

THE SILVERSTEIN LAW FIRM

A Professional Corporation

215 NORTH MARENGO AVENUE, 3RD FLOOR
PASADENA, CALIFORNIA 91101-1504
PHONE: (626) 449-4200
FAX: (626) 449-4205**FACSIMILE TRANSMITTAL SHEET**

DATE: March 26, 2012	NUMBER OF PAGES: 19
FROM: Bradly S. Torgan, Esq.	CLIENT/MATTER No.: L1336-020

NAME	FAX No.	PHONE No.
Hon. Edward P. Reyes, Chair Hon. Jose Huizar Hon. Mitchell Englander Planning & Land Use Management Committee City of Los Angeles	(213) 978-1040	

MESSAGE:

Please see attached.

Date: 3/27/12
 Submitted in via fax ~~Committee~~
 Council File No: 12-0303
 Item No.: 5
 Deputy Comm from Public

IMPORTANT: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE, WHO WILL ARRANGE TO RETRIEVE IT AT NO COST TO YOU, THANK YOU.

IF YOU DO NOT RECEIVE ALL PAGES OR TRANSMISSION IS NOT CLEAR, PLEASE CALL TELEPHONE NUMBER (626) 449-4200 IMMEDIATELY.

THE SILVERSTEIN LAW FIRM

A Professional Corporation

215 NORTH MARENGO AVENUE, 3RD FLOOR
PASADENA, CALIFORNIA 91101-1504

PHONE: (626) 449-4200 FAX: (626) 449-4205

BRAD@ROBERTSILVERSTEINLAW.COM
WWW.ROBERTSILVERSTEINLAW.COM

VIA FACSIMILE (213) 978-1040
AND HAND DELIVERY

March 26, 2012

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Mitchell Englander
Planning & Land Use Management Committee
c/o City Clerk
City Hall, Room 395
200 North Spring Street
Los Angeles, CA 90012

Re: Comments on the Hollywood Community Plan and Hollywood Community Plan Update Final EIR, EIR No. 2005-2158 (EIR), State Clearinghouse No. 2002041009, CPC No. 97-0043 (CPU), and related actions before and by the City Planning Commission

Dear Councilmembers Reyes, Huizar, and Englander:

I. **INTRODUCTION,**

This firm and the undersigned represent the La Mirada Avenue Neighborhood Association of Hollywood, members of which work and reside in, and will be significantly and adversely affected by, the Hollywood Community Plan ("HCP") Update as currently proposed. We submit these further comments and objections on its behalf.

Please ensure that all communications from the City to our client regarding the Project are also promptly copied to our office. All objections, including those regarding proper notice and due process, are expressly reserved and all prior objections are incorporated herein. We also reserve the right to further comment on the HCP Update and HCP Update EIR. Please also ensure that notice of all hearings, actions, events and decisions related to the HCP Update are timely provided to this office.

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Paul Englander
March 26, 2012
Page 2

II. THE CITY STILL USES AN INACCURATE POPULATION BASELINE.

This is a classic example of the City wanting to have its cake and eat it, too. The City knows that the population baseline used for the HCP Update is incorrect. Staff has implicitly acknowledged that the baseline physical condition is incorrect by analyzing some – but not all – impacts using the correct baseline of the 2010 Census instead of the 2005 SCAG estimate. Yet, the Final EIR still refuses to acknowledge the correct baseline as the environmental setting. This schizophrenic approach leaves the EIR inadequate as a matter of law.

The CPC rightly expressed concern about how much attention was paid to the 2010 census and questioned staff in that respect. Staff, though, got it wrong with respect to analysis under the proper baseline.

Staff's response to the CPC was essentially that it calculated the delta – that is the difference in impacts based on use of the 2005 estimate versus the 2010 census – reanalyzed public services, ran new traffic modeling, and determined that the resulting changes did not show any changes in the severity of the impacts. There are two problems with this response.

