378262.3, 3774104.3,     115.9,     115.9,       0.0);         ( 378272.3,
        3774104.3,     115.9,     115.9,       0.0);
895     ( 378282.3, 3774104.3,     116.0,     116.0,       0.0);         ( 378292.3,
        3774104.3,     116.4,     116.4,       0.0);
896     ( 378302.3, 3774104.3,     116.7,     116.7,       0.0);         ( 378312.3,
        3774104.3,     117.0,     117.0,       0.0);
897     ( 378322.3, 3774104.3,     117.4,     117.4,       0.0);         ( 378332.3,
        3774104.3,     117.7,     117.7,       0.0);
898     ( 378342.3, 3774104.3,     117.9,     117.9,       0.0);         ( 378352.3,
        3774104.3,     117.9,     117.9,       0.0);
899     ( 378362.3, 3774104.3,     117.9,     117.9,       0.0);         ( 378372.3,
        3774104.3,     117.9,     117.9,       0.0);
900     ( 378382.3, 3774104.3,     117.9,     117.9,       0.0);         ( 378392.3,
        3774104.3,     117.9,     117.9,       0.0);
901     ( 378402.3, 3774104.3,     117.9,     117.9,       0.0);         ( 378412.3,
        3774104.3,     117.9,     117.9,       0.0);
902     ( 378142.3, 3774114.3,     115.6,     115.6,       0.0);         ( 378152.3,
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      3774114.3,     115.8,     115.8,       0.0);
903   (  378162.3, 3774114.3,     116.0,     116.0,       0.0);         ( 378172.3,
      3774114.3,     116.1,     116.1,       0.0);
904   (  378182.3, 3774114.3,     116.2,     116.2,       0.0);         ( 378192.3,
      3774114.3,     116.2,     116.2,       0.0);
905   (  378202.3, 3774114.3,     116.2,     116.2,       0.0);         ( 378212.3,
      3774114.3,     116.2,     116.2,       0.0);
906   (  378222.3, 3774114.3,     116.2,     116.2,       0.0);         ( 378232.3,
      3774114.3,     116.2,     116.2,       0.0);
907   (  378242.3, 3774114.3,     116.2,     116.2,       0.0);         ( 378252.3,
      3774114.3,     116.2,     116.2,       0.0);
908   (  378262.3, 3774114.3,     116.2,     116.2,       0.0);         ( 378272.3,
      3774114.3,     116.2,     116.2,       0.0);
909   (  378282.3, 3774114.3,     116.4,     116.4,       0.0);         ( 378292.3,
      3774114.3,     116.7,     116.7,       0.0);
910   (  378302.3, 3774114.3,     117.0,     117.0,       0.0);         ( 378312.3,
      3774114.3,     117.3,     117.3,       0.0);
911   (  378322.3, 3774114.3,     117.6,     117.6,       0.0);         ( 378332.3,
      3774114.3,     117.8,     117.8,       0.0);
912   (  378342.3, 3774114.3,     118.0,     118.0,       0.0);         ( 378352.3,
      3774114.3,     118.1,     118.1,       0.0);
913   FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
      Yearly Construction)      ***        12/18/24
914    *** AERMET - VERSION  22112 ***   ***  DPM From
       Construction                                                ***        12:40:47
915
                                PAGE   6
916    *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
917
918                                                *** DISCRETE CARTESIAN RECEPTORS ***
919                                              (X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
920                                                          (METERS)
921
922   (  378362.3, 3774114.3,     118.2,     118.2,       0.0);         ( 378372.3,
      3774114.3,     118.2,     118.2,       0.0);
923   (  378382.3, 3774114.3,     118.2,     118.2,       0.0);         ( 378392.3,
      3774114.3,     118.2,     118.2,       0.0);
924   (  378402.3, 3774114.3,     118.2,     118.2,       0.0);         ( 378412.3,
      3774114.3,     118.2,     118.2,       0.0);
925   (  378142.3, 3774124.3,     115.8,     115.8,       0.0);         ( 378152.3,
      3774124.3,     115.9,     115.9,       0.0);
926   (  378162.3, 3774124.3,     116.1,     116.1,       0.0);         ( 378172.3,
      3774124.3,     116.3,     116.3,       0.0);
927   (  378182.3, 3774124.3,     116.5,     116.5,       0.0);         ( 378192.3,
      3774124.3,     116.6,     116.6,       0.0);
928   (  378202.3, 3774124.3,     116.6,     116.6,       0.0);         ( 378212.3,
      3774124.3,     116.6,     116.6,       0.0);
929   (  378222.3, 3774124.3,     116.6,     116.6,       0.0);         ( 378232.3,
      3774124.3,     116.6,     116.6,       0.0);
930   (  378242.3, 3774124.3,     116.6,     116.6,       0.0);         ( 378252.3,
      3774124.3,     116.6,     116.6,       0.0);
931   (  378262.3, 3774124.3,     116.6,     116.6,       0.0);         ( 378272.3,
      3774124.3,     116.6,     116.6,       0.0);
932   (  378282.3, 3774124.3,     116.7,     116.7,       0.0);         ( 378292.3,
      3774124.3,     117.0,     117.0,       0.0);
933   (  378302.3, 3774124.3,     117.4,     117.4,       0.0);         ( 378312.3,
      3774124.3,     117.6,     117.6,       0.0);
934   (  378322.3, 3774124.3,     117.8,     117.8,       0.0);         ( 378332.3,
      3774124.3,     117.9,     117.9,       0.0);
935   (  378342.3, 3774124.3,     118.1,     118.1,       0.0);         ( 378352.3,
      3774124.3,     118.3,     118.3,       0.0);
936   (  378362.3, 3774124.3,     118.5,     118.5,       0.0);         ( 378372.3,
      3774124.3,     118.6,     118.6,       0.0);
937   (  378382.3, 3774124.3,     118.6,     118.6,       0.0);         ( 378392.3,
      3774124.3,     118.6,     118.6,       0.0);
938   (  378402.3, 3774124.3,     118.6,     118.6,       0.0);         ( 378412.3,
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     3774124.3,     118.6,     118.6,       0.0);
939  (  378242.3, 3774134.3,     116.9,     116.9,       0.0);         (  378252.3,
     3774134.3,     116.9,     116.9,       0.0);
940  (  378262.3, 3774134.3,     116.9,     116.9,       0.0);         (  378272.3,
     3774134.3,     116.9,     116.9,       0.0);
941  (  378282.3, 3774134.3,     117.0,     117.0,       0.0);         (  378332.3,
     3774134.3,     118.0,     118.0,       0.0);
942  (  378342.3, 3774134.3,     118.1,     118.1,       0.0);         (  378352.3,
     3774134.3,     118.4,     118.4,       0.0);
943  (  378362.3, 3774134.3,     118.7,     118.7,       0.0);         (  378372.3,
     3774134.3,     118.9,     118.9,       0.0);
944  (  378382.3, 3774134.3,     118.9,     118.9,       0.0);         (  378392.3,
     3774134.3,     118.9,     118.9,       0.0);
945  (  378402.3, 3774134.3,     118.9,     118.9,       0.0);         (  378412.3,
     3774134.3,     118.9,     230.0,       0.0);
946  (  378051.5, 3773928.6,     110.0,     110.0,       0.0);         (  378076.5,
     3773928.6,     110.3,     110.3,       0.0);
947  (  378101.5, 3773928.6,     111.0,     111.0,       0.0);         (  378126.5,
     3773928.6,     111.0,     111.0,       0.0);
948  (  378151.5, 3773928.6,     111.0,     111.0,       0.0);         (  378176.5,
     3773928.6,     111.0,     111.0,       0.0);
949  (  378201.5, 3773928.6,     111.0,     111.0,       0.0);         (  378226.5,
     3773928.6,     111.3,     111.3,       0.0);
950  (  378251.5, 3773928.6,     112.0,     112.0,       0.0);         (  378051.5,
     3773953.6,     110.4,     110.4,       0.0);
951  (  378076.5, 3773953.6,     110.9,     110.9,       0.0);         (  378101.5,
     3773953.6,     111.0,     111.0,       0.0);
952  (  378126.5, 3773953.6,     111.0,     111.0,       0.0);         (  378151.5,
     3773953.6,     111.7,     111.7,       0.0);
953  (  378176.5, 3773953.6,     111.9,     111.9,       0.0);         (  378201.5,
     3773953.6,     111.9,     111.9,       0.0);
954  (  378226.5, 3773953.6,     111.9,     111.9,       0.0);         (  378251.5,
     3773953.6,     112.1,     112.1,       0.0);
955  (  378051.5, 3773978.6,     111.1,     111.1,       0.0);         (  378076.5,
     3773978.6,     111.7,     111.7,       0.0);
956  (  378101.5, 3773978.6,     111.7,     111.7,       0.0);         (  378126.5,
     3773978.6,     111.7,     111.7,       0.0);
957  (  378151.5, 3773978.6,     111.9,     111.9,       0.0);         (  378176.5,
     3773978.6,     112.4,     112.4,       0.0);
958  (  378201.5, 3773978.6,     112.7,     112.7,       0.0);         (  378226.5,
     3773978.6,     112.7,     112.7,       0.0);
959  (  378251.5, 3773978.6,     112.8,     112.8,       0.0);         (  378051.5,
     3774003.6,     111.7,     111.7,       0.0);
960  (  378076.5, 3774003.6,     112.1,     112.1,       0.0);         (  378101.5,
     3774003.6,     112.5,     112.5,       0.0);
961  (  378126.5, 3774003.6,     112.5,     112.5,       0.0);         (  378151.5,
     3774003.6,     112.5,     112.5,       0.0);
962  (  378176.5, 3774003.6,     112.8,     112.8,       0.0);         (  378201.5,
     3774003.6,     113.2,     113.2,       0.0);
963  (  378226.5, 3774003.6,     113.5,     113.5,       0.0);         (  378251.5,
     3774003.6,     113.6,     113.6,       0.0);
964  (  378051.5, 3774028.6,     112.4,     112.4,       0.0);         (  378076.5,
     3774028.6,     112.6,     112.6,       0.0);
965  (  378101.5, 3774028.6,     113.4,     113.4,       0.0);         (  378126.5,
     3774028.6,     113.4,     113.4,       0.0);
966  (  378151.5, 3774028.6,     113.4,     113.4,       0.0);         (  378176.5,
     3774028.6,     113.4,     113.4,       0.0);
967  FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
     Yearly Construction)      ***        12/18/24
968   *** AERMET - VERSION  22112 ***   ***  DPM From
     Construction                                                ***        12:40:47
969
                                PAGE   7
970   *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
971
972                                          *** DISCRETE CARTESIAN RECEPTORS ***
```

```
                                        (X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
                                                       (METERS)

     ( 378201.5, 3774028.6,     113.6,     113.6,       0.0);         ( 378226.5, 3774028.6,     114.1,     114.1,       0.0);
     ( 378251.5, 3774028.6,     114.4,     114.4,       0.0);         ( 378051.5, 3774053.6,     113.2,     113.2,       0.0);
     ( 378076.5, 3774053.6,     113.4,     113.4,       0.0);         ( 378101.5, 3774053.6,     114.0,     114.0,       0.0);
     ( 378126.5, 3774053.6,     114.2,     114.2,       0.0);         ( 378151.5, 3774053.6,     114.2,     114.2,       0.0);
     ( 378176.5, 3774053.6,     114.2,     114.2,       0.0);         ( 378201.5, 3774053.6,     114.2,     114.2,       0.0);
     ( 378226.5, 3774053.6,     114.4,     114.4,       0.0);         ( 378251.5, 3774053.6,     115.0,     115.0,       0.0);
     ( 378226.5, 3774078.6,     115.0,     115.0,       0.0);         ( 378251.5, 3774078.6,     115.0,     115.0,       0.0);
     ( 378282.5, 3773968.0,     113.4,     113.4,       0.0);         ( 378307.5, 3773968.0,     113.4,     113.4,       0.0);
     ( 378332.5, 3773968.0,     113.4,     113.4,       0.0);         ( 378357.5, 3773968.0,     113.8,     113.8,       0.0);
     ( 378382.5, 3773968.0,     114.2,     114.2,       0.0);         ( 378407.5, 3773968.0,     114.4,     114.4,       0.0);
     ( 378282.5, 3773993.0,     114.0,     114.0,       0.0);         ( 378307.5, 3773993.0,     114.2,     114.2,       0.0);
     ( 378332.5, 3773993.0,     114.2,     114.2,       0.0);         ( 378357.5, 3773993.0,     114.2,     114.2,       0.0);
     ( 378382.5, 3773993.0,     114.6,     114.6,       0.0);         ( 378407.5, 3773993.0,     115.1,     115.1,       0.0);
     ( 378282.5, 3774018.0,     114.2,     114.2,       0.0);         ( 378307.5, 3774018.0,     115.0,     115.0,       0.0);
     ( 378332.5, 3774018.0,     115.0,     115.0,       0.0);         ( 378357.5, 3774018.0,     115.0,     115.0,       0.0);
     ( 378382.5, 3774018.0,     115.0,     115.0,       0.0);         ( 378407.5, 3774018.0,     115.3,     115.3,       0.0);
     ( 378282.5, 3774043.0,     115.0,     115.0,       0.0);         ( 378307.5, 3774043.0,     115.8,     115.8,       0.0);
     ( 378332.5, 3774043.0,     115.9,     115.9,       0.0);         ( 378357.5, 3774043.0,     115.9,     115.9,       0.0);
     ( 378382.5, 3774043.0,     115.9,     115.9,       0.0);         ( 378407.5, 3774043.0,     115.9,     115.9,       0.0);
     ( 378282.5, 3774068.0,     115.1,     115.1,       0.0);         ( 378307.5, 3774068.0,     116.0,     116.0,       0.0);
     ( 378332.5, 3774068.0,     116.5,     116.5,       0.0);         ( 378357.5, 3774068.0,     116.7,     116.7,       0.0);
     ( 378382.5, 3774068.0,     116.7,     116.7,       0.0);         ( 378407.5, 3774068.0,     116.7,     116.7,       0.0);
 *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average Yearly Construction)      ***        12/18/24
 *** AERMET - VERSION  22112 ***   ***  DPM From Construction                                              ***        12:40:47

                              PAGE   8
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*

                                         *** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
                                                          (1=YES; 0=NO)

            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1
```

```
                1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1010            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1
                1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1011            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1
                1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1012            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1
                1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1013            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1
1014
1015                NOTE:  METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT
                    IS INCLUDED IN THE DATA FILE.
1016
1017
1018
1019                                    *** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED
                                        CATEGORIES ***
1020                                                    (METERS/SEC)
1021
1022                                                 1.54,   3.09,   5.14,   8.23,  10.80,
1023    FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
        Yearly Construction)      ***        12/18/24
1024     *** AERMET - VERSION  22112 ***   ***  DPM From
         Construction                                          ***        12:40:47
1025
                                  PAGE   9
1026     *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
1027
1028                                    *** UP TO THE FIRST 24 HOURS OF METEOROLOGICAL DATA
                                        ***
1029
1030       Surface file:   C:\Users\jclar\OneDrive\Clark and Associates\Project 296 - ABJC -
           6000 Hollywood   Met Version:  22112
1031       Profile file:   C:\Users\jclar\OneDrive\Clark and Associates\Project 296 - ABJC -
           6000 Hollywood
1032       Surface format:
           FREE

