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September 12, 2016

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City Council
City of Los Angeles
c/o Etta Armstrong, Assistant to Sharon Dickinson & Sharon Dickinson
etta.armstrong@lacity.org
cc: sharon.dickinson@lacity.org

Via Email

Re: *California Environmental Quality Act Comments on Paramount Pictures
Master Plan FEIR, City Case No. ENV-2011-2460-EIR; State
Clearinghouse No. 2011101035*

Dear Ms. Armstrong and Ms. Dickinson and the Honorable City Council of the City of Los Angeles:

Please accept these further comments pursuant to the California Environmental Quality Act ("CEQA") on behalf of the SoCal Environmental Justice Alliance on the Final Environmental Impact Report ("FEIR") for the Paramount Pictures Master Plan project ("the Project") which you are considering tomorrow. They should be considered by the Council and should become a part of the Administrative Record for this Project.

Air Quality

In our earlier comments to the PLUM Committee, we noted that we had reviewed your Appendix E.1 and it does not fully disclose the basis for your assumptions and to the extent it does it appears flawed. Specifically, the Appendix appears to group out a series of sub-projects into groups A-D, and even though it acknowledges that those sub-projects will be constructed concurrently, it does not assess the air quality impacts for those sub-projects concurrently. Rather, it picks out the maximum daily emissions for a given year for each sub-group in order to identify when emissions would be significant. We were concerned that this substantially understated the emissions that will occur.

We consulted with some experts and they concur in our analysis. Attached is a memo from Soil Water Air Protection Enterprises (SWAPE) addressing our concerns with respect to the Paramount Pictures Air Quality Appendix.

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Thank you for your consideration of these comments.

Sincerely,

/s/Craig M. Collins

Craig M. Collins
Blum Collins LLP

Attachment: Comments from SWAPE

The fact that the majority of construction for all four groups will occur concurrently is further supported by the “Project Peak Daily Construction Emissions with Mitigation” table. This table, which is presented in Appendix E, provides the maximum daily emissions for each construction group for each year of construction (see excerpt below) (Appendix E, pp. 9).