First, not all population-based impacts were reanalyzed. The Final EIR does not include any additional analysis of fire protection needs resulting from an additional 24,000 residents beyond that initially projected. There is no analysis of solid waste, even though use of the correct environmental setting means the EIR underestimates solid waste generation by 72 tons/day. As noted in previous correspondence, there is also no analysis under the correct baseline of wastewater and sewage impacts on an already aging and strained system.

Second, even if the proper analysis had been undertaken, it would be too little, too late. Core information – including both the baseline and the proper analysis using that baseline – are critical and mandatory elements of a *Draft* EIR. CEQA Guidelines §§ 15120(c), 15125(a), 15126. Circulation for public review of a Draft EIR that omits these core content requirements is a failure to proceed in the manner required by CEQA. Such an omission cannot be fixed in a Final EIR because it forecloses meaningful public review and comment. Mountain Lion Coalition v. Fish & Game Com. (1989) 214 Cal.App.3d 1043.

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Paul Englander
March 26, 2012
Page 3

If there is still a doubt that any continued use of the 2005 estimate as a baseline is improper, and that the response to comments regarding use of the baseline is flat-out wrong, the California Court of Appeal erased that doubt in the interim period since review by the CPC in a case filed and certified for publication earlier this year. In holding that an agency was correct to have changed its baseline over the course of an EIR process that took nearly nine years, the court recently said:

Administrative agencies not only can, but should, make appropriate adjustments, including to the baseline, as the environmental review process unfolds. No purpose would be served, for example, if an agency was required to remain wedded to an erroneous course and could only make a correction on remand after reversal on appeal. Citizens For East Shore Parks v. State Lands Commission (2012) 202 Cal.App.4th 549, 563.

So it is here. The City must clearly and unequivocally reject use of the 2005 estimate for baseline purposes.

III. THERE IS NO SUBSTANTIAL EVIDENCE TO SUPPORT A DOUBLING OF THE GROWTH RATE FROM THAT INITIALLY PROVIDED TO THE PUBLIC.

In an attempt to justify the inaccurate baseline, and now propose a plan that provides for growth 100% greater than the public was initially led to believe, the Final EIR gives this statement:

Given that the City of LA is still growing, that some census tracts and population groups in Hollywood are showing growth, there is reason to expect that net growth may return to Hollywood and that planning for this level of growth, if it were to occur, is desirable. (FEIR, p.3-2.)

This statement does nothing but obfuscate the issue. No one has suggested that Hollywood not be allowed to grow. SCAG projected that approximately 22,000 people would move into Hollywood over the plan horizon, while the HCP Update itself provided

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Paul Englander
March 26, 2012
Page 4

for approximately 24,000. Now that we know the correct baseline, the HCP must be recalibrated for that amount of growth, not more than twice as much.

Moreover, an assertion that the growth of Los Angeles as a whole between 2000 and 2010, and the equally modest growth of several census tracts in Hollywood, justifies a 100% increase in the growth rate that was initially provided to the public does not hold up when compared to the data. The City's growth between 2000 and 2010 was only 3.3% – and it did not occur in Hollywood. That other parts of the City grew modestly does not automatically lead to the conclusion that Hollywood will not only reverse a trend but increase its total population by over 25% over the plan horizon.

As for the four census tracts identified in the FEIR as having increased in population, one of them – Tract 1905.20 – actually *decreased* in population by almost 14%, from 4,326 to 3,728. See <http://blogdowntown.com/custom/census/county.html>, accessed March 26, 2012.) The gains in the other three tracts were only modest. Tract 1970 grew by 110 people, or approximately 3.3%. Tract 1910 grew by 193 people, or approximately 6%. Tract 1905.10 grew by only 40 people, or less than 1%. In no way do these modest numbers justify doubling the growth rate from that initially provided to the public.

IV. THE HCP UPDATE IS STILL INCONSISTENT WITH THE LOS ANGELES GENERAL PLAN.

Staff also got it wrong in front of the CPC by calling the HCP Update a “growth neutral plan” in its response to questions from Commissioners. From 2005 to 2030, SCAG projected that the HCP area would grow by 22,176 persons. If the plan actually provided for that level of growth, the plan would be growth neutral. When the correct baseline is used, though, we now know that the plan provides for over 50,000 people – more than double the natural growth initially expected.

