



October 22, 2012

Los Angeles Department of City Planning:
Attn: Sharon Gin
200 North Spring Street
Los Angeles, CA 90012

Los Angeles City Council
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Los Angeles, CA 90012

Subject: ENV-2007-0365-MND/DIR-2009-2065-DB for
5241 - 5247 Santa Monica Blvd. and 5238 - 5246 Virginia Avenue

Michael Logrande, Director of Planning and Blake Lamb, City Planner
Honorable Council President Herb Wesson and Honorable Members:

On behalf of concerned neighbors near the proposed project, we have been asked to further review the environmental record as it relates to air quality and noise impacts from implementation of the proposed project. We previously unequivocally stated that the proposed noise impact mitigation is inadequate to support a finding of a less-than-significant impact that would justify use of an MND for CEQA clearance. We stated that the level of assumed mitigation to support this conclusion is physically impossible. The response by Mr. Sam Silverman dated July 11, 2011, alleged:

1. The acoustical blankets will reduce construction noise levels by 15 - 25 dB.
2. Manufacturers boast of average decibel drops of 20 - 40+ dB.
3. Impacts are temporary, and people are away from home during the day, so it doesn't matter anyway.

Might we set the record straight? Here are the statements of acoustical experts across a wide spectrum of applications:

Federal Highway Administration, Policy Guide 2005, Table 10:

Reduction in Sound Level	Reduction in Acoustic Energy	Degree of Difficulty
5 dB	70%	Simple
10 dB	90%	Attainable
15 dB	97%	Very Difficult
20 dB	99%	Nearly Impossible

The Institute of Noise Control Engineering (INCE) in Publication 99-1, "Technical Assessment of the Effectiveness of Noise Walls" states as follows: "It is the collective experience of the Working Party that the most common values of A-weighted insertion loss range between about 5 to 12 dB. Tom Paige, P. E., of Kinetics Noise Control, a sound control manufacturer, further states that "Barrier attenuation is generally limited to 10 – 15 dB" (enoisecontrol.com).

CEQA guidelines further state that a "substantial temporary noise impact" is to be designated as significant. The response to previous comments acknowledge was that there will be speech interference issues because of construction activity proximity, but that the temporary nature of such impacts justifies a finding of a less-than-significant impact. There is nothing in the CEQA implementation guidelines that exempts temporary significant impacts.

Assertions that the proposed mitigation will achieve noise reductions unheard of in acoustic science as a basis for supporting an MND finding are implausible and clearly point to a major disagreement among experts as a basis for justifying the preparation of an EIR.

The proposed MND further fails to acknowledge that a number of children's health studies have clearly demonstrated that placement of residential uses within 1,000 feet of a freeway is strongly contra-indicated. The City of Los Angeles, particularly at the Planning Commission level, has reacted very negatively to putting children at risk through approval of residential development within the 1,000 foot impact zone. If nothing else, such developments have been required to submit a health risk analysis and to incorporate strongly enhanced ventilation upgrades to provide interior climates to off-set the adverse exterior exposure. With prevailing west to east winds, the proposed project site is squarely within the zone of maximum freeway pollution impact for sensitive children receptors. The failure to adequately address this issue is a further fatal flaw that must be corrected in the preparation of an EIR.

Thank you for your consideration of our comments.

Sincerely,



Hans D. Giroux
Senior Analyst
Giroux & Associates



Former auto repair and paint shops at Project site, photo circa 2001