Project Peak Daily Construction Emissions With Mitigation								
Time Period	Project Element	Peak Daily Emissions (pounds per day)						
		VOC	NOX	CO	SO _x	PM10	PM2.5	Notes
Group A	2016	2.61	54.83	62.47	0.17	4.61	2.75	A2.3
	2017	2.60	47.99	49.41	0.12	5.14	2.79	A2.3
	2018	1.93	35.04	38.79	0.06	2.25	1.90	
	2019	1.24	21.96	25.13	0.06	4.08	2.38	
	2020	26.41	16.29	37.59	0.05	2.55	1.47	Arc'n
	2021	26.29	16.26	27.22	0.05	2.55	1.47	
	Maximum	26.41	64.83	62.47	0.17	5.14	2.79	
	Thresholds	75	100	550	150	150	55	
	Over/Under	(49)	(33)	(499)	(150)	(145)	(52)	
	Group B	2016	5.74	69.45	80.33	0.16	5.69	3.25
2017		5.32	64.86	80.10	0.12	5.54	3.20	
2018		4.74	62.82	63.71	0.21	6.25	3.60	
2019		3.10	29.28	43.61	0.10	4.54	2.22	
2020		105.92	104.44	125.64	0.31	11.15	6.90	B2.3, 2&2.4 A
2021		102.76	34.86	49.12	0.11	4.61	2.56	
2022		102.30	30.91	33.21	0.07	3.55	1.25	
Maximum		105.92	104.44	125.64	0.31	11.15	6.90	
Thresholds		75	100	550	150	150	55	
Over/Under		31	4	(434)	(150)	(135)	(49)	
Group B/C Overlap	B2.4 Closure	1.05	19.77	23.53	0.04	1.14	0.14	
	B2.4 Offsets	0.19	1.02	2.58	0.01	0.50	0.15	
	C1.1 Closure	1.08	22.64	30.49	0.05	1.64	1.26	
	C1.2 Offsets	0.75	11.04	8.15	0.03	1.13	0.43	
	Maximum Combined	3.09	54.37	64.55	0.13	4.68	3.09	
	Thresholds	75	100	100	150	150	55	
	Over/Under	(72)	(49)	(25)	(150)	(145)	(52)	
	B3.5 Closure	0.60	13.67	15.91	0.02	0.76	0.76	
	B3.5 Offsets	0.09	0.46	1.23	0.00	0.25	0.07	
	C1.3 Closure	2.51	37.96	42.82	0.06	4.59	3.26	
C1.3 Offsets	0.64	9.27	7.16	0.03	1.08	0.28		
Maximum Combined	3.84	59.39	66.92	0.11	6.62	4.46		
Thresholds	75	100	100	150	150	55		
Over/Under	(74)	(54)	(39)	(150)	(146)	(55)		
Group C	2016	3.15	47.25	45.78	0.05	5.61	3.63	
	2017	2.61	37.53	42.61	0.08	5.18	3.04	
	2018	1.72	30.98	39.10	0.06	3.73	1.71	
	2019	4.37	78.94	92.87	0.20	6.82	4.51	
	2020	74.63	119.12	125.55	0.36	11.96	6.42	C4.3&3.4 A
	2021	70.29	63.01	64.07	0.14	6.75	3.48	
	Maximum	74.63	119.12	125.55	0.36	11.96	6.42	
	Thresholds	75	100	550	150	150	55	
	Over/Under	(6)	19	(424)	(150)	(135)	(48)	
	Group D	2016	4.03	64.55	63.58	0.09	8.10	5.17
2017		2.81	41.34	62.00	0.10	4.53	2.83	
2018		6.72	114.71	105.03	0.33	9.39	4.90	D2.3 NOX, PM10
2019		5.13	77.25	97.60	0.18	7.22	5.01	D2.4&3.4 CO, PM2.5
2020		60.64	23.11	45.12	0.17	3.72	5.66	Arc'n
2021		58.51	33.91	15.49	0.11	4.83	2.04	
Maximum		60.64	114.71	97.60	0.33	9.39	5.66	
Thresholds		75	100	550	150	150	55	
Over/Under		(14)	15	(492)	(150)	(141)	(49)	
Group A-D		Maximum	105.92	119.12	125.64	0.36	11.96	6.42
	Thresholds	75	100	550	150	150	55	
	Over/Under	31	19	(424)	(150)	(146)	(49)	
	Reduction	-3%	-12%	9%	0%	4%	-10%	

As demonstrated in the figure above, all construction groups are assumed to start in 2016 and continue through 2021, with Group B finishing in 2022. While there is some inconsistency between the years

presented in the figure above and years presented in the construction schedule (in the construction schedule, Group A has a five year duration, while in the table, Group A lasts for six years), both the construction schedule and the table above demonstrate that all four groups will start construction simultaneously, with the bulk of construction for each phase overlapping with each other.

Based off this information, the Project’s construction emissions should have been evaluated assuming that construction of all four groups would occur concurrently. Review of the DEIR and associated appendices, however, demonstrates that this is not the case. According to the “Project Peak Daily Construction Emissions with Mitigation” table, the peak daily construction emissions were not evaluated assuming overlap of Groups A-D. Rather, only the overlap of Group B sub-phase B3.4 with Group C sub-phase C2.2 and Group B sub-phase B3.5 with Group C sub-phase C1.3 were considered (Appendix E, pp. 6-7, 9). This method of evaluation directly contradicts the construction schedule provided in the tables and figures in Appendix E (pp. 6-7, 9). By failing to account for the overlap in construction between all four groups, the DEIR and associated appendices underestimate the Project’s construction emissions, and as a result, the Project’s construction-related air quality impact is inadequately evaluated.