Staff's attempt to portray the plan as growth neutral in front of the CPC is important because growth neutrality is required of the HCP Update in order to ensure consistency with the Growth and Capacity provisions of the Los Angeles General Plan Framework Element. Those provisions state that “it is not the intent of the Framework Element to cause any specific level of population growth to occur. It is a plan to accommodate whatever growth does occur in the future, *which could include a loss of*

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Paul Englander
March 26, 2012
Page 5

population." See <http://cityplanning.lacity.org/cwd/framwk/chapters/02/02.htm>, accessed December 22, 2011 (emphasis added).

The HCP Update is not growth neutral. It is growth inducing, contrary to the conclusion of the EIR and in violation of the General Plan.

The growth inducing nature of the HCP Update is also apparent in the changed objectives for the plan as they are identified in the Final EIR. The first objective listed in the Draft EIR was "to provide additional housing, especially near supporting infrastructure and services, including public transit, *for an anticipated population increase.*" (DEIR, p. 2-5 [emphasis added].) In the context of the HCP, this objective means that the HCP update must only plan for the forecasted 22,176 residents projected to call Hollywood home by 2030.

That objective has been eliminated from the Final EIR. (FEIR, p. 4-3.) The conclusion can only be that, contrary to staff claims, the HCP Update has dropped all pretense of growth neutrality, in violation of the General Plan.

V. THE "REASONABLE RANGE OF ALTERNATIVES" IN THE EIR IS NO RANGE AT ALL.

The Final EIR purports to provide three alternatives. However, it in fact provides none – a clear violation of CEQA requirement to analyze a "range of reasonable alternatives." CEQA Guideline § 15126.6(c).

The first claimed "alternative" is the project. A project, though, cannot be an alternative to itself. Pub. Res. Code § 21100(b)(4) (An EIR must contain a "detailed statement setting forth...alternatives to the proposed project.")

The second "alternative" is the no-project alternative. The description of what happens should the status quo continue, however, is not an alternative for the purpose of establishing and analyzing the reasonable range of alternatives, as required CEQA.

"A no project description is nonevaluative. It provides the decision makers and the public with specific information about the environment if the project is not approved. It is a factually-based forecast of the environmental impacts of

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Paul Englander
March 26, 2012
Page 6

preserving the status quo. It thus provides the decision makers with a base line against which they can measure the environmental advantages and disadvantages of the project and alternatives to the project.” Planning and Conservation League v. Department of Water Resources (2000) 83 Cal.App.4th 892, 917-18.

The final alternative, “Alternative #3,” is no alternative at all. It does nothing more than assume the HCP area will have less than 2% fewer residents than are assumed under the Project. No differences with project policies are identified. No differences with project land use designations are identified. No differences in range of zoning classifications are identified. In short, programmatic differences between the project and the “alternative” are non-existent.

Even if Alternative #3 was a legitimate alternative – and we do not consider to be so – it does not constitute the reasonable range of alternatives. One potentially feasible alternative is not a range, much less a reasonable one as mandated by CEQA. This is clear from the plain language of the words “range” and “alternatives” [plural] repeatedly used in CEQA and the CEQA Guidelines. The term “range” refers to “a sequence, series, or scale between limits ... [e.g.] a range of possible solutions” *Webster’s Third New International Dictionary, Unabridged, Merriam-Webster, 2002*, <http://unabridged.merriam-webster.com> (viewed Dec. 22, 2011.)

SCAG estimates that the Hollywood Community Plan area will gain 22,176 residents over the plan horizon. A reasonable range of alternatives would include an alternative that provides for this growth over the correct baseline of the 2010 census.

VI. A CONCLUSION OF NO SIGNIFICANT FIRE PROTECTION IMPACTS IS NOT SUPPORTED BY SUBSTANTIAL EVIDENCE.

It has only recently come to the public’s attention that the Los Angeles Fire Department has “for years released misleading data of the response time of firefighters.” (See **Exhibit 1**.) What corrected data apparently shows is that response times have been well under Federal standards for several years and continue to deteriorate.