1033       Profile format:
           FREE

1034       Surface station no.:     3166                  Upper air station no.:     3190
1035                       Name: CELA                                        Name:
                           UNKNOWN
1036                       Year:   2018                                      Year:   2018
1037
1038     First 24 hours of scalar data
1039     YR MO DY JDY HR     H0     U*     W*  DT/DZ ZICNV ZIMCH  M-O LEN    Z0  BOWEN ALBEDO
         REF WS   WD     HT  REF TA     HT
1040    - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
        - - - - - - - - - - - - - - - - - -
1041     18 01 01   1 01   -9.8  0.161 -9.000 -9.000 -999.  156.     38.5  0.36   2.97   1.00
         1.71   48.   18.0  284.1   13.1
1042     18 01 01   1 02   -8.1  0.146 -9.000 -9.000 -999.  134.     34.7  0.36   2.97   1.00
         1.55   35.   18.0  283.9   13.1
1043     18 01 01   1 03  -13.4  0.189 -9.000 -9.000 -999.  197.     45.5  0.36   2.97   1.00
         1.98   42.   18.0  283.6   13.1
1044     18 01 01   1 04  -13.9  0.193 -9.000 -9.000 -999.  203.     46.4  0.36   2.97   1.00
         2.02   38.   18.0  283.3   13.1
1045     18 01 01   1 05  -16.0  0.207 -9.000 -9.000 -999.  226.     50.1  0.36   2.97   1.00
         2.16   36.   18.0  282.9   13.1
1046     18 01 01   1 06  -17.4  0.217 -9.000 -9.000 -999.  242.     52.6  0.36   2.97   1.00
         2.25   35.   18.0  282.5   13.1
1047     18 01 01   1 07  -13.2  0.187 -9.000 -9.000 -999.  195.     44.9  0.36   2.97   1.00
         1.97   38.   18.0  282.1   13.1
1048     18 01 01   1 08  -14.6  0.220 -9.000 -9.000 -999.  248.     65.6  0.36   2.97   0.55
         2.25   33.   18.0  282.8   13.1
```

```
18 01 01   1 09   47.6  0.244  0.524  0.012  109.  290.    -27.7  0.36   2.97   0.32
1.86   37.   18.0  285.3   13.1
18 01 01   1 10  116.0  0.191  0.861  0.014  199.  201.     -5.4  0.36   2.97   0.24
1.10   47.   18.0  288.0   13.1
18 01 01   1 11  164.9  0.168  1.134  0.011  319.  165.     -2.6  0.37   2.97   0.21
0.82   62.   18.0  291.3   13.1
18 01 01   1 12  160.6  0.204  1.253  0.008  441.  221.     -4.8  0.43   2.97   0.20
1.08  200.   18.0  293.2   13.1
18 01 01   1 13  160.0  0.233  1.358  0.007  563.  270.     -7.1  0.43   2.97   0.20
1.34  193.   18.0  294.2   13.1
18 01 01   1 14  138.9  0.216  1.391  0.006  697.  241.     -6.5  0.43   2.97   0.21
1.22  205.   18.0  295.2   13.1
18 01 01   1 15  106.2  0.292  1.305  0.006  753.  379.    -21.1  0.43   2.97   0.25
2.03  206.   18.0  295.0   13.1
18 01 01   1 16   30.0  0.356  0.861  0.006  764.  509.   -134.7  0.38   2.97   0.33
3.12  263.   18.0  292.3   13.1
18 01 01   1 17  -25.3  0.295 -9.000 -9.000 -999.  387.     95.8  0.38   2.97   0.60
2.94  256.   18.0  290.6   13.1
18 01 01   1 18  -31.9  0.327 -9.000 -9.000 -999.  448.    117.3  0.38   2.97   1.00
3.25  257.   18.0  289.1   13.1
18 01 01   1 19   -7.6  0.140 -9.000 -9.000 -999.  159.     32.3  0.24   2.97   1.00
1.66  293.   18.0  288.0   13.1
18 01 01   1 20   -2.4  0.093 -9.000 -9.000 -999.   70.     30.4  0.33   2.97   1.00
0.75   24.   18.0  287.4   13.1
18 01 01   1 21   -5.9  0.126 -9.000 -9.000 -999.  107.     30.4  0.36   2.97   1.00
1.32   33.   18.0  286.7   13.1
18 01 01   1 22   -4.7  0.114 -9.000 -9.000 -999.   93.     28.5  0.36   2.97   1.00
1.16   44.   18.0  286.3   13.1
18 01 01   1 23   -3.3  0.101 -9.000 -9.000 -999.   77.     27.8  0.33   2.97   1.00
0.95   27.   18.0  286.0   13.1
18 01 01   1 24   -5.6  0.123 -9.000 -9.000 -999.  103.     29.6  0.33   2.97   1.00
1.32   24.   18.0  285.7   13.1


First hour of profile data
YR MO DY HR HEIGHT F  WDIR    WSPD AMB_TMP sigmaA  sigmaW  sigmaV
18 01 01 01   13.1 0 -999.  -99.00   284.1   99.0  -99.00  -99.00
18 01 01 01   18.0 1   48.    1.71  -999.0   99.0  -99.00  -99.00

F indicates top of profile (=1) or below (=0)
FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
Yearly Construction)      ***        12/18/24
*** AERMET - VERSION  22112 ***   ***  DPM From
Construction                                               ***        12:40:47

                             PAGE  10
*** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*

                             *** THE PERIOD ( 43824 HRS) AVERAGE CONCENTRATION   VALUES
                             FOR SOURCE GROUP: ALL      ***
                                 INCLUDING SOURCE(S):     0LV9D03Y    ,