In an effort to account for the overlap that would occur between each group of construction, we conducted a simple analysis. Instead of evaluating the emissions generated by each group separately, as was conducted in the DEIR, we added all of the emissions generated by each group for each year and then compared the sum of these emissions to applicable thresholds. For example, as demonstrated in the table below, the estimated peak daily construction emissions for 2016 for each group were summed and then compared to thresholds. This method of determining significance provides for a more accurate representation of the Project’s air quality impacts, as it reflects the anticipated construction schedule and provides for a more conservative analysis.

Project Peak Daily Construction Emissions with Mitigation (lbs/day)							
Year	Time Period	VOC	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
2016	Group A	4	65	62	0	5	3
	Group B	6	70	80	0	6	3
	Group C	3	47	50	0	6	4
	Group D	4	55	54	0	8	5
	Total		17	236	246	1	24
	SCAQMD Threshold	75	100	550	150	150	55
	Exceed?	<i>No</i>	Yes	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
2017	Group A	3	48	49	0	5	3
	Group B	5	45	68	0	6	3
	Group C	3	38	43	0	5	3
	Group D	3	42	53	0	5	3
	Total		13	173	213	0	20
	SCAQMD Threshold	75	100	550	150	150	55
	Exceed?	<i>No</i>	Yes	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
2018	Group A	2	30	38	0	2	2
	Group B	5	83	84	0	6	4

	Group C	2	31	36	0	3	2
	Group D	7	115	95	0	9	5
	Total	15	258	253	1	21	12
	SCAQMD Threshold	75	100	550	150	150	55
	<i>Exceed?</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
2019	Group A	1	22	25	0	4	2
	Group B	3	29	44	0	6	2
	Group C	5	79	92	0	7	5
	Group D	5	77	98	0	7	5
	Total	14	207	259	1	23	14
	SCAQMD Threshold	75	100	550	150	150	55
	<i>Exceed?</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
2020	Group A	26	19	28	0	3	1
	Group B	106	104	126	0	11	6
	Group C	75	119	126	0	12	6
	Group D	61	73	85	0	9	6
	Total	268	316	364	1	34	19
	SCAQMD Threshold	75	100	550	150	150	55
	<i>Exceed?</i>	<i>Yes</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
2021	Group A	26	18	27	0	3	1
	Group B	103	35	49	0	5	2
	Group C	70	43	64	0	7	3
	Group D	59	40	55	0	5	3
	Total	258	136	196	0	19	10
	SCAQMD Threshold	75	100	550	150	150	55
	<i>Exceed?</i>	<i>Yes</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
2022	Group A	-	-	-	-	-	-
	Group B	102	21	33	0	4	2
	Group C	-	-	-	-	-	-
	Group D	-	-	-	-	-	-
	Total	102	21	33	0	4	2
	SCAQMD Threshold	75	100	550	150	150	55
	<i>Exceed?</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

As demonstrated above, when construction emissions are evaluated correctly, assuming that overlap in groups will occur, the Project's construction-related NO_x emissions for years 2016 through 2021 exceed the 100 pound per day (lb/day) threshold, and the Project's construction-related ROG emissions for years 2020 through 2022 exceed the 75 lb/day threshold set forth by the South Coast Air Quality Management District (SCAQMD), even with the inclusion of mitigation. This demonstrates a significant increase in emissions when compared to what was evaluated in the DEIR. By failing to accurately account for overlap in the Project's construction schedule, estimated emissions in the DEIR are greatly

Our analysis demonstrates that various parts of the DEIR's Air Quality Analysis directly contradict each other, resulting in confusion. Due to these many discrepancies, the analyses conducted in the DEIR's Air Quality Analysis (Appendix E) are inadequate and should not be relied upon to determine Project significance. A revised DEIR should be prepared with an updated air quality analysis that accurately describes the Project's air quality impact.