This is significant new information. Traffic impacts response times, and this new knowledge of at least several years of substandard response times – response times that

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Paul Englander
March 26, 2012
Page 7

continue to deteriorate – combined with the traffic of 24,000 additional new residents not analyzed in the Draft EIR, creates potentially significant impacts that themselves have yet to be analyzed.

The lack of documentation of any consultation with the Los Angeles Fire Department regarding fire protection impacts is also troubling. (See **Exhibit 2** [January 30, 2012 response of LAFD to CPRA request].) Without more explanation and concrete evidence of consultation, the conclusions of no significant impact in the EIR are unsupported because the EIR fails to show the “analytic route the administrative agency traveled from evidence to action.” West Chandler Blvd. Neighborhood Assn. v. City of Los Angeles (2011) 198 Cal.App.4th 1506, 1521.

VII. A CONCLUSION OF NO SIGNIFICANT AIR QUALITY IMPACTS IS NOT SUPPORTED BY SUBSTANTIAL EVIDENCE.

It is not clear if the attached correspondence from the SCAQMD regarding the Final EIR (**Exhibit 3**) reached the CPC in time for its consideration. It makes clear, though, that even the changes made in response to its comments on the Draft EIR are insufficient, both as mitigation and to reach a conclusion of no significant impact.

VIII. THE EIR MUST BE RECIRCULATED.

The CEQA-mandated EIR review of a correct baseline and a reasonable range of alternatives must be contained in the *Draft* EIR – the environmental document that must be circulated for public review and comment under Section 21091. That review may not be deferred to agency responses in a Final EIR. “*Draft* EIRs *shall* contain the information required by [Guidelines] Sections 15122 through 15131.” CEQA Guidelines § 15120 (c), emphasis added; see also, § 15362(a).

The information required by Guidelines Sections 15122 through 15131, of course, includes the information required by Guidelines Section 15125(a), which provides the requirements and criteria for the environmental setting. It also includes the information required by Guidelines Section 15126.6, which provides the requirements and criteria for EIR alternatives review. Those requirements include that the Draft EIR “must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation,” Guidelines § 15126.6(a), and that “[t]he EIR shall include sufficient information about each alternative to allow meaningful

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Paul Englander
March 26, 2012
Page 8

evaluation, analysis, and comparison with the proposed project.” Guidelines § 15126.6(d).

The public disclosure of this information and analysis in the *Draft* SEIR is both mandatory and critical. The Court of Appeal in Mountain Lion Coalition v. Fish & Game Com. (1989) 214 Cal.App.3d 1043, 1052, explained this important rule:

“If we were to allow the deficient analysis in the draft EID [environmental impact document] to be bolstered by a document that was never circulated for public comment ... we would be subverting the important public purposes of CEQA. Only at the stage when the draft EID is circulated can the public and outside agencies have the opportunity to analyze a proposal and submit comment. No such right exists upon issuance of a final EID unless the project is substantially modified or new information becomes available. [Citation.] To evaluate the draft EID in conjunction with the final EID in this case would only countenance the practice of releasing a report for public consumption that hedges on important environmental issues while deferring a more detailed analysis to the final EID that is insulated from public review.”

The correct core content with respect to the baseline population and analysis pursuant to that baseline was never provided in the Draft EIR. Analysis of a reasonable range of alternatives is absent from both the Draft and the Final EIR. Without recirculation of a Draft EIR with this information, the City will not have proceeded in the manner required by law.

The changes in objectives also require recirculation. Changing objectives from those that merely accommodate growth to those that accelerate growth is significant new information triggering the recirculation requirement of CEQA Guideline section 15088.5(a).

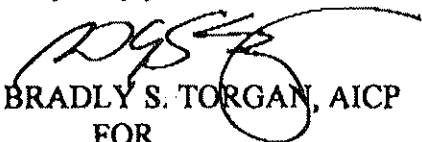
//
//
//
//
//

Hon. Edward P. Reyes, Chair
Hon. Jose Huizar
Hon. Paul Englander
March 26, 2012
Page 9

IX. CONCLUSION.

For all the foregoing we respectfully that the Final EIR not be certified and the Hollywood Community Plan be rejected.