                                           *** DISCRETE CARTESIAN RECEPTOR POINTS ***

                                       ** CONC OF DPM      IN
                                       MICROGRAMS/M**3                          **

      X-COORD (M)   Y-COORD (M)        CONC                         X-COORD (M)   Y-COORD
      (M)        CONC
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - - - - - -
        378084.40    3774091.70        0.04718                        378094.40
        3774091.70        0.05738
        378104.40    3774091.70        0.07424                        378084.40
        3774101.70        0.05483
        378094.40    3774101.70        0.06766                        378104.40
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	3774101.70	0.09060		
1090	378084.40	3774111.70	0.06483	378094.40
	3774111.70	0.07902		
1091	378104.40	3774111.70	0.10513	378084.40
	3774121.70	0.07912		
1092	378094.40	3774121.70	0.09327	378104.40
	3774121.70	0.12004		
1093	378142.30	3774094.30	0.06246	378152.30
	3774094.30	0.05207		
1094	378162.30	3774094.30	0.04594	378172.30
	3774094.30	0.04179		
1095	378182.30	3774094.30	0.03853	378192.30
	3774094.30	0.03555		
1096	378202.30	3774094.30	0.03261	378212.30
	3774094.30	0.02970		
1097	378222.30	3774094.30	0.02692	378232.30
	3774094.30	0.02427		
1098	378242.30	3774094.30	0.02157	378252.30
	3774094.30	0.01873		
1099	378262.30	3774094.30	0.01580	378272.30
	3774094.30	0.01300		
1100	378282.30	3774094.30	0.01061	378292.30
	3774094.30	0.00879		
1101	378302.30	3774094.30	0.00749	378312.30
	3774094.30	0.00646		
1102	378322.30	3774094.30	0.00571	378332.30
	3774094.30	0.00513		
1103	378342.30	3774094.30	0.00467	378352.30
	3774094.30	0.00432		
1104	378362.30	3774094.30	0.00401	378372.30
	3774094.30	0.00372		
1105	378382.30	3774094.30	0.00346	378392.30
	3774094.30	0.00323		
1106	378402.30	3774094.30	0.00301	378412.30
	3774094.30	0.00281		
1107	378142.30	3774104.30	0.08328	378152.30
	3774104.30	0.06852		
1108	378162.30	3774104.30	0.05972	378172.30
	3774104.30	0.05418		
1109	378182.30	3774104.30	0.05008	378192.30
	3774104.30	0.04639		
1110	378202.30	3774104.30	0.04260	378212.30
	3774104.30	0.03872		
1111	378222.30	3774104.30	0.03517	378232.30
	3774104.30	0.03200		
1112	378242.30	3774104.30	0.02872	378252.30
	3774104.30	0.02506		
1113	378262.30	3774104.30	0.02106	378272.30
	3774104.30	0.01706		
1114	378282.30	3774104.30	0.01356	378292.30
	3774104.30	0.01097		
1115	378302.30	3774104.30	0.00908	378312.30
	3774104.30	0.00782		
1116	378322.30	3774104.30	0.00690	378332.30
	3774104.30	0.00617		
1117	378342.30	3774104.30	0.00559	378352.30
	3774104.30	0.00513		
1118	378362.30	3774104.30	0.00472	378372.30
	3774104.30	0.00435		
1119	378382.30	3774104.30	0.00401	378392.30
	3774104.30	0.00371		
1120	378402.30	3774104.30	0.00344	378412.30
	3774104.30	0.00320		
1121	378142.30	3774114.30	0.10497	378152.30
	3774114.30	0.08813		
1122	378162.30	3774114.30	0.07782	378172.30

```
            3774114.30        0.07149
1123        378182.30    3774114.30        0.06689                    378192.30
            3774114.30        0.06267
1124        378202.30    3774114.30        0.05787                    378212.30
            3774114.30        0.05227
1125        378222.30    3774114.30        0.04749                    378232.30
            3774114.30        0.04378
1126        378242.30    3774114.30        0.03971                    378252.30
            3774114.30        0.03491
1127   FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
       Yearly Construction)      ***        12/18/24
1128    *** AERMET - VERSION  22112 ***   ***  DPM From
        Construction                                          ***        12:40:47
1129
                                  PAGE  11
1130    *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
1131
1132                              *** THE PERIOD ( 43824 HRS) AVERAGE CONCENTRATION   VALUES
                                  FOR SOURCE GROUP: ALL      ***
1133                                  INCLUDING SOURCE(S):     0LV9D03Y    ,
1134
1135                                       *** DISCRETE CARTESIAN RECEPTOR POINTS ***
1136
1137                                     ** CONC OF DPM      IN
                                         MICROGRAMS/M**3                          **
1138
1139          X-COORD (M)   Y-COORD (M)        CONC                      X-COORD (M)   Y-COORD
              (M)        CONC
1140    - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
        - - - - - - - - - - - - - - - - - - - -
1141            378262.30    3774114.30        0.02936                    378272.30
                3774114.30        0.02338
1142            378282.30    3774114.30        0.01788                    378292.30
                3774114.30        0.01376
1143            378302.30    3774114.30        0.01134                    378312.30
                3774114.30        0.00978
1144            378322.30    3774114.30        0.00861                    378332.30
                3774114.30        0.00764
1145            378342.30    3774114.30        0.00684                    378352.30
                3774114.30        0.00618
1146            378362.30    3774114.30        0.00561                    378372.30
                3774114.30        0.00511
1147            378382.30    3774114.30        0.00468                    378392.30
                3774114.30        0.00429
1148            378402.30    3774114.30        0.00395                    378412.30
                3774114.30        0.00365
1149            378142.30    3774124.30        0.13081                    378152.30
                3774124.30        0.11359
1150            378162.30    3774124.30        0.10352                    378172.30
                3774124.30        0.09730
1151            378182.30    3774124.30        0.09213                    378192.30
                3774124.30        0.08728
1152            378202.30    3774124.30        0.08183                    378212.30
                3774124.30        0.07340
1153            378222.30    3774124.30        0.06663                    378232.30
                3774124.30        0.06187
1154            378242.30    3774124.30        0.05634                    378252.30
                3774124.30        0.05008
1155            378262.30    3774124.30        0.04255                    378272.30
                3774124.30        0.03339
1156            378282.30    3774124.30        0.02400                    378292.30
                3774124.30        0.01804
1157            378302.30    3774124.30        0.01489                    378312.30
                3774124.30        0.01270
1158            378322.30    3774124.30        0.01102                    378332.30
                3774124.30        0.00964
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1159          378342.30    3774124.30        0.00849                      378352.30
              3774124.30         0.00752
1160          378362.30    3774124.30        0.00670                      378372.30
              3774124.30         0.00602
1161          378382.30    3774124.30        0.00546                      378392.30
              3774124.30         0.00496
1162          378402.30    3774124.30        0.00453                      378412.30
              3774124.30         0.00416
1163          378242.30    3774134.30        0.08221                      378252.30
              3774134.30         0.07453
1164          378262.30    3774134.30        0.06507                      378272.30
              3774134.30         0.05195
1165          378282.30    3774134.30        0.03501                      378332.30
              3774134.30         0.01224
1166          378342.30    3774134.30        0.01055                      378352.30
              3774134.30         0.00914
1167          378362.30    3774134.30        0.00800                      378372.30
              3774134.30         0.00709
1168          378382.30    3774134.30        0.00636                      378392.30
              3774134.30         0.00573
1169          378402.30    3774134.30        0.00519                      378412.30
              3774134.30         0.00473
1170          378051.50    3773928.60        0.00654                      378076.50
              3773928.60         0.00634
1171          378101.50    3773928.60        0.00587                      378126.50
              3773928.60         0.00520
1172          378151.50    3773928.60        0.00445                      378176.50
              3773928.60         0.00370
1173          378201.50    3773928.60        0.00299                      378226.50
              3773928.60         0.00237
1174          378251.50    3773928.60        0.00185                      378051.50
              3773953.60         0.00793
1175          378076.50    3773953.60        0.00784                      378101.50
              3773953.60         0.00732
1176          378126.50    3773953.60        0.00651                      378151.50
              3773953.60         0.00560
1177          378176.50    3773953.60        0.00467                      378201.50
              3773953.60         0.00377
1178          378226.50    3773953.60        0.00296                      378251.50
              3773953.60         0.00227
1179          378051.50    3773978.60        0.00976                      378076.50
              3773978.60         0.00991
1180          378101.50    3773978.60        0.00938                      378126.50
              3773978.60         0.00836
1181  FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
      Yearly Construction)      ***        12/18/24
1182   *** AERMET - VERSION  22112 ***   ***  DPM From
       Construction                                          ***        12:40:47
1183
                                  PAGE  12
1184   *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
1185
1186                              *** THE PERIOD ( 43824 HRS) AVERAGE CONCENTRATION   VALUES
                                  FOR SOURCE GROUP: ALL      ***
1187                                  INCLUDING SOURCE(S):     0LV9D03Y    ,
1188
1189                                       *** DISCRETE CARTESIAN RECEPTOR POINTS ***
1190
1191                                     ** CONC OF DPM      IN
                                         MICROGRAMS/M**3                          **
1192
1193          X-COORD (M)   Y-COORD (M)        CONC                      X-COORD (M)   Y-COORD
              (M)        CONC
1194    - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
        - - - - - - - - - - - - - - - - - - - -
1195          378151.50    3773978.60        0.00720                      378176.50
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                3773978.60        0.00603
1196            378201.50    3773978.60        0.00489                    378226.50
                3773978.60        0.00380
1197            378251.50    3773978.60        0.00287                    378051.50
                3774003.60        0.01221
1198            378076.50    3774003.60        0.01287                    378101.50
                3774003.60        0.01246
1199            378126.50    3774003.60        0.01109                    378151.50
                3774003.60        0.00951
1200            378176.50    3774003.60        0.00802                    378201.50
                3774003.60        0.00654
1201            378226.50    3774003.60        0.00508                    378251.50
                3774003.60        0.00378
1202            378051.50    3774028.60        0.01549                    378076.50
                3774028.60        0.01737
1203            378101.50    3774028.60        0.01756                    378126.50
                3774028.60        0.01543
1204            378151.50    3774028.60        0.01305                    378176.50
                3774028.60        0.01112
1205            378201.50    3774028.60        0.00917                    378226.50
                3774028.60        0.00714
1206            378251.50    3774028.60        0.00525                    378051.50
                3774053.60        0.01990
1207            378076.50    3774053.60        0.02448                    378101.50
                3774053.60        0.02764
1208            378126.50    3774053.60        0.02338                    378151.50
                3774053.60        0.01898
1209            378176.50    3774053.60        0.01658                    378201.50
                3774053.60        0.01381
1210            378226.50    3774053.60        0.01077                    378251.50
                3774053.60        0.00783
1211            378226.50    3774078.60        0.01776                    378251.50
                3774078.60        0.01285
1212            378282.50    3773968.00        0.00184                    378307.50
                3773968.00        0.00145
1213            378332.50    3773968.00        0.00119                    378357.50
                3773968.00        0.00102
1214            378382.50    3773968.00        0.00090                    378407.50
                3773968.00        0.00080
1215            378282.50    3773993.00        0.00232                    378307.50
                3773993.00        0.00179
1216            378332.50    3773993.00        0.00145                    378357.50
                3773993.00        0.00124
1217            378382.50    3773993.00        0.00109                    378407.50
                3773993.00        0.00097
1218            378282.50    3774018.00        0.00303                    378307.50
                3774018.00        0.00229
1219            378332.50    3774018.00        0.00184                    378357.50
                3774018.00        0.00156
1220            378382.50    3774018.00        0.00137                    378407.50
                3774018.00        0.00121
1221            378282.50    3774043.00        0.00420                    378307.50
                3774043.00        0.00308
1222            378332.50    3774043.00        0.00245                    378357.50
                3774043.00        0.00206
1223            378382.50    3774043.00        0.00179                    378407.50
                3774043.00        0.00158
1224            378282.50    3774068.00        0.00623                    378307.50
                3774068.00        0.00439
1225            378332.50    3774068.00        0.00341                    378357.50
                3774068.00        0.00283
1226            378382.50    3774068.00        0.00243                    378407.50
                3774068.00        0.00211
1227  FF *** AERMOD - VERSION 22112  ***   ***  6000 Hollywood Blvd Construction (Average
      Yearly Construction)      ***        12/18/24
1228   *** AERMET - VERSION  22112 ***   ***  DPM From
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*** THE SUMMARY OF MAXIMUM PERIOD (43824 HRS) RESULTS ***

** CONC OF DPM IN MICROGRAMS/M**3 **

GROUP ID	NETWORK	AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZHILL, ZFLAG)	OF TYPE	GRID-ID
ALL	1ST HIGHEST VALUE IS	0.13081	AT (378142.30, 3774124.30, 115.77, 115.77, 0.00)	DC	
	2ND HIGHEST VALUE IS	0.12004	AT (378104.40, 3774121.70, 115.49, 115.49, 0.00)	DC	
	3RD HIGHEST VALUE IS	0.11359	AT (378152.30, 3774124.30, 115.91, 115.91, 0.00)	DC	
	4TH HIGHEST VALUE IS	0.10513	AT (378104.40, 3774111.70, 115.16, 115.16, 0.00)	DC	
	5TH HIGHEST VALUE IS	0.10497	AT (378142.30, 3774114.30, 115.58, 115.58, 0.00)	DC	
	6TH HIGHEST VALUE IS	0.10352	AT (378162.30, 3774124.30, 116.07, 116.07, 0.00)	DC	
	7TH HIGHEST VALUE IS	0.09730	AT (378172.30, 3774124.30, 116.26, 116.26, 0.00)	DC	
	8TH HIGHEST VALUE IS	0.09327	AT (378094.40, 3774121.70, 115.49, 115.49, 0.00)	DC	
	9TH HIGHEST VALUE IS	0.09213	AT (378182.30, 3774124.30, 116.45, 116.45, 0.00)	DC	
	10TH HIGHEST VALUE IS	0.09060	AT (378104.40, 3774101.70, 114.86, 114.86, 0.00)	DC	

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR

*** Message Summary : AERMOD Model Execution ***

--------- Summary of Total Messages --------

A Total of 0 Fatal Error Message(s)
A Total of 6 Warning Message(s)
A Total of 577 Informational Message(s)

A Total of 43824 Hours Were Processed

A Total of 42 Calm Hours Identified

A Total of 535 Missing Hours Identified (1.22 Percent)

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1275
1276
1277       ******** FATAL ERROR MESSAGES ********
1278                  ***  NONE  ***
1279
1280
1281       ********   WARNING MESSAGES   ********
1282    ME W186     714       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold
       used           0.50
1283    ME W187     714       MEOPEN: ADJ_U* Option for Stable Low Winds used in
       AERMET
1284    OU W565     718       PERPLT: Possible Conflict With Dynamically Allocated FUNIT
       PLOTFILE
1285    OU W565     719       PERPST: Possible Conflict With Dynamically Allocated FUNIT
       POSTFILE
1286    MX W450   26305       CHKDAT: Record Out of Sequence in Meteorological File at:
       22010101
1287    MX W450   26305       CHKDAT: Record Out of Sequence in Meteorological File at:    1
       year gap
1288
1289       ***********************************
1290       *** AERMOD Finishes Successfully ***
1291       ***********************************
1292
1293
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Risk Calculations For Diesel Exhaust

$Risk_{inh\text{-}res} = Dose_{air} * CPF * ASF * ED/AT$

$Dose_{air} = C_{air} * \{BR/BW\} * A * EF * 10^{-6}$

Variable	Description	Units	Value
$Risk_{inh\text{-}air}$	Residential inhalation cancer risk	Unitless	Calculated
$Dose_{air}$	Daily inhalation dose	mg/kg-day	Calculated
CPF	Inhalation cancer potency factor	$(mg/kg\text{-}day)^{-1}$	Chemical Specific
ASF	Age sensitivity factor for a specified age group	Unitless	Calculated
ED	Exposure duration (in years) for a specified age group	years	Calculated
AT	Averaging time for lifetime caner risk	years	70
FAH	Fraction of time spent at home	Unitless	Calculated

Variable	Description	Units	Value
$Dose_{air}$	Daily inhalation dose	mg/kg-day	Calculated
C_{air}	Concentration in air	ug/m^3	**0.1308125** 0.1308125
{BR/BW}	Daily Breathing rate normalized to body weight	L/kg body weight-day	Calculated
A	Inhalation absorption fraction	Unitless	1
EF	Exposure frequency (days/365 days)	Unitless	Calculated
10^{-6}	migrograms to milligrams conversion, liters to cubic meters conversion	Unitless	Calculated

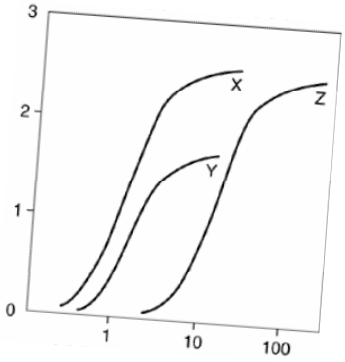
7.20E+06

3.666666667

Residential Exposures

Age Group	Risk	Age Sensitivity	FAH	ED	CPF	Dose Air	Cair	BR/BW	A	EF
3rd Trimester	1.51	10	0.85	0.25	1.1	4.53E-05	0.13081	361	1	0.958904
0-1	18.26	10	0.85	1	1.1	1.37E-04	0.13081	1090	1	0.958904
1-2	18.26	10	0.85	1	1.1	1.37E-04	0.13081	1090	1	0.958904
2-3	2.44	3	0.72	1	1.1	7.17E-05	0.13081	572	1	0.958904
3-4	1.01	3	0.72	0.416667	1.1	7.17E-05	0.13081	572	1	0.958904
2<9	0.00	3	0.72	0	1.1	1.08E-04	0.13081	861	1	0.958904
2<16	11.64	3	0.72	3.67	1.1	9.35E-05	0.13081	745	1	0.958904
16<30	1.77	1	0.73	3.67	1.1	4.20E-05	0.13081	335	1	0.958904
16-70	1.53	1	0.73	3.67	1.1	3.64E-05	0.13081	290	1	0.958904

3rd trimeseter to 1	**19.77**
3rd trimester to 3.41	**40.47**
Adult Exoposure	1.77



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James J. J. Clark, Ph.D.

Principal Toxicologist

Toxicology/Exposure Assessment Modeling

Risk Assessment/Analysis/Dispersion Modeling

Education:

Ph.D., Environmental Health Science, University of California, 1995

M.S., Environmental Health Science, University of California, 1993

B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