Very truly yours,



BRADLY S. TORGAN, AICP
FOR
THE SILVERSTEIN LAW FIRM

BST:aa
Attachments

cc: Sharon Gin, PLUM Committee Leg. Asst. (via email Sharon.Gin@lacity.org)

)

YOU LOST YOUR BACKUP ...



View this article online:

<http://www.insurancejournal.com/news/west/2012/03/12/239088.htm>

Los Angeles Fire Department Says Data On Response Times Is Misleading

Los Angeles Fire Department officials have for years released misleading data on the response times of firefighters, according to a report.

LAFD brass made the admission Friday after mayoral candidate Austin Beutner cited fire department numbers in a Huffington Post column that claimed budget and staffing cuts caused response times to increase.

When questioned about the numbers by the Los Angeles Times, officials said they used figures that made it appear that firefighters were arriving at the scene of emergencies faster than they actually were.

Relying on LAFD reports, Beutner said that in 2008 the department responded to medical emergencies within five minutes 86 percent of the time. He blamed budget cuts for a decline in that figure to 59 percent last year.

Retired Captain Billy Wells, who calculated the original numbers, said he followed the department's long tradition of using a six-minute response standard.

Wells' successor, Capt. Mark Woolf, said he reluctantly continued using the flawed formula for a time because he didn't want to shoulder the blame for a sudden drop in department performance.

"I didn't want to touch that (extra) minute because I knew the data would take a dump," Woolf told the newspaper.

Corrected data generated by a new computer system shows that in 2008, the department actually hit the five-minute goal only 64 percent of the time, officials said. By last year, that number had fallen to about 60 percent, according to the Times.

The numbers controversy comes as the LAFD is facing increased scrutiny over how budget reductions have affected service. Fire Department spending has been reduced more than 15 percent in recent years, and about a quarter of the city's 106 fire stations have eliminated staffing for fire trucks or ambulances, according to the Times.

Copyright 2012 Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

More from Insurance Journal

[Today's Insurance Headlines](#) | [Most Popular](#) | [West News](#)

Los Angeles Times LOCAL



L.A. NOW

SOUTHERN CALIFORNIA · THIS JUST IN

L.A. Fire Department admits exaggerating response times

March 10, 2012 | 8:44 am



Top Los Angeles Fire Department officials on Friday admitted to *The Times* that for years the agency put out data that made it appear that firefighters were arriving at the scene of emergencies faster than they actually were.

The statistics snafu comes as the department is facing increased scrutiny over how budget reductions have affected service.

The dust-up began Thursday, when candidate Austin Butner complained in a *Huffington Post* column that recent Fire Department budget cuts have sent response times for medical emergencies soaring. Butner laid the blame on the City Council members who approved the cuts, singling out mayoral rivals Eric Garcetti and Jan Perry. He also criticized another opponent, City Controller Wendy Greuel, for failing to scrutinize the effect of the cuts.

Relying on Fire Department reports presented to lawmakers, Butner said that in 2008 the department responded to medical emergencies within five minutes 86% of the time. After the cuts, the department last year met that standard just 69% of the time, he said.

Following Butner's critique — and a *Times* inquiry — the department made an awkward admission: Data showing it did so well in the past were simply wrong.

Federal guidelines call for first responders to arrive on scene in under five minutes 90% of the time. But a former department statistician counted all responses within six minutes, officials explained, which improved the record. Retired Capt. Billy Walls, who crunched the data with a hand calculator, said he followed the department's long tradition of using a six-minute response standard.

Walls' successor, Capt. Mark Wolf, said he reluctantly continued using the flawed formula for a time because he didn't want to be blamed for a sudden drop in department performance. "I didn't want to touch that [extra] minute because I knew the data would take a dump," he said.

Corrected data generated by a new computer system shows that in 2008, the department actually hit the five-minute goal only 64% of the time, officials said. By last year, that number had fallen to about 60%.