Professional Experience:

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

LITIGATION SUPPORT

Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009

Client: Environmental Litgation Group, Birmingham, Alabama

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual's medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: O'Neil V. Sherwin Williams, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Summary judgment for defendants.

Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

Case Result: Settlement in favor of defendant.

Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247

Client: Richard G. Berger Attorney At Law, Buffalo, New York

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Judgement in favor of defendant.

SELECTED AIR MODELING RESEARCH/PROJECTS

Client – Confidential

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

Client – Confidential

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client – City of Santa Monica, Santa Monica, California

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client: Omnitrans, San Bernardino, California

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

Client: Confidential, San Francisco, California

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

Client: Confidential, Minneapolis, Minnesota

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

Client – United Kingdom Environmental Agency

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom's Environment

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS

Client: Ameren Services, St. Louis, Missouri

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

Client: City of Santa Clarita, Santa Clarita, California

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Immanent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment.*

Client – Confidential, Los Angeles, California

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

PUBLIC HEALTH/TOXICOLOGY

Client: Brayton Purcell, Novato, California

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

Client: Confidential, San Francisco, California

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

Client: Confidential, San Francisco, California

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.

Client: Confidential, San Francisco, California

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

Client: Covanta Energy, Westwood, California

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

Client – United Kingdom Environmental Agency

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (M*t*BE) for the United Kingdom's Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of M*t*BE. The results of the evaluation have been used as a briefing tool for public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of M*t*BE, and is suspected to be the primary cause of M*t*BE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been were used as a briefing tool for non-public health professionals.

Client – Ministry of Environment, Lands & Parks, British Columbia

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

Client: Confidential, Los Angeles, California

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client: Kaiser Venture Incorporated, Fontana, California

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS

Client: Confidential, Atlanta, Georgia

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.

Client: Confidential, Escondido, California

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

Client: Confidential, San Francisco, California

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

Client: Confidential, Bogotá, Columbia

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia The risk assessment was used as the basis for the remedial goals and closure of the site.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client –Dominguez Energy, Carson, California

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

Kaiser Ventures Incorporated, Fontana, California

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

ANR Freight - Los Angeles, California

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

Kaiser Ventures Incorporated, Fontana, California

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

Unocal Corporation - Los Angeles, California

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

Client: Confidential, Los Angeles, California

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

Client: Confidential, San Francisco, California

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.

Client: Confidential, San Francisco, California

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

IT Corporation, North Carolina

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

Professional Associations

American Public Health Association (APHA)
Association for Environmental Health and Sciences (AEHS)
American Chemical Society (ACS)
California Redevelopment Association (CRA)
International Society of Environmental Forensics (ISEF)
Society of Environmental Toxicology and Chemistry (SETAC)

Publications and Presentations:

Books and Book Chapters

Sullivan, P., **J.J. J. Clark,** F.J. Agardy, and P.E. Rosenfeld. (2007). *Synthetic Toxins In The Food, Water and Air of American Cities*. Elsevier, Inc. Burlington, MA.

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Sullivan, P.J., Agardy, F.J., **Clark, J.J.J.** 2002. *America's Threatened Drinking Water: Hazards and Solutions*. Trafford Publishing, Victoria B.C.

Clark, J.J.J. 2001. "TBA: Chemical Properties, Production & Use, Fate and Transport, Toxicology, Detection in Groundwater, and Regulatory Standards" in *Oxygenates in the Environment.* Art Diaz, Ed.. Oxford University Press: New York.

Clark, J.J.J. 2000. "Toxicology of Perchlorate" in *Perchlorate in the Environment.* Edward Urbansky, Ed. Kluwer/Plenum: New York.

Clark, J.J.J. 1995. Probabilistic Forecasting of Volatile Organic Compound Concentrations At The Soil Surface From Contaminated Groundwater. UMI.

Baker, J.; **Clark, J.J.J.**; Stanford, J.T. 1994. Ex Situ Remediation of Diesel Contaminated Railroad Sand by Soil Washing. Principles and Practices for Diesel Contaminated Soils, Volume III. P.T. Kostecki, E.J. Calabrese, and C.P.L. Barkan, eds. Amherst Scientific Publishers, Amherst, MA. pp 89-96.

Journal and Proceeding Articles

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equialency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. Organohalogen Compounds, Volume 70 (2008) page 002254.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. Organohalogen Compounds, Volume 70 (2008) page 000527

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Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** 2006. "Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006, August 21 – 25, 2006. Radisson SAS Scandinavia Hotel in Oslo Norway.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2005. "The Value Of An Odor Quality Classification Scheme For Compost Facility Evaluations" The U.S. Composting Council's 13th Annual Conference January 23 - 26, 2005, Crowne Plaza Riverwalk, San Antonio, TX.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2004. "The Value Of An Odor Quality Classification Scheme For Urban Odor" WEFTEC 2004. 77th Annual Technical Exhibition & Conference October 2 - 6, 2004, Ernest N. Morial Convention Center, New Orleans, Louisiana.

Clark, J.J.J. 2003. "Manufacturing, Use, Regulation, and Occurrence of a Known Endocrine Disrupting Chemical (EDC), 2,4-Dichlorophnoxyacetic Acid (2,4-D) in California Drinking Water Supplies." National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Minneapolis, MN. March 20, 2003.

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Clark J.J.J., Brown, A., Ulrey, A. 1997. Impacts of Perchlorate On Drinking Water In The Western United States. U.S. EPA Symposium on Biological and Chemical Reduction of Chlorate and Perchlorate, Cincinnati, OH, December 5, 1997.

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EXHIBIT B

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

CALIFORNIA
WASHINGTON
NEW YORK

WI #24-001.61

December 20, 2024

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

SUBJECT: **6000 Hollywood Boulevard Project**
Los Angeles, California
Review and Comment on DEIR

Dear Mr. Marshall,

Per your request, we have reviewed the noise and vibration impact analysis for the DEIR for the 6000 Hollywood Boulevard Project (Project) over nine lots along Hollywood Boulevard (Hollywood Lot) and one adjoining lot along Carlton Way (Carlton Lot). The proposed project involves the demolition of existing improvements and uses on the project site, which include an automotive dealership and surface parking. The Project proposes a 35-story residential building with 265 units, a six-story office building, 10 townhome-style buildings, and one low-rise commercial building on the Hollywood Lot, and an additional four-story residential building with 46 units on the Carlton Lot. Upon completion, the Project would comprise a total of 324,643 square feet (SF) of residential uses, 136,000 SF of office uses, 18,004 SF of retail uses, 4,038 SF of restaurant uses, and 500 SF of support uses, resulting in a total floor area of 501,185 SF. Surrounding sensitive receivers include a recording studio 95 feet to the north, a recording studio immediately to the west, multi-family apartments immediately to the south, and the Shir Hashirim Montessori School immediately to the south. Additionally, there are several other multi-family residential land uses within 500 feet of the Project Site.

Wilson Ihrig is an acoustical consulting firm that has practiced exclusively in the field of acoustics since 1966. During our almost 58 years of operation, we have prepared hundreds of noise studies for Environmental Impact Reports and Statements. We have one of the largest technical laboratories in the acoustical consulting industry. We also utilize industry-standard acoustical programs such as Roadway Construction Noise Model (RCNM), SoundPLAN, and CadnaA. In short, we are well qualified to prepare environmental noise studies and review studies prepared by others.

Adverse Effects of Noise[1]

The health effects of noise are real and, in many parts of the country, pervasive.

Noise-Induced Hearing Loss. If a person is repeatedly exposed to loud noises, he or she may experience noise-induced hearing impairment or loss. In the United States, both the Occupational Health and Safety Administration (OSHA) and the National Institute for Occupational Safety and Health (NIOSH) promote standards and regulations to protect the hearing of people exposed to high levels of industrial noise.

Speech Interference. Another common problem associated with noise is speech interference. In addition to the obvious issues that may arise from misunderstandings, speech interference also leads to problems with concentration fatigue, irritation, decreased working capacity, and automatic stress reactions. For complete speech intelligibility, the sound level of the speech should be 15 to 18 dBA higher than the background noise. Typical indoor speech levels are 45 to 50 dBA at 1 meter, so any noise above 30 dBA begins to interfere with speech intelligibility. The common reaction to higher background noise levels is to raise one's voice. If this is required persistently for long periods of time, stress reactions and irritation will likely result.

Sleep Disturbance. Noise can disturb sleep by making it more difficult to fall asleep, by waking someone after they are asleep, or by altering their sleep stage, e.g., reducing the amount of rapid eye movement (REM) sleep. Noise exposure for people who are sleeping has also been linked to increased blood pressure, increased heart rate, increase in body movements, and other physiological effects. Not surprisingly, people whose sleep is disturbed by noise often experience secondary effects such as increased fatigue, depressed mood, and decreased work performance.

Cardiovascular and Physiological Effects. Human's bodily reactions to noise are rooted in the "fight or flight" response that evolved when many noises signaled imminent danger. These include increased blood pressure, elevated heart rate, and vasoconstriction. Prolonged exposure to acute noises can result in permanent effects such as hypertension and heart disease.

Impaired Cognitive Performance. Studies have established that noise exposure impairs people's abilities to perform complex tasks (tasks that require attention to detail or analytical processes) and it makes reading, paying attention, solving problems, and memorizing more difficult. This is why there are standards for classroom background noise levels and why offices and libraries are designed to provide quiet work environments.

Baseline Conditions are Not Properly Established

The noise analysis of the DEIR relies on only one long-term measurement location and nine short-term measurement locations consisting of two 15-minute measurements per location. The long-term measurement was not used in conjunction with the short-term measurements to extrapolate long-term data. Instead, for a given location, the two short-term measurements were used by themselves to estimate the 24-hour baseline condition. The 30 total minutes comprises about 2% of a 24-hour period, so only 2% of the day is represented at the nine short-term only measurement locations.

[1] More information on these and other adverse effects of noise may be found in *Guidelines for Community Noise*, eds B Berglund, T Lindvall, and D Schwela, World Health Organization, Geneva, Switzerland, 1999. (https://www.who.int/docstore/peh/noise/Comnoise-1.pdf)

The noise analysis refers to the Federal Transit Administration's Transit Noise and Vibration Impact Assessment Manual[2] (FTA Manual) procedures for determining existing noise. However, Appendix E of the FTA Manual recommends a minimum of three one-hour Leq noise measurements to estimate the 24-hour Ldn/CNEL, rather than two 15-minute measurements. The three one-hour measurements are meant to include three distinct timeframes: peak-hour roadway traffic, midday, and nighttime.

Additionally, by using Type 2 sound level meters, which are accurate within +/- 1.5 dBA[3], relying on these limited time results to characterize the ambient noise within tenths of a decibel is misleading because it implies a level of precision that is not supported by the instrumentation. Since the DEIR relies on this data to determine the significance thresholds, it is imperative that the DEIR provide additional justification for using short-term measurement results.

Furthermore, the noise analysis relies on these short-term measurements without any discussion of how typical these data were for the rest of the daytime and nighttime conditions. There is no evidence provided that the time selected for noise measurements is representative of the rest of the day or even of worst case (quietest conditions). Environmental noise can vary widely throughout the day (perhaps +/- 10 dBA or more for areas with intermittent local traffic).

No Validation Measurements Performed For Traffic Model

The DEIR uses the subsection header "Ambient Noise Levels" for the discussion of traffic noise that has been modeled using the Federal Highway (FHWA) Traffic Noise Model (TNM). There are no validation measurements provided in Appendix G that verify that the model is accurate within industry expectations. Caltrans acknowledges that a validated model may fall within +/- 3 dBA of the measured result[4], which undermines attempts to use modeled-only results from TNM for absolute noise characterization of the ambient condition. In the cases of urban environments, TNM does not take into account sound amplification from traffic noise reflecting off nearby buildings, which occurred here.

Additional Mitigation Measures Not Considered For Construction Noise

The DEIR foreshadows that on-site construction noise will cause a significant noise impact by including two provisions in the Project Design Features (PDFs) that are intended to reduce noise. These are:

1. Use mufflers and/or shielding in proper working condition

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[2] https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf

[3] ANSI/ASA S1.43 Integrating Sound Level meters states that the tolerance limits for time averaging meters is +/- 1.5 dBA for Type 2 meters (Table 7) https://law.resource.org/pub/us/cfr/ibr/002/ansi.s1.43.1997.pdf

[4] Caltrans Technical Noise Supplement (2013). Page 4-8: "TNM cannot account for all the variables present in the real world. It uses relatively simple algorithms to approximate physical processes that are complex in nature. TNM for projects involving existing roadways should always be validated for accuracy by comparing measured sound levels to modeled sound levels using traffic data collected during the measurement. If modeled sound levels do not match measured sound levels within ±3 dB the model parameters should be reviewed and adjusted if necessary to ensure that they accurately represent actual site conditions. If the measurements and model results are still not in agreement, the model should be calibrated." https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf

2. Prohibit the use of impact pile drivers

   [DEIR at p. IV.H-30 to IV.H-31]

Despite these provisions and the addition of temporary construction noise barriers that will purportedly provide up to 20 dBA of noise reduction (Mitigation Measure NOI-MM-1), the DEIR nonetheless concludes that on-site construction noise impacts will be significant and unavoidable [DEIR at p. IV.H-55] at Receptors R1, R2, R3, and R7. With this determination comes the obligation to incorporate all feasible mitigation measures, which should include the following:

- Make NOI-PDF-1 (mufflers) and NOI-PDF-2 (no pile drivers) *bona fide* mitigation measures so that they are included in the Mitigation Monitoring and Reporting Program (MMRP) and are, hence, legally enforceable.

- Include in NOI-MM-1 a commitment to monitor noise continuously during construction and to halt construction if noise levels exceed the estimated construction noise levels shown in Table IV.H-23 of the DEIR (Construction Noise Impacts—With Mitigation Measures). It is feasible to install noise monitors that provide 24/7 coverage for the duration of a project at a very low cost. Two such companies that provide equipment just for this purpose are Sigicom[5] and Sonitus.[6] The cost for a single monitoring system is less than $1,000 per month, which is similar to the fees that would be charged by an acoustical consultant for a single day of measurements.

As the DEIR states, noise barriers would not be effective in reducing the on-site construction noise at upper levels of the receptors R1 and R7. For noise receptors at these higher elevations, here are three other options not discussed in the DEIR which must be considered:

- Erect scaffolding to support construction noise control blankets (1-2 pounds per square foot, lb/sq ft, surface density and 25 STC or better) at the facades of impacted receptors (R1, R7). Because scaffolding attaches directly to the buildings for lateral support, it is reasonably economical to erect tall "sound barrier" walls. The light and aesthetic issues may be somewhat ameliorated by using clear vinyl (1 lb/sq ft surface density) for at least some of the "sound panels".

- Install heavy Plexiglass or other clear panels around the edges of balconies and/or breezeways that face the Project site to act as sound barriers without much affecting the light or view. Plexiglass that is 1/4" thick has a surface density of 1.5 lb/sq ft, which is adequate. The Plexiglass would need to cover the full exposure areas, including over the railings. The panels would likely need to extend over the entirety of the breezeway for a given floor with only a small opening for ventilation. The panels would need to be able to withstand wind loads, and there may be other code requirements. Determining the exact number of balconies and breezeways that would require treatment would require a detailed noise analysis.

- Offer to upgrade windows and exterior doors of those upper floor residential units that would not be shielded by the sound barriers as defined in NOI-MM-1. This was done for an unrelated project where these building shell elements were updated on a property adjacent to a construction project where Wilson Ihrig provided input to assess construction noise impacts

[5] https://www.sigicom.com/.
[6] https://www.sonitussystems.com

and control measures, so it is not an unprecedented noise mitigation option. The efficacy of this would depend to a large degree on the acoustical insulation provided by the existing windows and walls, which are not known at this time. If it is determined that the existing windows do not provide a significant amount of noise insulation, determining appropriate acoustical ratings for replacement window and door assemblies would require a detailed noise analysis.

Vibration Mitigation Option Not Considered For Construction

The DEIR considers a wave barrier as a possible mitigation measure for temporary vibration impacts from on-site and off-site construction associated with human annoyance, but ultimately deems it infeasible. We concur with this assessment. However, one option that the DEIR does not state for addressing vibration impacts associated with human annoyance is to offer to relocate persons who either work from home, have irregular sleep schedules due to night shift work, or are subject to other conditions where the vibration from construction would cause an unduly disruption to their lives. The relocation would be to temporary office spaces, hotel rooms, etc. and would be for the duration of heavy construction. This was done, pre-COVID-19, for work-from-home residents in a property adjacent to a construction project in Oakland where Wilson Ihrig advised on construction noise and vibration control, so it is not an unprecedented mitigation option. Determining the exact number of residential units that would require this treatment would require additional information.

Construction Ground-borne Noise Not Evaluated At Recording Studios

The DEIR identifies two recording studios near the Project Site, Receptors R3 and R10. The DEIR concludes that vibration impacts during construction would be significant for human annoyance but lacks any analysis of potential groundborne noise impacts at the recording studios. It is customary for studios to use room-within-room configurations to isolate the recording sessions from ambient noise within the control room and other parts of the studio and from airborne noise at the exterior. However, many such facilities are not designed for groundborne vibration that can radiate sound into the interior, where the noise may interfere with the recording process and affect business for the studios.

The FTA guidance cited by the DEIR for groundborne vibration also includes a threshold of 25 dBA for recording studios (FTA Table 6-4). Based on the "General Vibration" assessment method outlined in the FTA guidance, the groundborne noise can be estimated from the ground vibration levels. In this case, an adjustment of -20 to -35 dBA to account for the type of soil and characteristics of the vibration source[7]. Thus, the vibration values shown in IV.H-10 of the DEIR would result in the groundborne noise levels shown in Table 1 at Receptors R3 and R10. Other recording studios that are further away could also be significantly impacted.

[7] The LA Metro Regional Connector Final EIS-EIR analysis used a conversion factor of -35 dB; construction activity generally has higher frequency vibration than rail vehicles; thus, a range of -20 to -30 dB would be appropriate for this analysis.

Table 6-4 Indoor Ground-Borne Vibration and Noise Impact Criteria for Special Buildings

Type of Building or Room	Ground-Borne Vibration Impact Levels (VdB re 1 micro-inch/sec)		Ground-Borne Noise Impact Levels (dBA re 20 micro-Pascals)	
	Frequent Events	Occasional or Infrequent Events	Frequent Events	Occasional or Infrequent Events
Concert halls	65 VdB	65 VdB	25 dBA	25 dBA
TV studios	65 VdB	65 VdB	25 dBA	25 dBA
Recording studios	65 VdB	65 VdB	25 dBA	25 dBA
Auditoriums	72 VdB	80 VdB	30 dBA	38 dBA
Theaters	72 VdB	80 VdB	35 dBA	43 dBA

Figure 1 ***FTA Guidance for Special Buildings, including recording studios (from FTA 2018)***

Table 1 ***Construction Groundborne Noise Impacts***

Off-Site Receptor Location	Approx. Distance Between the Off-Site Buildings and the Construction Equipment (ft)	Estimated Groundborne Noise at the Off-Site Receptor (dBA)					Sig. Criteria (dBA)	Sig. Impact
		Large Bulldozer	Caisson Drilling	Loaded Trucks	Jack-hammer	Small Bulldozer		
R3	5	68-83	68-83	67-82	60-75	39-54	25	**Yes**
R10	95	34-50	34-50	34-49	27-42	6-21	25	**Yes**
Adapted from Table IV.H-28 of the DEIR								

As shown in Table 1, several construction activities would generate significant groundborne noise impact, requiring mitigation.

Mitigation Measure NOI-MM-3 identifies a vibration monitoring program to mitigate groundborne vibration impacts, but the following additional measures[8] are required to reduce the impacts to non-significant levels:

1. Prior to construction, measure the ambient noise environment on a 1/3 octave band basis within the recording studios under normal recording conditions. The measurement period shall correspond to the quietest time of day that recordings are done (during construction hours) and shall have a duration of not less than 60 minutes. Statistical metrics should be determined in additional to the Leq. Noise measurement equipment shall conform to Type 1 or Class 1 sound level meters with professional quality recording devices.

2. Characterize the project-vicinity vibration propagation to determine how on-site vibration will transmit to the recording studios. If it can be shown that all of the construction activities,

[8] Jue, D. and Carman, R. (2015). "Considerations to establish Ground-Borne Noise Criteria to Define Mitigation for Noise-Sensitive Spaces." *Transportation Research Record: Journal of the Transportation Research Board*, No. 2502, Transportation Research Board, Washington D.C., 2015, pp 1-11. doi:10.3141/2502-01

would not exceed the background noise levels (L90) measured in the studios based on corresponding groundborne noise calculation to the interior of the studio spaces, then one construction-phase noise measurement will be required to confirm this result.

3. If any construction activities would exceed the existing ambient (e.g. Leq, and basic statistical metrics such as L90, L50, L10, and L1), then the contractor must provide a vibration control plan that demonstrates how they will use their vibration-generating equipment and/or schedule their activities in collaboration with the recording studios to avoid interfering with each studio's normal recording activities.

4. The analysis and the vibration control plan will be subject to review and approval by the City of Los Angeles, and the affected sound recording studio operators will also have ample opportunity to review and resolve comments.

Noise Analysis Provides Little Information Regarding HVAC Model

The DEIR noise analysis does not provide sources for the rooftop mechanical equipment operational noise calculations. The noise reference levels are stated in the appendix but without a citation or reference, and the total number of HVAC units in the model is listed without any justification. Additional modeling parameters such as the location and height of the HVAC units, whether obstacles such as enclosures or parapets are present, etc. are not stated in either the noise analysis section or the DEIR. Because this information has not been provided, it is impossible to accurately confirm the validity of the calculations and the noise model.

The most common large HVAC unit size is 25 tons. Based on our experience a 25-ton unit typically has a sound power level (PWL) of 85 to 95 dBA, which is in agreement with the sound power levels for the HVAC units used in the DEIR noise analysis (80 to 100 dBA). However, a single 90 dBA PWL fan would generate a noise level of 69 dBA at a distance of 15 feet, such as the distance from the project site to Receptor R2. However, Table IV.H-16 of the DEIR estimates a noise level of 43 dBA at R2. It is unclear what propagation distance and shielding were used to obtain the 43 dBA mechanical equipment noise level at R2.

The noise analysis assumes 33 HVAC units for the residential zones of the project, totaling 342,632 SF, and 11 HVAC units for the office and commercial zones, totaling 158,542 SF. A simple calculation using a rule of thumb for residential and office building uses[9] (see Figure 1 below) shows that a project this size would need 49 to 72 twenty-five ton units (spread out across the project roof) to properly ventilate the space.

Residential:	342,643 SF ÷ 350-450 SF per ton = 761 to 979 ton load
	761 to 979 ton load ÷ 25 tons per unit = 31 to 39 units
Office/Commercial:	158,542 SF ÷ 190-360 SF per ton = 440 to 834 ton load
	440 to 834 ton load ÷ 25 tons per unit = 18 to 33 units

The 44 total HVAC units in the noise analysis is on the lower-end of the estimated total units required to ventilate the project. If 79 units are more conservatively assumed, then the estimated noise levels from the mechanical equipment could be higher by an additional 2 dB or more, depending on the location of the HVAC units on the project roof. A 2 dB increase in HVAC noise level by itself would not

[9] About 86% of the commercial surface area is dedicated to office use, so only the office building HVAC load was used to simplify the calculation

constitute a significant noise impact based on the documented ambient noise levels, but it may contribute to a significant noise impact when the uncertainty in the existing baseline condition is taken into consideration.

Figure 2 Building Cooling Loads, Engineering Rules of Thumb[10]

Operational Noise May Be Significant

Because the existing baseline conditions are not properly established, there may be significant impacts due to operational noise. For the purposes of CEQA, the project must be compared to the baseline condition to determine whether a substantial noise increase over the baseline condition would occur. Compliance with the Municipal Code is not the sole determination of whether a noise impact would be less than significant. The measured baseline condition and the potential noise increases must also be considered. Because the nighttime ambient noise level was not properly established, it is also unknown whether the operational noise levels, such as rooftop HVAC equipment and amplified outdoor sound systems, would be higher than the existing ambient noise level. This can be a potentially significant impact, as high nighttime operational noise levels can be disruptive and disturb sleep.

Conclusions

The DEIR relies on an inadequate baseline ambient measurement that does not sufficiently characterize the existing baseline noise condition. It finds significant and unavoidable construction noise and vibration impacts, but it omits some potentially feasible mitigation measures that may reduce the number of significant and unavoidable construction impacts. The DEIR also provides very little information to explain its methodology regarding its HVAC noise analysis. In doing so, it may underestimate operational noise impacts on the surrounding community.

Please feel free to contact me with any questions on this information.

Very truly yours,

WILSON IHRIG
Patrick Faner
Signer ID: IDIQFOL113...
Patrick Faner
Associate

6000 Hollywood Blvd Project DEIR Noise Review - Wilson Ihrig.docx

[10] https://www.engproguides.com/hvac-rule-of-thumb-calculator.html

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

PATRICK FANER

Associate

Patrick joined Wilson Ihrig in 2007, and works on projects involving rail transit systems, highways, transit-oriented development, environmental noise, building isolation, and isolation of sensitive medical equipment. His work has included measurement planning, data collection, and engineering analyses to assess noise and vibration impacts and methods of control. He has experience applying geospatial analysis software for the modeling of outdoor noise and vibration propagation. He also has experience using Finite Element Analysis (FEA) to model structure-borne vibration. He is proficient in the use of ArcGIS, CadnaA, SoundPLAN, Traffic Noise Model (TNM), Enhanced Acoustic Simulator for Engineers (EASE), Visual Basic, Python, MATLAB, and LabView.

Education

- B.S., Mechanical Engineering, University of California, Berkeley, 2007
- E.I.T. Certification for State of California #141598

Relevant Project Experience

SFPW On-Call Acoustical Consulting, Seacliff No. 2 Pump Station Generator, San Francisco, CA
Conducted noise study to document existing conditions, modeled existing equipment and proposed HVAC and generator and prepared summary report.

6880 Koll Center Parkway Industrial Space, Pleasanton, CA
Noise and ground vibration survey and assessment for proposed chemical laboratory space.

I-80/Ashby Avenue (SR-13) Interchange Improvements, Berkeley, CA
Modeled highway noise using Traffic Noise Model 2.5 and 3.0 (TNM) to assess alternatives for interchange reconstruction. The noise model incorporated measurements of existing highway noise, projections of future traffic volume, and changes in highway geometry to project future highway noise.

BART On-Call - Wheel Vibration, Oakland, CA
Measurement and assessment of noise characteristics from wheels treated with vibration absorbers. The project analyzed comparative noise tests in-car and wayside, to evaluate potential noise reduction benefits of special wheel vibration dampers.

BART Silicon Valley Rapid Transit (SVRT) Silicon Valley Extension (SVBX) Berryessa EIR-EIS
Noise and ground vibration impact assessment of proposed BART alignment extension to Santa Clara, including train vibration analysis and soil propagation data analysis. Noise and vibration impact assessment included identification of sensitive buildings, projection of noise and vibration at buildings, and determination of mitigation measures to achieve criteria. Noise impact assessment included measurement of existing noise level at buildings, projection of future noise level due to future changes in traffic condition, and cumulative noise level which factor in both streetcar project and future traffic conditions. Performed borehole vibration measurements to assess soil propagation for tunnel segment.

VTA's BART Silicon Valley Extension Phase II (BSVII) (2020+)

Evaluated changes to the vibration and groundborne noise analysis from new tunnel and alignment.

BART Silicon Valley Rapid Transit – RDEIS & FEIS, San Jose, CA
Determined noise and vibration impacts and mitigation necessary to achieve criteria for alignment options. Performed field measurements of ambient noise in area of proposed EVF shaft in residential neighborhood.

BART Vent Shaft Fan Vibration, San Francisco, CA
Performed field measurements and analysis of fan vibration in BART station vent shafts to assess fan balance.

California's Great America Theme Park, Santa Clara, CA
Projected theme park noise at neighboring residential areas due to proposed ride expansion within park, including measurement of mechanical ride noise and rider scream noise.

California High-Speed Rail (CAHSR) EIR/EIS Caltrain Corridor: San Francisco to San Jose, CA
Vibration impact assessment for alignment options between San Jose and San Francisco, California. Evaluation of ground vibration included field testing, train vibration analysis, and soil propagation data analysis. Vibration impact assessment included identification of sensitive buildings, projection of vibration at buildings, and determination of mitigation measures to achieve criteria.

CTA 5000 Series Rapid Transit Cars, Chicago, IL
Performed in-car and under-car noise and vibration measurements of existing CTA 5000 subway vehicle in anticipation of prototype CTA 7000 vehicle.

CTA CRCC 7000 Vehicle Noise Testing, Chicago, IL (2017)
Performed noise and vibration measurements of prototype CTA 7000 vehicle against CTA technical specifications, including interior noise, wayside noise, vibration generation, stability, and ride quality.

EBMUD Walnut Creek Water Treatment Plant, CA
Created a 3D noise model using CadnaA to calculate construction and operational noise of EBMUD Walnut Creek Water Treatment Plant Pretreatment Upgrades Project. The noise model incorporated RCNM reference levels for construction equipment, measured sound data, and topographical GIS data.

Epic Care Radiation Oncology Center, Emeryville, CA
Ground vibration survey and assessment of floor space to determine suitability of site for vibration sensitive medical equipment including a Siemens Magnetom Avanto MRI and Elekta Digital Accelerator. This project also considered adding a Siemens Biograph Sensation 16 PET/CT scanner and Siemens Somatom Emotion 6 CT scanner, but vibration limits for those were never provided, and it was assumed that the vibration criteria for the MRI and Digital Accelerator would be more stringent than for the PET/CT and CT.

Fort Bragg Town Hall, CA
Created interior acoustic noise model of town hall using EASE to improve speech intelligibility.

LA Metro Gold (L Line) Foothill Extension Phase 2 Design/Build (2005), Los Angeles, CA
Evaluated ground vibration for track vibration impact mitigation, including field testing, train vibration analysis, and ground propagation data analysis for evaluation of an alternative track

fastening system in areas that required vibration mitigation as determined in the project's environmental study.

LA Metro Purple Line Extension – Los Angeles, CA
Ground vibration impact assessment of proposed train alignment including train vibration and soil propagation data analysis at historic theaters. Vibration surveys at medical facilities along proposed alignment to assess impact of Purple Line Extension on existing vibration-sensitive medical equipment, including MRIs, Linear Accelerators, CTs, and PET-CTs. Coordinated noise monitoring for construction boring activities.

LA Metro Regional Connector (2010-present), Los Angeles, CA
Force density level measurement and calculation for light rail operations along Gold and Expo lines. Conducted rail roughness measurements. Measured and assessed fleet variability over normal operating conditions.

MARTA Station Public Address System Study, Atlanta, GA
Construction and analysis of computer model to predict and improve speech intelligibility of public announcement systems at train stations.

MARTA Northeast Line STEDEF Block Evaluation, Atlanta, GA
Evaluation of STEDEF track in response to complaints of lateral jerk with respect to ride quality on the Northeast Line, including measurement and analysis of block deflection.

Marin East Bay Municipal Water District (MMWD) Emergency Intertie Project, Richmond & San Rafael, CA
Evaluated noise control options to reduce the pump station noise including site layout, equipment orientation and configuration, a sound wall or embankment, and auxiliary equipment noise levels.