Fire Chief Brian Cummings said his department's performance is pretty good, given the 16% reduction to its budget in recent years, which has led to the elimination of firetrucks or ambulances at about one-fourth of the city's 106 fire stations.

ALSO:

Student in California college slain while visiting India

Man dies as freight train hits truck in Riverside: Metrolink delays

)

Jan 30 2012 12:59

P. 01

BOARD OF FIRE COMMISSIONERS

GENETHIA HUDLEY-HAYES
PRESIDENT

CASIMIRO U. TOLENTINO
VICE PRESIDENT

DIANA M. BONTÁ
ANDREW FRIEDMAN
JILL FURILLO

LETICIA GÓMEZ
EXECUTIVE ASSISTANT I

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

FIRE DEPARTMENT

BRIAN L. CUMMINGS
FIRE CHIEF

200 NORTH MAIN STREET
LOS ANGELES, CA 90012

(213) 878-3800
FAX: (213) 974-3815

<http://www.lafd.org>

January 30, 2012

Bradly S. Torgan
The Silverstein Law Firm
215 N. Marengo Ave, 3rd Floor
Pasadena, CA 91101

VIA FACSIMILE (626) 449-4205 and US MAIL

Dear Sir,

This letter is in response to your written request dated January 17th, 2012 and served upon the Los Angeles Fire Department pursuant to the California Public Records Act.

Please be aware that we have conducted a comprehensive search of our records and we are unable to locate any records responsive to your request in regards to the Hollywood Community Plan Update and/or the Hollywood Community Plan Update Environmental Impact Report.

If you have any questions, you can reach me at (213) 893-9800. We greatly appreciate your courtesy and cooperation in this matter.

Very truly yours,

BRIAN L. CUMMINGS
Fire Chief


Michael Greenup, Battalion Chief
Arson/Counter Terrorism Section

)



South Coast
 Air Quality Management District
 21865 Copley Drive, Diamond Bar, CA 91765-4182
 (909) 396-2000 • www.aqmd.gov

E-mailed: December 8, 2011
 Srimal.Hewawitharana@lacity.org

December 8, 2011

Ms. Srimal Hewawitharana
 Room 750, City Hall
 Department of City Planning
 200 North Spring Street
 Los Angeles, CA 90012

**Review of the Final Environmental Impact Report (Final EIR)
 for the Proposed Hollywood Community Plan Update Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comment is intended to provide guidance to the lead agency and should be incorporated into the Final Environmental Impact Report (EIR) as appropriate.

In a comment letter submitted to the lead agency on June 1, 2011 regarding the Draft EIR for the proposed project AQMD staff expressed concern that the lead agency did not demonstrate that the project will have less than significant operational air quality impacts. Specifically, the AQMD staff commented that given the absence of a health risk assessment in the Draft EIR quantifying the potential health risk impacts from the 101 Freeway, the lead agency had not demonstrated its less than significant determination for the project's operational air quality impacts. As a result, the AQMD staff recommended that the lead agency require a 500 foot buffer for any new residential project built close to the 101 Freeway. In response to this comment the lead agency provided additional mitigation in the Final EIR that will require a health risk assessment for any *discretionary* project within 500 feet of the 101 Freeway and that requires health risk impacts to be reduced to an acceptable level (i.e. air quality mitigation measure #4 in the Final EIR). Given that this measure is not applicable to all projects within the plan area and that the lead agency has not set a health risk impact threshold consistent with AQMD thresholds the AQMD staff is concerned that these measures are not sufficient to reduce the project's potential health risk impacts to an insignificant level. Therefore, the AQMD staff recommends that the lead agency revise air quality mitigation measure #4 as follows:

- Require a health risk assessments to be conducted for ~~discretionary residential~~ any projects containing sensitive land uses that is located within 500 feet of the 101 Freeway. Mitigation measures shall be required as necessary to reduce health risks (for indoor and outdoor uses) below SCAQMD's adopted thresholds ~~to an acceptable level~~. These health risk assessments shall be circulated to SCAQMD for review and comment.

Ms. Srimal Hewawitharana

2

December 8, 2011

Please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,



Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

LAC111007-01
Control Number