MBTA Green Line Extension Design/Build (GLX), Boston, MA
Vibration impact assessment for alignment options. Evaluation of ground vibration included field testing, train vibration analysis, and soil propagation data analysis. Vibration impact assessment included identification of sensitive buildings, projection of vibration at buildings, and determination of mitigation measures to achieve criteria.

Palo Alto Medical Foundation. Dublin, CA
Ground vibration survey and assessment of floor space to determine suitability of site for installation of a Philips Ingenia 3.0T MRI.

Palo Alto Medical Foundation, Sunnyvale, CA
Ground vibration survey and assessment of floor space to determine suitability of site for installation of a GE Discovery, Siemens Magnetom Verio, or Philips Ingenia MRI.

Port of Vancouver Terminal 5, WA
Responsible for community noise and vibration study for a new transportation mode transfer station (rail/barge) for handling raw materials (potash). Performed field measurements and analysis of train passbys to assess effects of vibration sources due to construction activities and daily operation of Terminal 5 facility.

Sacramento Downtown/Riverfront Streetcar, CA

Noise and vibration impact assessment for streetcar alignment between West Sacramento and Sacramento, California. Noise and vibration impact assessment included identification of sensitive buildings, projection of noise and vibration at buildings, and determination of mitigation measures to achieve criteria. Noise impact assessment included measurement of existing noise level at buildings, projection of future noise level due to future changes in traffic condition, and cumulative noise level which factor in both streetcar project and future traffic conditions.

Sacramento Intermodal Transit Facility and Track Relocation, CA
Force density level measurement and calculation for freight trains.

Sacramento Railyards Environmental Remediation, CA
Coordinated long-term vibration monitoring of construction activities around historic landmarks.

SFDPW On-Call, California Street Cable Car Noise Study, San Francisco, CA
Conducted noise study of existing California Street Cable Car Line.

SFMTA Siemens LRV4 Noise & Vibration, San Francisco, CA
Performed noise and vibration measurements to evaluate Siemens New Light Rail Vehicle (LRV4) against SFMTA technical specifications, including interior noise, wayside noise, vibration generation, stability, and ride quality.

SFMTA Sunset Tunnel Trackway Improvement, San Francisco, CA
Coordinated long-term noise monitoring of construction activities around residential buildings.

Silicon Valley Clean Water Construction Noise Monitoring, Redwood City, CA
Coordinated long-term noise monitoring of construction activities around residential buildings.

Sound Transit Lynnwood Link DEIS & FEIS, Seattle, WA
Ground vibration impact assessment of proposed alignment options for the Sound Transit LRT extension to Lynnwood, Washington, including field testing, train vibration analysis, and soil propagation data analysis. Vibration impact assessment included identification of sensitive buildings, projection of vibration at buildings, and determination of mitigation measures to achieve criteria.

Sound Transit North Link Final Design, Seattle, WA
Force density level measurement and empirical calculation for Sound Transit Kinkisharyo LRV. Estimated low frequency force density using paired significance testing to discriminate between train vibration and ambient background for vibration-sensitive buildings. Measured and assessed fleet variability over normal operating conditions.

Sound Transit University Link LRT Final Engineering, Seattle, WA
Ground vibration impact assessment of proposed 3-mile Sound Transit LRT on the University of Washington campus, including field testing, train vibration analysis, and soil propagation data analysis in anticipation of the future extension of the alignment near sensitive receivers on campus.

State Route 710 Gap Closure, Pasadena to Alhambra, CA
Ground vibration impact assessment of proposed bus, freeway, and train alignments for SR-710 Gap Closure project, including train vibration and soil propagation data analysis. Vibration impact assessment included identification of sensitive buildings, projection of vibration at buildings, and determination of mitigation measures to achieve criteria.

Tahoe Carson Radiology Suite, Carson City, NV
Ground vibration survey and assessment of floor space to determine suitability of site for installation of a GE Discovery 3.0T MRI.

Tel Aviv Green & Purple Lines, Israel
Ground vibration impact assessment of proposed Tel Aviv Metro Green and Purple Line alignments, train vibration analysis and soil propagation data analysis. Vibration impact assessment included identification of sensitive buildings, projection of vibration at buildings, and determination of mitigation measures to achieve criteria.
COMSOL modeling of factory floor structure to analyze vibration control measures.

Travis Air Force Base Hospital MRI, Fairfield, CA
Ground vibration survey and assessment of floor space, including measurement of floor resonance frequency, to determine suitability of site for installation of a GE Discovery 3.0T MRI.

EXHIBIT C

December 29, 2023

Mr. Vincent Bertoni
Department of City Planning
200 North Spring Street, Room 721
Los Angeles, California 90012

Dear Mr. Bertoni:

Subject: Tract No. 83987
6000 Hollywood Boulevard – South of Hollywood Boulevard and East of Gower Street

This is in reply to your letter dated July 24, 2023. This tract can be supplied with water from the municipal system subject to the Los Angeles Department of Water and Power's (LADWP) Water System Rules and requirements set forth in the enclosed report.

Upon compliance with these conditions and requirements, LADWP's Water Services Organization (WSO) will forward the necessary clearances to the Bureau of Engineering (BOE) after we receive the final tract map.

Questions regarding WSO clearance should be directed to LADWP, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1225.

Sincerely,

Rafael Viramontes

Rafael Viramontes, P.E.
Engineer of Western District
Water Distribution Engineering

OT:rp
Enclosure
c: Bureau of Engineering (2)
Land Developing and Mapping Division
District Engineer
Map No. 148-189

Mr. Robert Rogers/KPFF
Los Angeles City Fire Department
Water Service Representative

ITEMS CHECKED APPLY TO THIS SUBDIVISION

DEVELOPER SHALL COMPLETE THE FOLLOWING FINANCIAL AND ENGINEERING ARRANGEMENTS AS **CONDITIONS OF MAP CLEARANCE**:

LAFD-related Requirements

1. New hydrants shall be installed. **X**
   PER LAFD INSPECTOR CONNEALLY REVIEW ON 11/25/23, 3 PUBLIC FIRE HYDRANT(S) ARE REQUIRED.
2. Existing hydrant tops shall be changed. _____
3. New water mains shall be installed to serve new hydrants. _____

DWP-WS Requirements

4. Acreage supply charges shall be paid. _____
5. Water main charges shall be paid. _____
6. Existing facilities shall be relocated or abandoned. _____
7. Street improvement/sewer/storm drain/water plans shall be submitted. _____
8. Covenant and Maintenance Agreement for Small Lot Subdivision Map or Map with Land Locked Lots (see Item 18 below) _____
9. Dedicate Water Easement to LADWP (see Item 19 below) _____

DEVELOPER SHALL COMPLETE THE FOLLOWING FINANCIAL AND ENGINEERING ARRANGEMENTS AS **CONDITIONS OF SERVICE** (BUT NOT CONDITIONS OF MAP CLEARANCE):

10. New water mains shall be installed. _____
11. New services & meters shall be installed. _____
12. Street/sewer/storm drain/water plans shall be submitted. _____
13. Pressure regulators will be required in accordance with the Los Angeles City. Plumbing Code for the following lot(s) where pressure exceeds 80 psi at the building pad elevation: _____
14. Water Service Elevation Agreements will be required, as the minimum pressure is less than 35 PSI. _____

OTHER PERTINENT INFORMATION APPLICABLE TO THIS SUBDIVISION:

15. On January 1, 2018, LADWP implemented a new policy regarding water service for multi-unit residential structures. If a development allows LADWP to install an individual meter in front of each house and the water main serving that development fronts the property and is in a public right-of-way, then this is a conventional installation and LADWP will provide individual meters. However, if the small lot is completely and within private property and the request is for a manifold type installation of consecutive meters in a coffin-type configuration, LADWP can provide up to five meters in that manifold-setting. LADWP can provide a master meter if the number of meters required is greater than five. _____

16. The Bureau of Engineering (BOE) may not permit any new services to be installed in the public right of way. Please submit plans to the Water System that show adequate space on private property for new service installations, UNLESS BOE is making an exception for this project. If an exception has been made, please submit written proof to LADWP that the BOE will allow services within the right of way. The written documentation shall make clear that the BOE is aware of the specific sizes quantities, sizes, and locations of new services being requested for this project, rather than a general statement. Even with BOE's permission, LADWP will not install services within, or nearer than five (5) feet from the edge of, any travelled way subject to vehicle loading (streets, driveways, etc.). _____

17. Proposed equestrian trails shall be located so that the full alignment does not overlap or cross any existing or proposed LADWP water easement. Further review is required by LADWP Water Distribution Engineering if this condition cannot be met. _____

18. During the Preliminary or Tentative Map stage, the developer shall contact the appropriate LADWP Water Distribution Engineering District to coordinate the location of the proposed water service locations for their subdivision especially for small lot subdivisions or developments with land locked lots (lots with no frontage to the public right-of-way or public water main). _____
    For these type of developments, LADWP will require a Covenant and Maintenance Agreement (CMA) to be recorded. The developer/engineer shall provide an exhibit with the proposed water service locations for review. Upon review and approval, the CMA must be recorded with the LA County Recorder's office and sent back to LADWP. The recorded CMA is required for LADWP to provide subdivision map clearance and water service.
    If there is no space available for LADWP to install the proposed water services within the public right of way, the services may need to be installed in private property and LADWP will require an easement to be dedicated on the final, recorded map.

19. If an easement is required by LADWP, the final map must include the following information: _____
    - Standard Dedication Language on Title Sheet
    - Delineated and called out easement for each sheet affected
      (# FEET WIDE EASEMENT TO THE CITY OF LOS ANGELES FOR WATERLINE RIGHT-OF-WAY PURPOSES)

Kathleen King <kathleen.king@lacity.org>

6000 Hollywood Blvd [ENV-2022-6688-EIR]

2 messages

jim henderson <jimamoeba@gmail.com> Sun, Dec 8, 2024 at 10:05 AM
To: kathleen.king@lacity.org

Kathleen King
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, CA 90012

VIA EMAIL: Kathleen.king@lacity.org

Dear Kathleen,

My name is Jim Henderson, and I am the owner of Amoeba Music in Hollywood. Amoeba has been part of the Hollywood community since 2001, first opening on Sunset Boulevard. In 2020, we relocated to the corner of Hollywood & Argyle at 6200 Hollywood Blvd, just down the street from the Toyota of Hollywood dealership.

As a business owner on Hollywood Boulevard, I am deeply invested in the vibrancy and success of this crucial commercial corridor. The pandemic shuttered many local businesses, and the tourism impacts have certainly been felt. However, there are promising signs of recovery. The Hollywood Partnership reported that visitor levels have surpassed 80% of pre-Covid levels and, and we at Amoeba has seen increased foot traffic and tourist engagement. City initiatives like Access to Hollywood and the Hollywood Blvd Safety and Mobility project will help transform the streetscape into something safer and livelier.

One promising sign of this community's future is the proposed redevelopment of the Toyota of Hollywood dealership into a brand-new mixed-use campus. Large, underutilized properties along the boulevard like that site could be much better used for housing, neighborhood-serving shops, open space for the community, and new office space. Part of revitalizing the boulevard includes re-envisioning these spaces that could be contributing so much more to the vitality of the neighborhood.

This project's location will help create a new gateway to Hollywood and extend the liveliness of the boulevard eastward. I am eager to see more improvements to Hollywood like this one come online.

Best,
Jim Henderson
Amoeba Music

Kathleen King <kathleen.king@lacity.org> Tue, Dec 10, 2024 at 12:31 PM
To: jim henderson <jimamoeba@gmail.com>

Jim,

Thank you for your comment regarding the 6000 Hollywood Draft EIR. Your comment has been included in the project file and will be responded to in the Final EIR.

Thank you again,
Kathleen
[Quoted text hidden]

Arts Bridging the Gap

Kathleen King
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, CA 90012

VIA EMAIL: Kathleen.king@lacity.org

Dear Kathleen,

Arts Bridging the Gap is a Hollywood-based 501(c)3 social justice organization that uplifts the voices, experiences, and self-expression of youth from under-resourced communities through healing arts programs. We would like to take this opportunity to share our support to one of our invaluable community partners, the Sullivan family.

As a community-based organization, we rely heavily on our partners to make our work happen. Without their support, we would not have all the necessary resources to host art classes and community workshops, paint murals, and empower as many youths as we can through socio-emotional arts programs.

Our partnerships with the Sullivan family and Toyota of Hollywood have enabled us to host some of our marquee events, like the Hollywood Blvd Car Show we co-hosted with the Hollywood Police Activities League. As such, we would like to lend our support to an equally important endeavor that they are spearheading – building more housing in Hollywood.

The majority of the youth we serve come from families living below the poverty line. The high cost of housing continues to impact families and the ability of these children to thrive. It is refreshing to see community members like the Sullivans step up and build new housing on their property, especially 44 units of Very Low-Income housing. These affordable units are exactly the kind of housing that the families we work with need here in Hollywood.

Thank you for considering our comments! We are eager to see this project move forward and urge the City's approval to deliver much-needed housing to our Hollywood families.

Sincerely,
Georgia Van Cuylenburg

Kathleen King <kathleen.king@lacity.org>

6000 Hollywood Draft EIR NOA

Harry Arends <hdaprod@yahoo.com> Fri, Nov 8, 2024 at 9:49 AM
To: Kathleen King <kathleen.king@lacity.org>

Where is the impact on traffic? On a stupidly-reduced to one lane Hollywood Boulevard that is already impassable, this will make travel in the neighborhood impossible.
Harry Arends

[Quoted text hidden]

Kathleen King <kathleen.king@lacity.org>

ENV-2022-6688-EIR: 6000 Hollywood Boulevard

2 messages

barbara assadi <bdassadi@gmail.com> Mon, Dec 23, 2024 at 3:42 PM
To: Kathleen.king@lacity.org
Cc: ted.walker@lacity.org, councilmember.soto-martinez@lacity.org

Dear Ms. King,

I responded June 26, 2023 to Mr. Babajian in city planning regarding the initial notification of this megaproject. I listed a number of concerns and questions I had after reading the communication, and after seeing an artistic rendering. I also communicated with Emma Howard, Alejandra Marroquin, and Anais Gonzalez via phone and in writing. The email I sent to Mr. Babajian was also addressed to Councilmember Hugo Soto-Martinez.

After the second notification dated November 7, 2024, "Notification of Completion and Availability of Draft Environmental Impact Report," I have more concerns than I first had. I also find it alarming that staff at the councilmember's office told me again last Friday, as they had in June 2023, that they know nothing about this project with 501,185 square feet of floor space, which is both alarming and impossible to believe.

First, let me clarify that everyone knows more housing is needed, but practical, affordable housing, which is environmentally responsible as much as is possible, not more "luxury" boxes with a few "ultra-low income" units (however that is defined), to gain permits.

Below is a list of questions and concerns, in no particular order after the first:

1. After construction: I live at 5947 Carlton Way in a two-story thirteen-unit apartment building, on the east end of the project, immediately behind the proposed residential tower, which has 35 stories. The tallest building on this north side of Carlton Way, immediately behind the Toyota dealer, is a four-story condo complex. The others are single or two-story structures. At this end of the proposed project, our ground level is about four feet below ground level on the Toyota side. I don't know of anything in Hollywood approaching 35 stories: The tallest I have seen are 20 or maybe 21 stories. Behind a tower of this magnitude, sunlight would be blocked in the day, and the light pollution and light disturbance (and likely noise) would be untenable. (And additionally, although it has fallen out of discussion, any building of several stories should be mandated to have bird-safe windows as is being required elsewhere.). There is already a dearth of greenery, especially trees due to construction in the area. What will be planted and maintained?

2. What about parking for all of these residents, offices, retail, and restaurants? Street parking is already difficult on these blocks. I was happy to see the addition of, and continuing work on bike lanes, and I very much embrace the fact that I can walk to many places I use. But parking is still a necessity. I don't find the plan sufficient, and if customers will have to pay for parking, they will be looking for parking on the already-impacted neighboring streets.

3. During construction: The second iteration is more vague about possible/probable negative impacts than did the first iteration. The May 30, 2023 letter mentioned air quality, archaeological resources, energy, geology, soils, greenhouse gas emissions, hazards and hazardous materials, noise, public services (fire and police), transportation, tribal resources, utilities and service systems (water supply and infrastructure, wastewater, etc. The November 7, 2024 letter notes that there would be "...significant and unavoidable impacts related to: on-site construction noise, off-site construction noise, on-site construction vibration with respect to human annoyance, and off-site vibration with respect to human annoyance. In addition, the Project would result in significant cumulative impacts that cannot be feasibly mitigated with regard to on-site and off-site construction noise and on-site and off-site construction vibration with respect to human annoyance. All other potential impacts would be less than significant or mitigated to less-significant levels."

Questions/Concerns:

1. I see no mention of the earthquake fault, or concern about earthquakes./

2. The vibrations to what degree? Will the depth of construction digging destabilize the buildings on the north side of Carlton Way? Will cottage cheese ceilings be shaken loose? Will valuables tumble? Aquariums, pet enclosures? Air quality to what degree of toxicity? I already run air purifiers because I have a number of birds. Birds are highly susceptible to toxins in the air. Will the developer be responsible for providing mitigation such as heavy-duty purifiers for people and pets who need them? Will the developers pay for resulting building damage such as cracked walls or loosened cottage

cheese ceilings? Will they pay for negative health impacts on people and pets? Will our fruiting trees and other plants be killed or sickened?

3. There is no mention of dates or a time-line.

There is A LOT that goes far beyond "annoyance" both during construction and after as the project is currently planned, starting with the very idea of a 35-story residential tower.

The large majority of residents on this block are renters, many of us long-time renters of a certain age, and we consider these are our homes. I know that most people do not read city letters sent to "Occupant." Most people I have spoken to are still completely unaware of this project, and are shocked to hear about it, but for various reasons, do not interact with city officials or staffers. I also know that especially these days there is a lot of cynicism regarding politics and politicians of all stripes. However, I am still hopeful that there can be more civic engagement regarding reformulating this project, principally the very concept of having a 35-story residential tower immediately behind a block of low-rise buildings that would be left resembling dumpsters in a dark alley. Nowhere in either the May 30, 2023 letter or the November 7, 2024 letter is there any consideration of the after-effects on livabilty for those of us on this block on Carlton Way, especially those of us on the north side.

Thank you for your attention to this matter. I anticipate any further updates or suggestions as to how my concerns would be addressed.

Barbara Assadi
5947 Carlton Way, #6
Los Angeles CA 90028
(818)903-2368

Mindy Nguyen <Mindy.Nguyen@lacity.org> Mon, Dec 23, 2024 at 4:06 PM
To: barbara assadi <bdassadi@gmail.com>
Cc: Kathleen King <kathleen.king@lacity.org>

Thank you, Barbara.

Your comments have been received.

On Mon, Dec 23, 2024 at 3:45 PM barbara assadi <bdassadi@gmail.com> wrote:
[Quoted text hidden]

--

LOS ANGELES CITY PLANNING

Mindy Nguyen
Pronouns: She, Hers, Her
Senior City Planner | Major Projects
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E-NEWS

Effective July 1, 2024, City Planning fees will increase by 3.5% based on the Consumer Price Index for Urban Consumers (CPI-U). To view the updated Fee Schedule, see here.

Kathleen King <kathleen.king@lacity.org>

Hollywood development- Environmental Case No. (ENV-2022-6688-EIR)

2 messages

erboyle@aol.com <erboyle@aol.com> Wed, Dec 4, 2024 at 11:25 PM
To: "kathleen.king@lacity.org" <kathleen.king@lacity.org>

Dear Ms. King:

As a long time resident of Hollywood (3rd generation and Hollywood High graduate) and now living in the Los Feliz area, I have watched decades of missed opportunity to reinvigorate Hollywood and millions of dollars wasted. The Hollywood Highland development is only one example.

The plans for the Hollywood Toyota location are headed in the same direction. Although the bungalow/garden open air section looks interesting, and seems to integrate with the street to encourage pedestrians to enter the space, once again there is an oversized tower linked to the plan. The tower is way too high for the area and will create more dark corridors like the ones that are popping up all over the city in the name of creating more housing. Do we want to be another New York? We live here because of the open space and sunshine.

We now have bike lanes to encourage people to ride bikes and limit the use of cars. I guess the concept of high density in transit hubbs is the "planners idea" of what goes along with that. However, apparently this has been tried in many cities in europe (France for one) and has been abandoned due to the correlated increased depression and social problems of the residents. People warehoused like sardines into enclosed massive structures are not what our city is about.

Please.....restrict the height, create open air corredors for the people in the towers (maybe balconies? or staggared floors with terraces instead of sheaths of flat glass - like they did across from the Emmerson college location?) and create a user friendly entrance to the high rise with more street/ courtyard/ landscaping integration in front of the tower to make it more inviting. These high walls of glass do nothing but reflect the sun. They are glaring, ugly, harsh and hot. So many of these towers in Hollywood have failed are are considered undesirable relics of another era (look at Sunset and Vine) and the horrible black tower near KTLA.

Hollywood is not New York. Let's keep things small and inviting. Oriented toward people and the outdoors. There are plenty or areas in Los Angeles that can accommodate high rise buildings. Does it have to be Hollywood? It will change the special charm and magic of our town.

Thanks for listening.

Emily Boyle
2408 Wild Oak Drive
Los Angeles, CA 90068

Kathleen King <kathleen.king@lacity.org> Thu, Dec 5, 2024 at 7:58 AM
To: "erboyle@aol.com" <erboyle@aol.com>

Hi Emily-

Thank you for your comment regarding the 6000 Hollywood Project. Your comment has been added to the project file and will be responded to in the Final EIR.

Thank you again,
Kathleen
[Quoted text hidden]

Kathleen King <kathleen.king@lacity.org>

Re: 6000 - 6048 Hollywood Blvd [public comment]

2 messages

Urban Growth Advocates <urbanization.advocates@gmail.com> Thu, Nov 7, 2024 at 6:34 PM
Reply-To: Urban Growth Advocates <urbanization.advocates@gmail.com>
To: City of LA - planner 06 <kathleen.king@lacity.org>

Dear Kathleen,

Thanks so much for the update, in regards to this much anticipated project.

Reference Project Info:
Environmental Case No..: **ENV-2022-6688-EIR**
State Clearinghouse No..: 2023050659
Project Name: **6000 Hollywood Boulevard**
Project Applicant: 6000 Hollywood Boulevard Associates, LLC
Project Address: 5950 – 6048 West Hollywood Blvd. and 6037 West Carlton Way, Los Angeles, CA 90028
Community Plan Area: Hollywood

I am a nearby resident, living just within walking distance from the proposed development. I've also been involved in advocacy for various development projects across L.A. County; and have been a member of the Beautification Committee, for the Central Hollywood Neighborhood Council (prior to the pandemic). As such, I would like issue a formal statement.

I, along with many of my neighbors, **FULLY SUPPORT** the proposed project! This major development will transform the existing car-centric area, along with the surrounding blighted spots, -- into an upscale, world-class, walkable community. The height and density, I believe, is in conformance with the neighborhood -- and the city overall. And the presence of numerous mass-transit options complies with the TOD requirements. I salute this ambitious plan proposed, and urge the City to approve this project.

However, I do have a comment / suggestion regarding Walkability and providing a proper Pedestrian-Oriented Streetscape. Please kindly share this suggestion with the Applicant. According to the EIR and the renderings, it appears the applicant, unfortunately, does not plan to install any type of enhanced sidewalks or pavers. Upon reviewing the documents, I did not find any (!) mentioning of "Decorative Sidewalks" / "Expanded Sidewalks" / "Pavers", etc. It only mentions about "*Expanding sidewalks*" -- which does little to promote walkability, and does nothing to improve aesthetics. Remember, it's not the width that matters -- but the quality of sidewalk material. **Lack of pavers is a big issue citywide**!

In order to promote walkability and improve the aesthetics of a new mixed-use development, a major improvement to sidewalks is needed. Therefore, I strongly urge the applicant to add at least some sort of decorative **pavers** for the development, as opposed to just plain concrete & cement. And, the pavers should be installed not only on pathways within the development itself (as shown on your pictures), but directly on Hollywood Blvd, as well. *Dear Developer: Please don't make the same mistake as other developers (who omitted the pavers!) -- A sad example of *Omitted Sidewalk Pavers* includes the newly completed 1341 Vine Street / "The Academy" project, -- where the developer has failed to install pavers on the sidewalks (pavers were built only within the property). As a result, there is barely any pedestrian activity on any of the adjacent streets, and very poor aesthetics; shameful!

As you know, Pavers are a major, fundamental urban component in creating a pedestrian-friendly environment. On the other hand, naked concrete (which are city, unfortunately, is full of) deters walkability and attracts dirt & blight. Lastly, pavers are more cost-effective, as they are incomparably more stain-resistant (than concrete) -- and thus require less maintenance. All in all, Decorative Pavers would be a win-win situation!

Additionally, the EIR property renderings indicate just gloomy unfinished naked-concrete sidewalks. This is unacceptable. Once again, I highly encourage the applicant to consider installing at least some (!) kind of enhanced / decorative sidewalks on the ROW directly on Hollywood Blvd; this could include:

- Bluestone pavers
- Brick pavers
- Colored concrete
- Concrete with textured stamp
- Faux brick imprint pattern

- Granite pavers
- Limestone pavers
- Marble pavers
- Phoenix pavers
- Red integral colored concrete
- Stamped concrete
- Textured paving
- Travertine pavers
- **At least:** Scoring within the concrete slabs

Please note: I have been in-touch with the BOE, as well as the Urban Design Studio; and am well aware: despite some restrictions, there are plenty of opportunities and options of installing pavers on the public ROW. All in all, **Decorative pavers is a "Must"** for the new "6000 Hollywood Blvd" project. Remember, Walkability and Pedestrian-oriented Aesthetics is key to success, especially on the prominent, world-famous Hollywood Boulevard!

Thank you, in advance, for your consideration.
Best regards to you and your team!

--
Alek Friedman, ADVOCATE
Urban Development / Smart Growth
Beautification Committee Member *(former)*,
Central Hollywood Neighborhood Council
☎ 323 . 465 . 8511 Day/Office
213 . 999 . 1273 Cellular
www.ProgrammingAndImaging.com
LinkedIn.com/in/FriedmanAlexander

Kathleen King <kathleen.king@lacity.org> Fri, Nov 8, 2024 at 9:09 AM
To: Urban Growth Advocates <urbanization.advocates@gmail.com>

Hi Alek-

Your comment on the 6000 Hollywood Project Draft EIR is received.

Thank you for your comment,

Kathleen
[Quoted text hidden]

December 23, 2024

Kathleen King
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, CA 90012
(214) 847-3624
Sent via e-mail to: kathleen.king@lacity.org

Re: 6000 Hollywood Boulevard Project
5950–6048 W. Hollywood Blvd., 6037 W. Carlton Way
ENV-2022-6688-EIR
Comments on Draft EIR

Dear Ms. King,

I'd like to submit the following comments on the Draft EIR for the 6000 Hollywood Blvd. Project. Please see below for detailed comments.

Thanks,
Casey Maddren

Comments on 6000 Hollywood Blvd. Project DEIR

E. Greenhouse Gas Emissions

While the EIR claims that this project will help reduce greenhouse gas emissions (GHGs) because of its proximity to transit, in reality, the City of LA has utterly failed to show any results from its efforts at Transit-Oriented Development (TOD). The City of LA has built thousands of new units near transit hubs over the past decade, but even before the pandemic, Metro transit ridership had fallen by about 20% from 2014 to 2019, with a similar decline on the DASH system. Over 2,000 new units have been built in Central Hollywood since 2010, but ridership in the Hollywood area has continued to decline to the point where Metro has chosen to reduce service on some lines and eliminate others.

The EIR discusses compliance with SB 375 and the SCAG RTP/SCS, but in fact, the RTP/SCS has failed to deliver any meaningful reductions in GHGs. Allow me to cite an excerpt from the 2020 RTP/SCS, from the section entitled Our Plan beginning on page 2.

However, despite our progress, we only narrowly achieve our 2020 target for greenhouse gas emission reductions, the core metric by which our region's sustainability is judged. Transit ridership is falling, despite billions of dollars in investment and increased development in station areas. Deaths from traffic collisions are rising. Housing costs are increasing, along with homelessness. We must do better.

Here SCAG acknowledges that, in spite of the billions spent on transit, ridership is falling. And despite the claim that the agency was able to "narrowly achieve our 2020 target for greenhouse gas emission reductions", their methodology is flawed and their conclusions questionable. Here I quote from the October 30, 2020 sent to SCAG by the California Air Resources Board providing comments on the RTP/SCS.

While SCAG appropriately provided a determination to CARB as to whether its 2020 SCS meets the 2020 target, its reliance on modeled evidence without consideration of observed data and the performance indicators, as called for in CARB's SCS evaluation guidelines, was inappropriate. As a result, CARB staff could not evaluate the adequacy for the 2020 determination and therefore does not include a conclusion on the 2020 determination. Furthermore, observed data regarding housing development and transit ridership show that SCAG may not in fact be achieving the target.

All this to say that the EIR's claims that the project will reduce GHGs are based on assumptions rather than evidence. The evidence shows that the City of LA has failed to achieve reductions in GHGs through its TOD program, and this project will only add to that record of failure. Using compliance with the RTP/SCS as a way to justify dense new development has simply become a way for the City to reward real estate investors with increased density while failing to make progress on GHGs.

The use of the California Emissions Estimator Model (CalEEMod) has become one more way for developers to claim progress on GHGs while delivering no meaningful results. CalEEMod allows the consultants preparing EIRs to enter whatever numbers they believe will make the project look environmentally friendly, and the City never makes any effort to determine whether the numbers accurately reflect the facts. In the case of 6000 Hollywood, the inputs used to determine GHG emissions from trips generated and waste generated by the project are not realistic, and do not accurately reflect the project's likely impacts.

F. Hazards and Hazardous Materials

This chapter does a thorough job of documenting the project site's history, and it's good to know that Phase I and Phase II PSAs were conducted. The authors appropriately acknowledge the possible presence of USTs and that in some cases toxic chemicals exceed acceptable thresholds.

Unfortunately, the EIR does not comply with CEQA when it comes to activities during the construction phase of the project. On page 35 of the chapter devoted to Hazards and Hazardous Materials, the EIR says:

However, these activities would comply with all state and local regulatory requirements governing the removal of ASTs. Similarly, in the event that previously unidentified USTs are uncovered or disturbed during construction, the Project would comply with existing regulatory requirements pertaining to their removal, including obtaining applicable permits from the LAFD prior to their removal. If USTs are uncovered and require removal, during tank removal, excavations would be monitored for the potential for impacted soils. Soils that exhibit odors or visual evidence of contamination would be managed as required by the appropriate regulatory agencies. Depending on the extent of contamination, these agencies could require that the soils be sampled for laboratory analysis, segregated, stored, and disposed of in accordance with applicable regulations. Hence, in the event that contaminated soils are unexpectedly encountered during construction, the nature and extent of the contamination would be determined and appropriate handling, disposal, and/or treatment would be implemented in accordance with applicable federal, state, and local regulatory requirements. Compliance with applicable permitting, notification, and worker safety regulations and programs would also ensure construction worker safety at and near sites with potential contamination.

The EIR then reaches the following conclusion:

Therefore, Project construction activities would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the removal of ASTs or USTs during construction, and impacts would be less than significant.

The EIR can't simply assume compliance with unspecified State and local regulations. Since the EIR acknowledges the presence of some hazardous materials, and the potential presence of USTs, CEQA requires that the EIR list specific mitigation measures and to include a mitigation monitoring program.

L.1 Utilities and Service Systems—Water Supply and Infrastructure

The EIR's assessment of water supply for the project is inadequate. The WSA's reliance on the 2020 UWMP calls its credibility into question. While the 2020 UWMP concluded that there would be adequate water supply for foreseeable development "during average, single-dry, and multiple dry years", its projections were overly optimistic and based more on wishful thinking than actual data. The 2020 UWMP completely failed to foresee the water crisis that developed in late 2021 and early 2022. While an unusually wet spring enabled LA to avoid a devastating crisis, the potential for another such crisis still exists. Scientists have been very clear in their warnings about the decline of water resources in the LA area and in the Southwest US.

The 2021/2022 crisis saw reductions in deliveries from both the State Water Project and the Colorado River, as discussed in these stories from the LA Times:

California considers $500 fines for water wasters as drought worsens, conservation lags, Dec. 8, 2021 5 AM PT
https://www.latimes.com/california/story/2021-12-08/500-fines-proposed-for-water-wasters-amid-deepening-drought

As California descends deeper into drought, officials are growing increasingly troubled by dwindling water supplies and the public's lackluster response to calls for conservation, with residents in recent months falling short of Gov. Gavin Newsom's request for a voluntary 15% reduction in usage.

Now, as the West tips toward crisis, state water regulators are considering adopting emergency regulations that will prohibit certain actions in an attempt to curtail water waste and help conserve supplies.

If approved, the proposal could usher in a wave of water regulations that hearken back to previous droughts while underscoring the seriousness of the current one.

On Tuesday, Lake Mead — the nation's largest reservoir and a lifeline for water in Los Angeles and the West — was at 1,065 feet, or about 34% of its capacity, a near-historic low. Much of California on the U.S. Drought Monitor map was painted in worrisome shades of red.

California slashes State Water Project allocation as year begins with record dryness, MARCH 18, 2022
https://www.latimes.com/california/story/2022-03-18/california-cuts-state-water-project-allocation-to-5-percent

After a record dry start to 2022, California water officials announced Friday that they were cutting State Water Project allocations from 15% to 5%, and warned residents to brace for a third year of drought.

The news came only months after a rainy December offered temporary drought relief and prompted officials to announce a modest increase in previously allocated supplies. But after the driest January and February on record — and a March on track to follow suit — officials said they had to make reductions.

"We are experiencing climate change whiplash in real time with extreme swings between wet and dry conditions," read a statement from Department of Water Resources Director Karla Nemeth. "That means adjusting quickly based on the data and science."

Other water sources for the region, such as the Colorado River, are also suffering from drought, which experts say has been intensified by climate change. The American Southwest has experienced its driest 22-year period in 1,200 years, research shows.

None of this was foreseen by the 2020 UWMP, which came to reassuring conclusion that LA had enough water to grow indefinitely. The 2020 UWMP failed to acknowledge the possibility of a crisis like the one that LA faced in 2021/2022, even though, as the article above states, the region had been experiencing its driest period in 1,200 years. The 2020 UWMP lacks credibility, and the WSA's reliance on its conclusions also call into question the reliability of the WSA.

The risk of another water crisis is still very real, as demonstrated by these two more recent stories:

California sets initial State Water Project allocation at 5% following hot, dry stretch, Dec. 2, 2024
https://www.latimes.com/environment/story/2024-12-02/california-sets-initial-state-water-project-allocation-at-5

California water managers have announced their preliminary forecast of supplies that will be available next year from the State Water Project, telling 29 public agencies to plan for as little as 5% of requested allotments.

The state Department of Water Resources said Monday that the initial allocation is based on current reservoir levels and conservative assumptions about how much water the state may be able to deliver in 2025.

"We need to prepare for any scenario, and this early in the season we need to take a conservative approach to managing our water supply," DWR Director Karla Nemeth said.

'Zero progress': Western states at impasse in talks on Colorado River water shortages, Dec. 10, 2024
https://www.latimes.com/environment/story/2024-12-10/colorado-river-divisions

Negotiations over the last year have brought "zero progress," said JB Hamby, California's Colorado River commissioner. He blamed the upper basin states for an entrenched position resisting participation in the cutbacks, which he said is untenable.

It's worrying that there is a "widening chasm" between the sides, Hamby said. "We are running out of time, and we're no closer to much of anything at this point than at the beginning."

The EIR also fails to include a meaningful discussion of cumulative impacts with regard to water resources. There are a number of other approved projects that will add over 1,000 new units in Central Hollywood. With an average household size of 2.8 in the LA area, these projects could bring close to 3,000 new people to the community.

1715 - 1739 N. Bronson
DIR-2021-6886-DB-SPR-WDI-HCA
June 23, 2022
128 DWELLING UNIT RESIDENTIAL BUILDING

Hollywood Wilcox Project
CPC-2016-3176-VZC-HD-VCU-MCUP-SPR
APPROVED: August 14, 2020
260 residential apartment units,

Hollywood Center Project, Hollywood & Las Palmas
CPC-2022-3867-DB-MCUP-SPR-WDI-HCA
Approved: OCTOBER 16, 2024
240 dwelling units

Artisan Hollywood Project, Cahuenga & Selma
ZA-2019-5590-ZV-TOC-SPR
Approved: September 26, 2023
260 residential units

6611-6637 Hollywood Blvd.
DIR-2022-4914-TOC-SPR-VHCA
Approved: December 5, 2022
146 dwelling units

Beyond these projects in the Hollywood area, there are a number of other large-scale projects which either have been approved or are in the approval pipeline. The recently approved Downtown Community Plan incentives new development by granting generous density bonusses. The Warner Center Specific Plan also creates a framework for significant growth in that area. In spite of the decline of the water resources that the City of LA relies on, the EIR makes no meaningful effort to assess cumulative impacts.

The EIR's reliance on the LADWP's Water Infrastructure Plan is insufficient. While LADWP will certainly continue to invest in water infrastructure, it can't deliver water that isn't there. According to climate scientists and hydrologists, supplies from all of LA's water resources, the LA Aqueduct, State Water Project and Colorado River, will likely decline due to the aridification of the Southwest. While the City has talked about transforming the Hyperion Sewage Treatment Facility to recycle the majority of LA's wastewater, there is no plan in place, and no guarantee that the billions of dollars required for such a project can be obtained.

Other CEQA Considerations – Solid Waste

The EIR's analysis of impacts related to solid waste is pathetically inadequate and fails to acknowledge the serious challenges the City of LA faces in dealing with this issue. Did the authors deliberately relegate this section to the chapter entitled Other CEQA Considerations because they didn't want to talk about the project's true impacts? The "analysis" in Other CEQA gives short shrift to this issue, basically saying it's been dealt with in the Initial Study.

The Initial Study asks two questions:

Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

In both cases, the IS says that the project will have a "Less than significant impact." In both cases this response is inaccurate. The project will produce solid waste in excess of the capacity of local infrastructure and will impair attainment of solid waste reduction goals. Also, the project will not comply with State statutes and regulations related to solid waste.

Page 82 of the IS tells us the following:

> *Operation*
>
> *As shown in Table 3 on page 83, based on solid waste generation factors from LASAN, the Project would generate approximately 1,001 net tons of solid waste per year. The estimated amount of solid waste is conservative because the waste generation factors do not account for recycling or other waste diversion measures. For example, the estimate does not account for AB 939, which requires California cities, counties, and approved regional solid waste management agencies responsible for enacting plans and implementing programs to divert 50 percent of their solid waste away from landfills. The estimate also does not account for compliance with AB 341, which requires California commercial enterprises and public entities that generate four or more cubic yards per week of waste, and multi-family housing with five or more units, to adopt recycling practices. Likewise, the analysis does not include implementation of the City's recycLA franchising system, which is expected to result in a reduction of landfill disposal Citywide with a goal of reaching a Citywide recycling rate of 90 percent by the year 2025.*

First, it discloses that the project will produce 1,001 net tons of solid waste per year, which is a massive amount of waste. Next, it claims that this estimate is "conservative" because it doesn't take into account recycling and diversion measures. Here the authors demonstrate their failure to understand the waste/disposal/diversion context. They seem to think that the amount of waste produced will be reduced because of State law that mandates diversion and recycling. They also seem to think that because the State has passed a law, the City of LA must automatically be in compliance.

The project will produce 1,001 tons of solid waste per year. While the project proponents will be required to provide recycling bins on-site, and tenants will sort their waste before putting it in

bins, that does not reduce the amount of solid waste that will be produced. The project will still produce 1,001 tons of solid waste per year.

Also, the authors assume the City of LA's compliance with AB 939, which is a major mistake. AB 939 requires local jurisdictions to recycle 50% of their solid waste, but the City has been out of compliance with this law for years. The project will be served by the RecycLA program, which has never achieved the 50% waste reduction target.

The September 21, 2023 memo from LASAN regarding RecycLA contracts contains the June 2023 RecycLA Update, which outlines the program's progress.

https://clkrep.lacity.org/onlinedocs/2023/23-1032_misc_9-21-23.pdf

On page 32 of the RecycLA Update, Table 7, Landfill Reduction Liquidated Damages shows, that most RecycLA contractors failed by a wide margin to reach their targets for diversion to recycling, even though in most cases those targets are well below 50% of total estimated waste.

In the past, the City of LA has asserted that it doesn't matter if the City isn't meeting State-mandated recycling targets, arguing that ample space exists in landfills to deal with the waste generated. However, it's become clear that the two landfills that the City primarily relies on, Chiquita Canyon and Sunshine Canyon, are no longer able to meet air quality standards. Residents near Chiquita Canyon have been especially impacted, reporting headaches, nausea, dizziness and respiratory issues due to the stench emanating from that landfill. Because operator Waste Connections has been unable to resolved the ongoing air quality problems, LA County has filed a lawsuit to force compliance.

Los Angeles County files suit 'to stop the awful stench' at Chiquita Canyon landfill, Dec. 17, 2024 3 AM PT
https://www.latimes.com/environment/story/2024-12-17/los-angeles-county-sues-chiquita-canyon-landfill

> *For nearly two years, trash has been smoldering in a long-dormant portion of Chiquita Canyon due to the rare chemical reaction. The broiling temperatures have affected a roughly 30-acre area, where putrid gases and hazardous liquids have burst through the surface of the landfill.*
>
> *Although regulators have ordered Chiquita Canyon staff to take steps to contain the reaction, many of their efforts have been delayed or have failed to stop the stench from drifting into the nearby communities of Castaic and Val Verde.*
>
> *On Monday, Los Angeles County filed a lawsuit against Chiquita Canyon's owner, Waste Connections, claiming that its efforts have not been sufficient to extinguish the smoldering reaction and end the ongoing public nuisance, which the landfill's staff acknowledges could persist for years.*

Complaint, LA County v. Chiquita Canyon LLC & Waste Connections

INTRODUCTION

1. *For almost two years, a smoldering, smelly, chemical brew has been festering underground at the Chiquita Canyon Landfill (the "Landfill") in Castaic, California, releasing noxious odors into the air and severely impacting the quiet enjoyment of neighboring homes and businesses. This Class III Landfill occupies 639 acres and is a mere 500 feet from the Val Verde residential community. The area generating these odors and chemicals occupies more than 30 acres in the Landfill's northwest corner nearest this community. But the reach of the noxious brew is broader, impacting the quiet enjoyment of numerous adjacent neighborhoods. As this brew smolders, landfill gas temperatures and subsurface temperatures rise, releasing odors that severely and persistently impact the nearby neighborhoods of Val Verde, Hasley Canyon, Hasley Hills, North Bluffs, Hillcrest, Live Oak, Williams Ranch, Santa Clarita, Stevenson Ranch, and Valencia.*

2. *Among other noxious odors and gases, the brew releases hydrogen sulfide and dimethyl sulfide into the air. And when rain falls on the Landfill, water filters through the waste and the brew, drawing out chemicals to form enormous amounts of liquid leachate. The increased pooled and flowing leachate resulting from the brew creates additional fumes and foul-smelling odors.*

3. *As residents in the area began feeling the impacts of this brew, they reported effects such as headaches and nausea; eye, nose, throat, and skin irritations; dizziness; difficulty breathing; and even cardiac problems. Residents have also reported being forced to remain indoors, keeping their doors and windows closed. They have had to avoid using their yards or taking part in the outdoor activities that are a key feature of life in this scenic part of the County of Los Angeles. Children are unable to play outside and residents cannot even indulge in the simple pleasures of an outdoor barbeque or playing ball with their children in their own backyards.*

Air quality issues at Sunshine Canyon Landfill have also been a consistent problem, with Supervisor Lindsey Horvath requesting an audit this year in an attempt to find a solution.

Board Approves Audit of Sunshine Canyon Landfill, Supervisor Lindsey Horvath, April 9, 2024
https://lindseyhorvath.lacounty.gov/board-approves-audit-of-sunshine-canyon-landfill/

Los Angeles, CA – The Board of Supervisors today directed an audit of Sunshine Canyon Landfill through a motion authored by Board Chair Lindsey P. Horvath and Supervisor Kathryn Barger. The audit will study odor mitigation measures following historic rains that have increased odor issues, impacting the neighboring communities of Sylmar and Granada Hills.

"Odor issues at Sunshine Canyon have persisted for too long with too little improvement," said Board Chair Lindsey P. Horvath. "Los Angeles County is calling for an independent study to hold the operator accountable for making the changes the residents deserve, and that make this site resilient to the new normal of intense storms made worse by climate change."

And, as with the EIR's analysis on Water Supply and Infrastructure, the authors make no meaningful effort to assess cumulative impacts. Please see my comments on water supply in the section above, which includes a list of other approved projects in the Hollywood area, as well as planned growth under the Downtown Community Plan and the Warner Center Specific Plan.

From: **Greg Pinkel** <gregpinkel@gmail.com>
Date: Mon, Dec 23, 2024 at 3:59 PM
Subject: Re: ENV-2022-6688-EIR - PROJECT TITLE 6000 Hollywood Boulevard
To: kathleen.king@lacity.org <kathleen.king@lacity.org>
Cc: Metropol HOA <metropolhoa@gmail.com>

Dear Kathleen King,

I am writing to express my concerns regarding the proposed development at 5950–6048 Hollywood Boulevard. As a resident of 6001 Carlton Way, my building—along with many others to the east, west, and south — enjoys an unobstructed view of the iconic Hollywood Hills, Capitol Records Building, Hollywood Sign, among many. This proposed project would block this view for countless residents, impacting a defining visual resource of our neighborhood. Nearly all owners at 6001 Carlton Way are also long-term residents; however the proposed development will exclusively house renters, and favor the views of some renters at the sacrifice of owners/residents.

While aesthetic impacts are exempt from CEQA review under PRC Section 21099 for projects in TPAs, I urge the City Planning Department to consider the broader implications for public views, neighborhood character, and community identity. The Hollywood Sign is a cultural landmark and an integral part of the area's visual and cultural identity.

I respectfully request that the following aspects of the project be reviewed:

1. **Compatibility with the Hollywood Community Plan**:
    - Does the project align with the Hollywood Community Plan's goals, particularly regarding the **preservation of public views of iconic landmarks like the Hollywood Sign**?
2. **Public Views and Scenic Resources**:
    - Can the developers mitigate view impacts through stepbacks, reduced height, or **alternative designs to shift the building locations to balance development goals with the preservation of iconic views**?
3. **Height and Massing**:
    - Does the proposed building's height conform to the C4-1-SN zoning regulations?
    - Are discretionary approvals or variances being sought for increased height or density? If so, what justifications are provided, and how will they benefit the impacted community?
4. **Light and Glare**:
    - The light and glare was proposed as "insignificant" whereas the large glass faces will certainly cause severe glare on neighboring buildings and residents.

Blocking views of the Hollywood Sign would diminish the neighborhood's character and disproportionately affect long-term homeowners. I urge the City Planning Department to work with the developers on **design modifications that preserve this iconic view,** such as height reductions or alternative massing strategies, to better serve the community's needs.

Please see the images below as reference:

Current View (just now) at 6001 Carlton Way:

Entire view occluded in

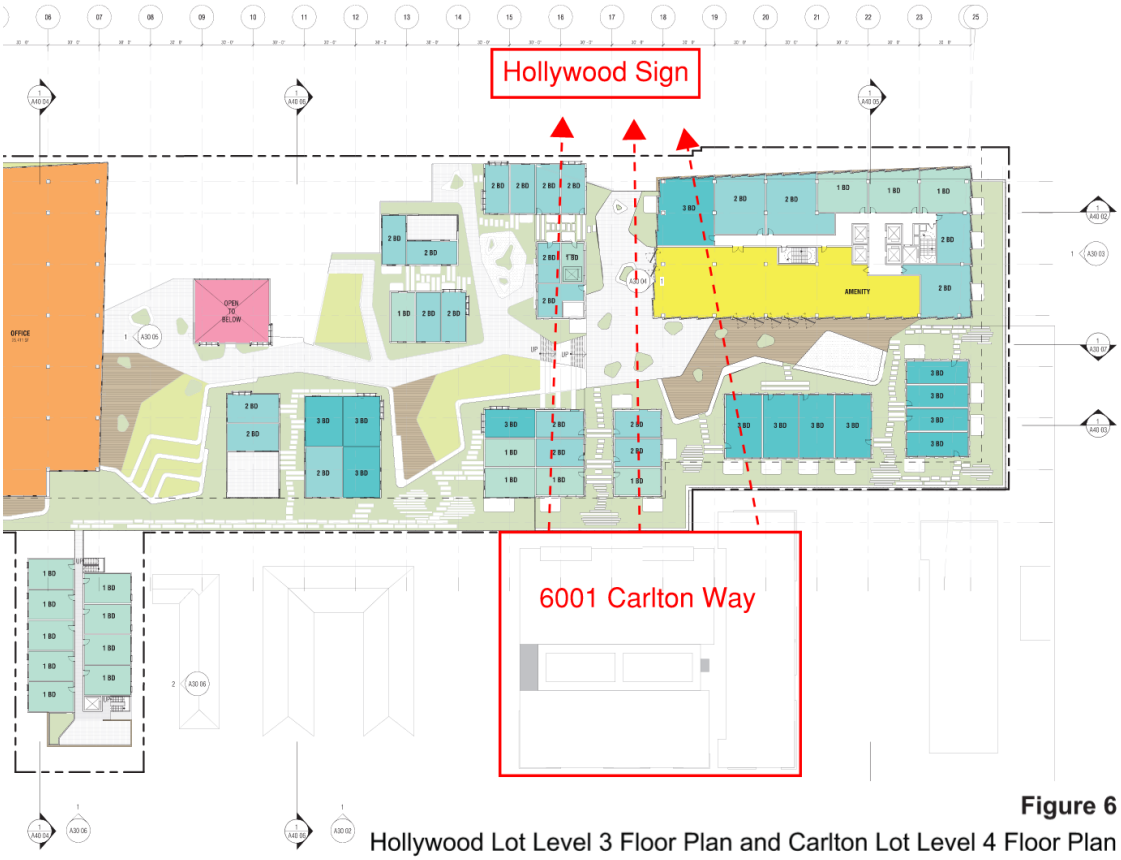

Figure 6
Hollywood Lot Level 3 Floor Plan and Carlton Lot Level 4 Floor Plan

Thank you for your attention to this matter. I would appreciate the opportunity to discuss these concerns further.

Please feel free to reach out to me at your earliest convenience.

Sincerely,
Greg Pinkel
Resident, 6001 Carlton Way #405, 90028
858-449-9425

Kathleen King <kathleen.king@lacity.org>

ENV-2022-6688-EIR, 6000 Hollywood Blvd, Draft EIR Public Comment

2 messages

Shane Swerdlow <shane.swerdlow@alumni.usc.edu> Wed, Dec 18, 2024 at 9:46 PM
To: Kathleen.king@lacity.org

Hi Kathleen,

As a 10-year Hollywood resident, I would like to express my strong support for the 6000 Hollywood Boulevard project. This mixed-use development is a perfect fit for this location and it supports the goals of the recently adopted Hollywood Community Plan Update.

Hollywood is one of the most iconic and vibrant parts of Los Angeles. However, since the onset of the Covid-19 pandemic, the area has experienced amplified challenges, especially along Hollywood Boulevard and the Walk of Fame. I'm thrilled that the project applicant is committed to investing in this critical location, while contributing a mix of much-needed uses in a beautifully designed development.

I am pleased this project will contribute much needed market rate and affordable housing without removing any existing housing stock. As someone who walks Hollywood Boulevard on a daily basis, I am particularly excited about the integration of ground floor retail space, which will activate a segment of this street that is currently not pedestrian friendly. I am also very supportive of the proposed publicly accessible landscaped open spaces. It is unfortunate that a dense neighborhood like Hollywood currently lacks park space, but private developments like this project play a critical role in creating inviting open spaces that benefit Hollywood residents, workers, and visitors.

This transformative project is a huge step in the right direction for Hollywood. I look forward to seeing this project move forward and set a new standard for mixed-use development that enhances the built environment, contributes new housing stock, improves the pedestrian realm, and supports economic growth in the region.

Thank you for considering my comments.

Shane Swerdlow

Kathleen King <kathleen.king@lacity.org> Thu, Dec 19, 2024 at 9:16 AM
To: Shane Swerdlow <shane.swerdlow@alumni.usc.edu>

Hi Shane-

Thank you for your comment regarding the 6000 Hollywood Project. Your comment has been added to the project file and will be responded to in the Final EIR.

Thank you again,
Kathleen
[Quoted text hidden]